

**CITY OF HELEN
COMMISSION MEETING
OCTOBER 18, 2022
10:00 A.M.
AGENDA**

1. CALL TO ORDER BY MAYOR
2. ROLL CALL BY CITY CLERK MARILYN CHASTAIN
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES FROM SEPTEMBER 20, 2022
6. PETITIONNS AND COMMUNICATIONS FROM THE PUBLIC
7. PUBLIC HEARING FOR ANNEXIATION OF TWO PROPERTIES;
 - 1) H 04F 074; 115 COMER CIRCLE
 - 2) HO4F 013; 7607 S. MAIN STREET
8. ADMINISTRATIVE OPERATIONS
 - A. UPDATE FROM CITY MANAGER ON CURRENT PROJECTS
 - B. FINANCIAL REPORT
 - 1). DISCUSSION OF BONDS & CD'S
 - C. DISCUSSION OF LIBRARY FUNDING
 - D. CONSIDERATION OF REVOCATION OF THE FENCE ENCROACHMENT LICENSE PROVIDED TO TINA MAYNARD ON MARCH 20, 2018
9. HELEN/WHITE COUNTY CVB MONTHLY REPORT
 - 1). CONSIDERATION OF MR. DON OSTROWSKY OKTOBERFEST PERFORMER TO PERFORM AGAIN NEXT YEAR
 - 2). CONSIDERATION OF COMMUNITY CHRISTMAS DINNER

10. HELEN CHAMBER OF COMMERCE MONTHLY REPORT

11. POLICE DEPARTMENT MONTHLY REPORT

A. DISCUSSION OF THE CURRENT OPEN CONTAINER ORDINANCE AND POTENTIAL MODIFICATIONS; (1) City of Helen Ordinance 42-2 Alcoholic beverages or alcohol infused products of any kind in open containers prohibited on public rights-of-way and property

B. DISCUSS THE ADOPTION OF AFFRAY AND OBSTRUCTION STATE LAWS TO LOCAL ORDINANCES; City of Helen Code of Ordinances Article II -Offenses involving Public Peace and Order

1). City of Helen Ordinance number 42-26 – An affray is the fighting by two or more persons in some public place to the disturbance of the public tranquility. State law reference – O.C.G.A. 16-11-32 Affray

2). City of Helen ordinance number 42-27 – Obstructing or hindering law enforcement officers – a person who knowingly and willfully obstructs or hinders any law enforcement officer in the lawful discharge of his official duties. State law reference- O.C.G.A. 16-10-24 Obstructing or hindering law enforcement officers

12. FIRE DEPARTMENT MONTHLY REPORT

13. PUBLIC WORKS, WATER AND WASTE WATER MONTHLY REPORT

1). DISCUSSION AND CONSIDERATION OF HTT-1100 MONITORING SYSTEM FOR WATER TANK LEVEL ALARMS IF WELLS BECOME HIGH OR LOW

14. BUILDING AND ZONING MONTHLY REPORT

15. PURCHASES AND BIDS

16. ORDINANCES

17. RESOLUTIONS; RESOLUTION NUMBER 22-10-01; RESOLUTION TO DISPOSE OF 126 SQUARE FEET OF CITY PROPERTY PURSUANT TO O.C.G.A. 36-37-6(G) FOR \$600.00 TO JBB INVESTMENT ENTERPRISES, LLC

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

19. CITY COMMISSION COMMENTS

20. ADJOURNMENT

**THIS AGENDA WAS POSTED OCTOBER 14, 2022 @ 11:45 A.M.
THE MEETING AGENDA IS SUBJECT TO CHANGE AND IS NOT FINAL UNTIL APPROVED BY THE
CITY OF HELEN COMMISSION AT THE COMMISSION MEETING STATED HEREIN.**

**CITY OF HELEN
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The Helen City Commission met on Tuesday October 18, 2022 in the Commission Chambers at Helen City Hall. Mayor Fred Garmon called the meeting to order. City Clerk Marilyn Chastain called the roll and the following were present; Commissioner Jeff Ash, Mayor Fred Garmon, Commissioner Cinnamon Ruston, Commissioner Steve Fowler. Commissioner Cliff Hood was absent.

Also attending were City Manager Jerry Elkins, City Attorney Carl Free, City Clerk Marilyn Chastain, Police Chief Aletha Barrett, Fire Chief Jody Prickett, Building & Zoning Director Darrell Westmoreland, Finance Director Mona Wood, and Public Works Director Jack Morgan.

Pledge of Allegiance to the Flag was given.

APPROVAL OF AGENDA; Motion to Amend the Agenda by adding as item E under Administration discussion of River Street restrooms and approve made by Commissioner Jeff Ash, 2nd by Commissioner Steve Fowler. Motion approved with a unanimous vote of the Commission present.

APPROVAL OF MINUTES FROM SEPTEMBER 20, 2022; Motion to approve made by Commissioner Steve Fowler, 2nd by Commissioner Jeff Ash. Motion approved with a majority voting yes. Commissioner Cinnamon Ruston abstained since she was not present at the meeting.

PETITIONNS AND COMMUNICATIONS FROM THE PUBLIC; Chris Williams and Merv Barbree asked Police Chief Aletha Barrett to please join them at the podium and presented her with a check for \$3,150.00 for the White Christmas campaign that had been raised during the Tapping of the Keg event and read a list of those donating and participating. Chief Barrett explained to the audience that money raised during several events such as this, the golf tournament, and car show is for children that may not otherwise have Christmas and about the items that are purchased for each child.

PUBLIC HEARING FOR ANNEXIATION OF TWO PROPERTIES;

H 04F 074; 115 COMER CIRCLE

HO4F 013; 7607 S. MAIN STREET

Motion to go into the Public Hearing at 10:09 a.m. made by Commissioner Jeff Ash, 2nd by Commissioner Cinnamon Ruston. Motion approved with a unanimous vote of the Commission present.

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Building & Zoning Director Darrell Westmoreland explained the location of the 2 properties and stated that the PDRB Board had forwarded to the Commission with the recommendation of approval, and that the Zoning would be C3. He went on to explain that the purchase included the house across the street where the current billboard is located and stated that the Purchaser Jason Graham has agreed not to renew the lease on the bill board when the lease expires and is planning on making the winery building a Brew Pub.

Motion to come out of the Public Hearing at 10:15 a.m.

Motion as result of Public Hearing made by Commissioner Steve Fowler to approve the annexation of both properties to C3, 2nd by Commissioner Jeff Ash. Motion approved with a unanimous vote of the Commission present.

ADMINISTRATIVE OPERATIONS

UPDATE FROM CITY MANAGER ON CURRENT PROJECTS; Fletcher Holliday of EMI gave a verbal report of current projects. He also gave a printed report which will be included as an integral part of the Minutes.

FINANCIAL REPORT; Finance Director Mona Wood was present and gave a verbal report. A copy of the report is included as an integral part of the Minutes.

DISCUSSION OF BONDS & CD'S; Commissioner Jeff Ash explained the investment to Georgia 1 would draw more interest and allow funds to be moved when needed easier than with traditional CD's. Motion to have an Ordinance Amendment to include Georgia 1 to the list of approved banking and financial institutions made by Commissioner Jeff Ash, 2nd by Commissioner Steve Fowler. Motion approved with a unanimous vote of the Commission present.

DISCUSSION OF LIBRARY FUNDING; Commissioner Steve Fowler stated that the discussion is for understanding what the library does and what the funding that the City provides is used for. Justin Haynes the Helen Library Branch Manager went over a list of the services the Library provides to the Citizens and public.

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CONSIDERATION OF REVOCATION OF THE FENCE ENCROACHMENT LICENSE PROVIDED TO TINA MAYNARD ON MARCH 20, 2018; Motion to revoke the fence encroachment license from Tina Maynard and request removal within 90 days made by Commissioner Steve Fowler, 2nd by Commissioner Jeff Ash. Motion approved with a unanimous vote of the Commission.

DISCUSSION OF RESTROOMS ON RIVER STREET; There was discussion of the long lines of people waiting to go in the restrooms over the weekend and discussion of the need to update and or rebuild. Motion to approve getting a survey of the property and then to look at what can be built on the site or revamping the existing restrooms made by Commissioner Steve Fowler, 2nd by Commissioner Cinnamon Ruston. Motion approved with a unanimous vote of the Commission present.

HELEN/WHITE COUNTY CVB MONTHLY REPORT; Director Jerry Brown was present and gave a verbal report. Report included as an integral part of the Minutes. It was decided to have the Community Christmas Dinner on December 5, 2022 at Helen City Hall which had been cancelled the last 2 years due to Covid.

CONSIDERATION OF MR. DON OSTROWSKY OKTOBERFEST PERFORMER TO PERFORM AGAIN NEXT YEAR; Mr. Ostrowsky was present and thanked the Commission for letting him preform in the Marketplatz this year and hoped that they would allow him to again next year at the same fee. Motion to approve for 2023 made by Commissioner Steve Fowler, 2nd by Commissioner Jeff Ash. Motion approved with a unanimous vote of the Commission present.

HELEN CHAMBER OF COMMERCE MONTHLY REPORT; Judy Holloway was present and gave a verbal report of happening's at the Festhall including they have 40 employees and had 180 empty kegs from the past weekend.

POLICE DEPARTMENT MONTHLY REPORT; Police Chief Aletha Barrett was present and gave a verbal report. Report included as an integral part of the Minutes.

DISCUSSION OF THE CURRENT OPEN CONTAINER ORDINANCE AND POTENTIAL MODIFICATIONS; (1) City of Helen Ordinance 42-2 Alcoholic beverages or alcohol infused products of any infused products of any kind in open containers prohibited on public rights-of -way and property.

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DISCUSS THE ADOPTION OF AFFRAY AND OBSTRUCTION STATE LAWS TO LOCAL ORDINANCES; City of Helen Code of Ordinances Article II -Offenses involving Public Peace and Order.

1). City of Helen Ordinance number 42-26 – An affray is the fighting by two or more persons in some public place to the disturbance of the public tranquility. State law reference – O.C.G.A. 16-11-32 Affray. Tabled to the next meeting.

2). City of Helen ordinance number 42-27 – Obstructing or hindering law enforcement officers – a person who knowingly and willfully obstructs or hinders any law enforcement officer in the lawful discharge of his official duties. State law reference- O.C.G.A. 16-10-24 Obstructing or hindering law enforcement officers. Tabled to the next meeting.

Police Chief Barrett went on to discuss the need for signage to be on the entrance and exits of each business selling alcohol and for the need for digital signs on each end of town alerting visitors of the open container Ordinance and that it will be strictly enforced. Chief Barrett stated the cost of the signs for the business to be approximately \$30.00 each, it was decided to rent the digital signs for one month instead of purchasing.

Commissioner Steve Fowler made a motion to revise the current Open Container ordinance to include allowing officers to cite the Alcohol License holder as well as the customer for allowing open containers of alcohol to leave their premises and to give each alcohol license holder 2 signs (1) for their entrance and (1) for their exit informing customers no open containers, and to approve 2 digital signs for each end of town, 2nd by Commissioner Cinnamon Ruston. Motion approved with a unanimous vote of the Commission.

FIRE DEPARTMENT MONTHLY REPORT; Fire Chief Jody Prickett was present and gave a verbal report. Report included as an integral part of the Minutes.

PUBLIC WORKS, WATER AND WASTE WATER MONTHLY REPORT; Director Jack Morgan was present and stated you have my report and asked if there were any questions. He stated they had been busy installing Christmas lights and decorations. Report included as an integral part of the Minutes.

1). DISCUSSION AND CONSIDERATION OF HTT-1100 MONITORING SYSTEM FOR WATER TANK LEVEL ALARMS IF WELLS BECOME HIGH OR LOW; Tabled to the next meeting in November. This item was tabled to the next meeting.

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Commissioner Jeff Ash asked about pricing for the Pole Barn for equipment storage. Building & Zoning Director Darrell Westmoreland stated he had not gotten the price yet for B&M metals but that an identical one had been built recently in town for \$34,000. Motion to approve the City Manager ordering the building for up to \$40,000, 2nd by Commissioner Steve Fowler. Motion approved with a unanimous vote of the Commission present.

BUILDING AND ZONING MONTHLY REPORT; Director Darrell Westmoreland was present and gave a verbal report. Report included as an integral part of the Minutes.

PURCHASES AND BIDS; None

ORDINANCES; City Attorney Carl Fred read an annexation ordinance amendment to submit to DCA and stated it is not required to have a second reading. Motion to approve made by Commissioner Jeff Ash, 2nd by Commissioner Steve Fowler. Motion approved with a unanimous vote of the Commission present.

RESOLUTIONS; RESOLUTION NUMBER 22-10-01; RESOLUTION TO DISPOSE OF 126 SQUARE FEET OF CITY PROPERTY PURSUANT TO O.C.G.A. 36-37-6(G) FOR \$600.00 TO JBB INVESTMENT ENTERPRISES, LLC; City Attorney Carl Free informed the Commission that there were no other adjoining property owners that would benefit or that there is no value to the City to retain the property and can sell if desired. Motion to authorize the City Manager to sell the property for \$600.00 to JJB Investment Enterprises, LLC made by Commissioner Jeff Ash, 2nd by Commissioner Steve Fowler. Motion approved with a unanimous vote of the Commission present.

EXECUTIVE SESSION TO DISCUSS PERSONNEL AND POSSIBLE OR PENDING LITIGATION; Motion to go into Executive Session at 11:35 a.m. made by Commissioner Steve Fowler, 2nd by Commissioner Cinnamon Ruston. Motion approved with a unanimous vote of the Commission present.

Motion to come out of Executive Session at 12:06 p.m. and resume the regular meeting made by Commissioner Steve Fowler, 2nd by Commissioner Cinnamon Ruston. Motion approved with a unanimous vote of the Commission.

There were no Motions made as a result of the Executive Session.

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CITY COMMISSION COMMENTS; Commissioner Jeff Ash stated a lot had been covered and done. Commissioner Cinnamon Ruston stated it was a good meeting. Commissioner Steve Fowler stated he would like to look at a drawing for a parking deck.

ADJOURNMENT; Motion to adjourn at 12:10 p.m. made by Commissioner Steve Fowler, 2nd by Commissioner Jeff Ash. Motion approved with a unanimous vote of the Commission.

RESPECTFULLY PREPARED BY CITY CLERK MARILYN CHASTAIN

