

**CITY OF HELEN  
COMMISSION MEETING  
SEPTEMBER 17, 2013 3:00 P.M.  
AGENDA**

1. CALL TO ORDER BY MAYOR LYNN WHITENER
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 3, 2013
6. PETITIONS AND COMMUNICATIONS FROM THE PUBLIC
  - A. Horace Smallwood of Best Ceramic Tile Company, Inc. in Gainesville in reference River Street Restroom Project.
7. ALPINE HELEN/WHITE COUNTY CVB MONTHLY REPORT
8. ADMINISTRATIVE
  - A. Consideration of Alcohol License for Lindsey H. Holt, D/B/A Bigg Daddys American Tavern and Music Club, located at 807 Edelweiss Strasse.
  - B. Cell Tower discussion
  - C. Consideration of purchasing ad in the White County Chamber of Commerce Newcomer Guide.
  - D. Discussion of Black Forest Bear Park
9. FIRE DEPARTMENT MONTHLY REPORT
10. POLICE DEPARTMENT MONTHLY REPORT
11. PUBLIC WORKS, WATER AND WASTE WATER MONTHLY REPORT
12. BUILDING AND ZONING DEPARTMENT MONTHLY REPORT
13. ORDINANCES
14. RESOLUTIONS
15. PURCHASES AND BIDS
16. CITY COMMISSION COMMENTS
17. ADJOURNMENT

**THIS AGENDA WAS POSTED SEPTEMBER 13, 2013 AT 11:00 A.M.**

**CITY OF HELEN  
COMMISSION MEETING  
SEPTEMBER 17, 2013  
3:00 P.M.  
MINUTES OF MEETING**

The Helen City Commission met on Tuesday September 17, 2013 at 3:00 p.m. in the Commission Chambers at Helen City Hall.

Mayor Lynn Whitener called the meeting to order at 3:00 p.m. City Clerk Marilyn Chastain called the roll and the following were present: Commissioner Judy Holloway, Commissioner Helen Wilkins, Mayor Lynn Whitener, Commissioner Dona K Burke, and Commissioner Jeff Ash.

Also present were: City Manager Jerry Elkins, City Attorney Carl Free, Police Chief Jim Couch, Public Works Director Ross Hewell, Fireman Lee Poteat, and City Clerk Marilyn Chastain.

City Manager Jerry Elkins asked the Commission to add to the Agenda as item #14 Executive Session for Personnel. Motion to add item #14 Executive Session and approve the Agenda made by Commissioner Jeff Ash, 2<sup>nd</sup> by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission.

Motion to approve the Minutes from September 3, 2013 made by Commissioner Judy Holloway, 2<sup>nd</sup> by Commissioner Helen Wilkins.

Motion approved with a unanimous vote of the Commission.

**Petitions and Communications from the Public.**

A. Horace Smallwood of Best Ceramic Tile Company spoke to the Commissioners about him not being paid by Jonathon Sims of Pinnacle 1 for tile work, and tile he had purchased, for the job that he had Sub-Contracted at the Public restroom renovation. He also stated his son-in law had signed a waiver stating they had been paid, when in fact they had not, and was hoping the Commission would approve paying him what he was owed. Commissioner Helen Wilkins told Mr. Smallwood that since a waiver had been signed stating he had been paid and that he had not contracted the job thru the City that the City could not pay him.

Alpine Helen/White County CVB Monthly Report included as part of the Minutes. CVB Director was not present for the meeting.

**Administrative:**

A. Consideration of Alcohol License for Lindsey H. Holt, D/B/A Bigg Daddys American Tavern and Music Club, located at 807 Edelweiss Strasse. Motion to approve made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Jeff Ash.

Motion approved with a unanimous vote of the Commission.

City Manager Jerry Elkins also inquired of Ms. Holt if they were intending to install a tent over the deck this year during the Oktoberfest and Golf Tournament. She stated they are planning to.

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City Manager Jerry Elkins stated to be approved they would need to submit plans, to be presented to the PDRB for approval. Ms. Holt stated she would get them submitted.

B. Cell Tower discussion. City Manager Jerry Elkins informed the Commission that there had been problems finding the deed to the Water Tank property on White Street. City Attorney Carl Free stated he had been looking for the deed at the Courthouse and had not been able to locate it yet, and that Marilyn Chastain City Clerk had also been looking thru the City files. He also stated that when the water tank was built in the 60's that sometimes deeds were not recorded. City Manager Jerry Elkins said another issue would be the zoning. City Attorney Carl Free stated that the zoning would need to be for a Conditional Use. No motions made.

C. Consideration of purchasing an Ad in the White County Chamber of Commerce Newcomer guide. City Manager Jerry Elkins presented the past Ad that was purchased to the Commission, and stated that a ¼ page add would cost \$695.00. Motion to approve purchasing an ¼ page Ad at a cost of \$695.00 and authorizing City Manager Jerry Elkins to execute any documents necessary for the purchase made by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission.

D. Discussion of Black Forest Bear Park. City Manager Jerry Elkins stated there had been another complaint letter about the conditions the bears were being kept in and gave each Commissioner a copy of the letter. He also stated he had been trying to contact DNR about their inspections to see if they had any problems with how the bears were housed but had not gotten a called back. Commissioner Dona K Burke stated she would like to know if the bear park is in compliance with their inspections. City Manager Jerry Elkins stated that the City only issues Occupational Tax Certificates and that DNR is responsible in making sure that these type businesses are properly taking care of the animals. No action taken.

Fire Department monthly report. Fireman Lee Poteat stated that the department had 50 calls last month, and had been extremely busy. Also that the Inspector was due tomorrow to give the town rating for fire safety.

Police Department monthly report. Report included as an integral part of the Minutes. Police Chief Jim Couch stated the department has been very busy but running smoothly.

Public works monthly report. Report included as an integral part of the Minutes. Public Works Director Ross Hewell stated he was glad to be back at work after his surgery, and that his department was busy getting ready to install Christmas lights and busy with Oktoberfest.

Building and Zoning Department monthly report. City Manager stated that he had been busy with several permits issued, and hoped to hire someone soon for the position.

Commissioner Helen Wilkins asked if the tree by the fest hall had been removed yet. City Manager Jerry Elkins stated that Lanier Chambers had called and is waiting on the Tree service company he contacted with to do the job.

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Ordinances: None

Resolutions: None

Motion to go into Executive Session at 3:50 p.m. made by Commissioner Judy Holloway, 2<sup>nd</sup> by Commissioner Helen Wilkins.

Motion approved with a unanimous vote of the Commission.

City Manager Jerry Elkins asked Ross Hewell to stay for the Executive Session. Present for the Executive Session were Commissioner Judy Holloway, Commissioner Helen Wilkins, Mayor Lynn Whitener, Commissioner Dona K Burke, Commissioner Jeff Ash, City Manager Jerry Elkins, City Attorney Carl Free, Public Works Director Ross Hewell, City Clerk Marilyn Chastain.

Motion to come out of Executive Session at 4:25 p.m. made by Commissioner Jeff Ash, 2<sup>nd</sup> by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission.

No action taken.

City Commission Comments: Commissioner Jeff Ash stated he was proud of how well the Street Dance had turned out. Commissioner Helen Wilkins stated she and Commissioner Judy Holloway had attended and enjoyed the event as well.

There was discussion of nominating Jimmy Wilkins to the Wall of fame and Commissioner Dona K Burke made a motion to nominate Jimmy Wilkins to the Wall of fame, 2<sup>nd</sup> by Commissioner Jeff Ash.

Motion approved with a unanimous vote of the Commission.

Commissioner Judy Holloway stated she would like to allow some amplification of music in the Market Platz area for the guitar players because without it they can not be heard. City Attorney Carl Free stated the Ordinance would have to be revised or defined to allow a personal amplification device.

Motion to adjourn at 4:38 p.m. made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Helen Wilkins.

Motion approved with a unanimous vote of the Commission.

Respectfully Submitted,

Marilyn Chastain / City Clerk