

The Clermont Town Council met on May 3, 2016. The Mayor called the meeting to order at 7:00pm. Present: Mayor, James Nix, Council Members, Seth Weaver, Kristi Crumpton, Doug Myers, and Margaret Merritt. Deputy Clerk, Amy Lomax and Town Clerk, Sandra Helton.

APPROVAL OF AGENDA: Seth Weaver made a motion to approve the agenda. Kristi Crumpton seconded, and all Council members present voted in favor. Motion passed.

INVOCATION AND PLEDGE OF ALLEGIANCE: Kristi Crumpton gave the invocation and Mayor Nix led the Pledge of Allegiance.

MINUTES: Seth Weaver made a motion to approve the April 2016 Minutes. Margaret Merritt seconded, and all Council members present voted in favor. Motion passed.

FINANCIAL STATEMENT: Seth Weaver made a motion to approve the March 2016 Financial Statement with corrections to insert the corrected copy of the first two pages.. Kristi Crumpton seconded, and all Council members present voted in favor. Motion passed.

REPORT: ORDINANCE 97-01 PLANNING AND ZONING: The Mayor and Council reviewed this report.

FIRST READING OF REVISED FIREWORKS ORDINANCE 82-2016-05-01: AN ORDINANCE TO AMEND THE ORDINANCES OF THE TOWN OF CLERMONT, GEORGIA, TO REGULATE THE SALE, USE, IGNITION OF, POSSESSION, MANUFACTURE, TRANSPORT OR THE STORAGE OF, ANY CONSUMER FIREWORKS OR FIREWORKS TO THE EXTENT PERMITTED BY THE GENERAL LAW OF THE STATE OF GEORGIA.

City attorney David Syfan explained the purpose of this amendment. Two years ago the General Assembly legalized the sale and use of fireworks and limited the extent that local government entities can regulate fireworks but did allow some regulation by counties and cities. As a result the public complained about fireworks being fired at very late hours. The General Assembly was encouraged to go back and revise the ordinance passed the prior year.

He explained there are two main provisions from a city/county viewpoint that is helpful. The way it reads now is that for most days, you can only use or ignite fireworks until 9:00pm unless you obtain a special use permit from the city. The other major provision from a city/county viewpoint is local law enforcement can enforce invalid or irregular use of fireworks. This includes adolescents which are under the age of 18 being able not to use fireworks. Also fireworks are prohibited within 100 yards of a gas station. The local law enforcement for the Town of Clermont would be the local Sherriff's Department and they can enforce the Town's ordinance concerning fireworks. A copy of the ordinance as well as the law enforcement memorandum will be given to the local precinct to be kept on record for their use. Attorney Syfan said he made the necessary changes to the fireworks ordinance and would like to submit it to the Mayor and Town Council for the first reading. Mayor Nix asked for further questions or comments. Being there were no comments he said this is the first reading and that the second reading would be at our June meeting.

SECOND READING OF ORDINANCE: 82-2016-03-01 AN ORDINANCE DE-ANNEXING PROPERTY BELONGING TO MARK AND VALERIE KIRVES SITUATED ALONG 6415 CLEVELAND HIGHWAY. This is an ordinance de-annexing a piece of property belonging to Mark and Valerie Kirves situated along 6415 Cleveland Highway.

PUBLIC HEARING: Attorney David Syfan opened a public hearing to allow the public to make comments in favor of Mark and Valerie Kirves de-annexation as well as comments from those who are not in favor of the de-annexation. Attorney Stuart Teague, representing Mark and Valerie Kirves, reminded everyone that his client Mr. Kirves had previously explained at the last meeting his reasons for seeking de-annexation. Mr. Teague also wanted to add that if the Town were to de-annex the said property, it avoids the issue with the land use restrictions the Town has and would prevent having to revisit the land use policies in association with the de-annexation. Warren Weaver, Sandra Cantrell, and Ricky Dyer took the floor to express they were not in favor of the de-annexation. After no further comments or questions the public hearing was closed.

Kristi Crumpton made a motion to deny the de-annexation Ordinance 82-2016-03-01 request. Margaret Merritt seconded, and all Council members present voted in favor. Motion passed.

STATEWIDE MUTUAL AID AGREEMENT UPDATE: Mayor Nix stated the mutual aid update was almost identical to the previous agreement. This agreement allows us to provide mutual aid in times of disaster/emergencies and gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. He said it would benefit the Town to continue with this ongoing agreement. Seth Weaver made a motion to accept the Statewide Mutual Aid agreement. Doug Myers seconded, and all Council members present voted in favor. Motion passed.

ERIC THOMAS RESIGNATION: Mayor Nix stated we received a letter from Mr. Thomas prior to the meeting. Seth Weaver said he was not going to accept the resignation and wanted to remain neutral as previously stated to the Mayor and Council. He stated he did not realize it had progressed to the point it had and been placed into the hands of the Town's attorney to be handled. He said he felt like the council should have handled the situation themselves and hoped that if there were ever a problem with him he hoped the Mayor and Council could come speak with him directly. Mayor Nix said we had tried to contact Mr. Thomas several times and received no response..

Kristi made a motion to accept Eric Thomas resignation. Margaret Merritt seconded. Kristi Crumpton, Margaret Merritt, Doug Myers voted in favor. Seth Weaver voted against. Motion passed 3-1.

Attorney Syfan said the earliest we can have an election to fill this post would be November 2016. He said we should decide if we would like to handle the election or hold in conjunction with Hall County He said he would check dates when we would have to have things finished for a November election.

LIBRARY HOURS: Sandra Cantrell said she would like to announce the Clermont Dip Library is now open on Friday mornings. The volunteers will be honored at an appreciation day on Friday, May 13, 2016.

ADJOURN: Seth Weaver made a motion to adjourn at 7:36 pm. Doug Myers seconded, and all Council members present voted in favor. Motion passed.

Sandra Helton
Sandra Helton, Town Clerk

Krista Crump

Seth Weaver

James F. Nix

Doug Myers

Margaret Merritt