

**CITY OF HELEN
COMMISSION MEETING
AUGUST 18, 2015
3:00 P.M.
AGENDA**

1. CALL TO ORDER BY MAYOR DONA K BURKE
2. ROLL CALL BY CITY CLERK MARILYN CHASTAIN
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES FROM AUGUST 4, 2015
6. PETITIONS AND COMMUNICATIONS FROM THE PUBLIC
7. ALPINE HELEN/WHITE COUNTY CVB MONTHLY REPORT
8. HELEN CHAMBER OF COMMERCE MONTHLY REPORT
9. ADMINISTRATIVE
 - A. FINANCIAL REPORT
 - B. CONSIDERATION OF ALCOHOL LICENSE APPLICATION FOR ANGELA SAENZ D/B/A STROKIN OLDIES BAR AND GRILL, LOCATED AT 8160 SOUTH MAIN STREET, HELEN, GA FOR; BEER ON PREMISES, WINE ON PREMISES, LIQUOR POURING, SUNDAY SALES
 - C. CONSIDERATION AND DISCUSSION OF CHANGING COMMISSION MEETING TIMES
 - D. CONSIDERATION OF APPROVAL OF A VARIANCE FOR ALCOHOL VENDORS FOR THE SEPTEMBER 26, 2015 STREET DANCE FOR THE 45 DAY APPLICATION REQUIREMENT
 - E. DISCUSSION CONCERNING THE DISPOSAL OF EXCESS VEHICLES AND EQUIPMENT
10. POLICE DEPARTMENT MONTHLY REPORT
11. FIRE DEPARTMENT MONTHLY REPORT

12. PUBLIC WORKS, WATER AND WASTE WATER MONTHLY REPORT

13. BUILDING AND ZONING DEPARTMENT MONTHLY REPORT

14. PURCHASES AND BIDS

15. ORDINANCES

A. 15-085-01; AN ORDINANCE OF THE CITY OF HELEN, GEORGIA, TO AMEND THE OFFICIAL CODE OF THE CITY OF HELEN, GEORGIA, BY THE REPEAL OF THE CURRENT CHAPTER 68; TAXICABS FOR HIRE; AND ITS REPLACEMENT WITH A NEW CHAPTER 68; TAXICABS FOR HIRE; IN ORDER TO REFLECT IN THE HELEN MUNICIPAL CODE THOSE CHANGES IN STATE LAW IMPLEMENTED BY THE GEORGIA LEGISLATURE

16. RESOLUTIONS; NONE

17. EXECUTIVE SESSION TO DISCUSS PERSONNEL AND PENDING OR POSSIBLE LITIGATION

17. CITY COMMISSION COMMENTS

18. ADJOURNMENT

THIS AGENDA WAS POSTED AUGUST 14, 2015 AT 2:00 P.M.

**CITY OF HELEN
COMMISSION MEETING
AUGUST 18, 2015
MINUTES OF MEETING**

The Helen City Commission met on Tuesday August 18, 2015 in the Commission Chambers at Helen City Hall with Mayor Dona K Burke calling the meeting to order at 10:00 a.m.

City Clerk Marilyn Chastain called the roll and the following were present; Commissioner Fred Garmon, Commissioner Helen Wilkins, Mayor Dona K Burke, Commissioner Judy Holloway, Commissioner Jeff Ash.

Also attending were City Manager Jerry Elkins, Finance Officer Debbie Gerchman, City Attorney Carl Free, City Clerk Marilyn Chastain, OIC Captain Brian Stephens, Building & Zoning Director Larry Krul Public Works Director Ross Hewell.. Absent Fire Captain Lee Poteat.

Pledge of Allegiance to the Flag was given.

Approval of Agenda; Motion to approve the Agenda made by Commissioner Jeff Ash, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Approval of Minutes from August 4,, 2015; Motion to approve made by Commissioner Fred Garmon, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Petitions and Communications from the Public; None

Alpine Helen / White County CVB Monthly Report; report included as an integral part of the Minutes. Director Jerry Brown was present and gave a verbal report of activity during the month.

Helen Chamber of Commerce Monthly Report; None. Director Renee Chacon was not present at the meeting.

Administrative Operations;

A. Financial Report; City Manager Jerry Elkins informed the Commission the First report of the new Fiscal year looks great. Motion to approve the report made by Commissioner Fred Garmon, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

B. Consideration of Alcohol License application for Angela Saenz D/B/A Strokin Oldies Bar and Grill, located at 8160 South Main Street, Helen, GA for; Beer on Premises, Wine on Premises, Liquor Pouring and Sunday Sales. Angela Saenz was present for the meeting.

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Ms. Saenz was asked to explain the circumstances of her criminal history she had listed on the Alcohol License application, at which time she did. There were additional questions asked of Ms. Saenz by the Commission. Commissioner Judy Holloway made a motion that due to past criminal charges and of Ms. Saenz being currently on probation that is in effect until 2018 to decline approval of issuing the Alcohol License, 2nd by Commissioner Fred Garmon. Motion approved with a majority vote of the Commission. Commissioner Helen Wilkins abstained from the vote due to owning an interest in the building where the license was applied for.

C. Consideration and discussion of changing Commission meeting times; Commissioner Jeff Ash stated that night meetings had been done in prior years and had less attendance than the daytime meetings, that employees that were required to attend the meetings were working overtime which was an additional expense to the City. Commissioner Judy Holloway stated the current times are working the way they are. Commissioner Fred Garmon stated that anyone could get copies of the video and Minutes anytime. Commissioner Helen Wilkins stated it is hard on employees to stay for night meetings. Motion not to change the times of the Commission meetings made by Commissioner Jeff Ash, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

D. Consideration of approval of a variance for Alcohol vendors for the September 26, 2015 Street Dance for the 45 day application requirement; City Manager Jerry Elkins explained to the Commission that he had a total of 4 applicants, 2 were for food vending and 2 for alcohol vending, and due to getting close to the deadline, he would like a variance on the time requirement. Motion to approve made by Commissioner Jeff Ash, 2nd by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission.

E. Discussion concerning the Disposal of excess Vehicles and Equipment; City Manager Jerry Elkins explained to the Commission which vehicles he suggest selling and that they would be listed on GovDeals for auction if approved. ; Motion to approve disposing of the 2 Police vehicles, 1 Nissan Pickup, 1 S10 Pickup, and 1 2005 Gator, and to keep the older Bucket Truck, and to keep the older tractor made by Commissioner Judy Holloway, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Police Department Monthly Report; report included as an integral part of the minutes.

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OIC Brian Stephens was present and informed the Commission that numbers are up on calls and fines, that there were no problems with the recent car show, and that the new vehicle should be in by next week.

Fire Department Monthly Report; None

Public Works, Water and Waste Water Monthly Report; Director Ross Hewell gave figures of Bids received for the Sidewalk project that will be from Betty's Store north to the drive just before the Hofbruhahaus Restaurant, and explained that Wilkerson Concrete had come in as the lowest bidder at \$42,223.00, there was also discussion of installing street lights during the construction. Motion to accept the lowest bid from Wilkerson Concrete, to go ahead and purchase and install street lights for this section of the sidewalk made by Commissioner Jeff Ash, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission present.

Director Ross Hewell also informed the Commission of the repaving to be done on Main Street.

City Manager Jerry Elkins asked the Commission for their input on the Park Benches he had given them information on. After discussion Commissioner Jeff Ash made a motion to approve the purchase of 11 benches at a cost of \$8,426.35 and to purchase 4 street lights to be installed in the park, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

Building and Zoning Department Monthly Report; Report included as an integral part of the Minutes. Director Larry Krul informed the Commission that the permit had been given to the Holiday Inn Express and footers were being installed, that Destination Helen had gone off with no problems, that Helen Import Day went well and that he had met with Mr. Kim after the event and had a good meeting.

Purchases and Bids; None

ORDINANCES

A. 15-08-01; AN ORDINANCE OF THE CITY OF HELEN, GEORGIA, TO AMEND THE OFFICIAL CODE OF THE CITY OF HELEN, GEORGIA, BY THE REPEAL OF THE CURRENT CHAPTER 68; TAXICABS FOR HIRE; AND ITS REPLACEMENT WITH A NEW CHAPTER 68; TAXICABS FOR HIRE; IN ORDER TO REFLECT IN THE HELEN MUNICIPAL CODE THOSE CHANGES IN STATE LAW IMPLEMENTED BY THE GEORGIA LEGISLATURE; Motion to approve the first reading made by Commissioner Jeff Ash, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission present.

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Doug Fortner of Alpine Taxi addressed the Commission stating that he had paid for his Taxi License as required by the City and that now because of the new laws were invalid, and would like to request at least a partial refund of the money he had paid.

Commissioner Jeff Ash made a motion to approve refunding a pro rata share of the fees paid by Doug Fortner for Alpine Taxi, 2nd by Commissioner Fred Garmon.

City Manager Jerry Elkins stated to the Commission that he did not agree with the motion because Mr. Fortner had been issued an Occupational Tax License as were required by City Ordinance before the new House Bill became law and had been protected by doing so by other Taxi's not being able to work in the City because of not meeting the requirements. Mayor Dona K Burke stated that more discussion should be had.

Resolutions; None

Executive Session to discuss Personnel and Pending or Possible Litigation; Motion to go into Executive Session at 4:10 p.m. made by Commissioner Fred Garmon, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission present.

The Regular Commission meeting resumed at 4:41 p.m. No motions were made as a result of the Executive Session.

City Attorney Carl Free suggested to the Commission to discuss further the matter regarding a refund of the fees paid by Mr. Fortner on the previous motion that was made. Commissioner Jeff Ash made a motion to withdraw his earlier motion to refund a pro rata share of the fees to Doug Fortner, Commissioner Fred Garmon stated he would like to withdraw his 2nd on the motion as well. Mayor Dona K Burke stated the Commission should discuss the issue more after receiving more information on the new law from the City Attorney.

City Commission Comments; None

Adjournment; Motion to adjourn at 4:45 p.m. made by Commissioner Judy Holloway, 2nd by Commissioner Dona K Burke. Motion approved with a unanimous vote of the Commission.

RESPECTFULLY PREPARED BY CITY CLERK MARILYN CHASTAIN