

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, SEPTEMBER 8, 2014**

Present: Mayor Joe Jerkins
Kirsten Anderson
Ollie Clemons
Randy Green
Virginia Reagan
Suzanne Thomason

Absent: Randy Bowens

The regular meeting of the Mayor and Council was held on Monday, September 8, 2014 at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Carolyn Duncan, City Clerk; Jim Graham, Community Affairs Director; Denise Soesbee, Finance Director; Bob Starrett, Police Chief and Tim Williams, Fire Chief.

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Pastor Bailey gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins asked if anyone would like to add items to the Agenda. Mr. Clemons stated he would like to add 13B. – Austell Farmers Market.

Ms. Anderson moved to follow the recommendation of Mayor Jerkins to approve the Item 13B. added to the Agenda. Seconded by Ms. Reagan. Motion passed (6-0).

Mayor Jerkins presented Greg Etheridge with a plaque and pin and thanked him for his 20 years of service. Mayor Jerkins thanked Mr. Etheridge for his hard work and his efforts throughout the years.

2. CONSENT AGENDA – INFORMATION AND UPDATE

(No Action Required by Council – See Specific Department Director before Meeting.)

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills \$2,632.50
- C. Approve Minutes of Regular Council Meeting August 4, 2014
- D. Approve Minutes of S.P.L.O.S.T. – Special Called Meeting -July 21, 2014
- E. Approve Minutes of Millage Rate – Special Called Meeting -July 28, 2014

Mr. Clemons moved to follow the recommendation of Mayor Jerkins to approve the Consent Agenda. Seconded by Ms. Reagan. Motion passed (6-0).

4. EXCEPTION TO CONSENT AGENDA

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5. CITIZENS REPORT

Mayor Jerkins asked if anyone would like to speak to the Mayor and Council.

Mr. Richard Brantley stated his name and stated he was a Cobb County resident. I was here a couple of months ago to complain about the Caraustar Industries noise complaint. I am here again to complain about the noise. Nothing has been done about the noise. I haven't heard anything from the City officials. I have e-mailed, phone called and visited offices and I still get no return feedback from the City of Austell. Caraustar has done a sound test and the fact that Caraustar has done a sound test is a conflict of interest but still they wanted to do it. I was happy that they did, but the results were what I thought it would be. They took three tests, and the first test was inconclusive and so far they would not tell me what inconclusive meant. I asked the sound Engineer and he didn't know, I asked the Environmental Coordinator from Caraustar and he didn't know. I asked the acting General Manager and he didn't know. What they did they scheduled two more tests. One was on a Friday and the other was on the following Monday. They told me the first time and the second and third time they told me it would take two weeks to go through the data to get the information. But, every time it took a lot longer. It was after the third time maybe four or five weeks went by and I received an e-mail that said on the second and third day Caraustar is not operating. It was a joke I made with the sound Engineer and the Environmental Coordinator after the first test. I said Wow! I wished you would have come the day before because that is when the noise started. When they told me they would schedule it for those days I said if you were here now it would be a perfect time because the noise is very loud. The noise is sometimes unbearably loud and just audible enough to just disturb me all day. I have to have the T.V. on in order for the noise not to drive me crazy. It is low frequency that comes from motors and I have a feeling is coming from the stack. To make a long story short since they said the plant was not operating the last two times of the sound tests it made my statement true. Even though the officials at Caraustar assured me that was not what they were doing and we laughed about it. In essence, that was what they were doing because the letter or e-mail I received from Caraustar on the sound tests stated the first test was inconclusive and what did that mean. The second two tests were done and why was the plant not operating when they were taken. We are trying to find out where the noise is coming from in the plant. I am sure there is some way they can dampen that noise to keep it from traveling so far. I am about three miles from the plant. At first I couldn't understand how that noise could have traveled that far but it is. So, my thing is I am looking for the City of Austell to step in because Caraustar or any plant should not be responsible for any testing because it is a conflict of interest. I am looking for the City of Austell or Cobb County maybe both to come and do a sound test in and outside my home.

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I heard it last night and woke up to it this morning and when I came here I left the noise at home. When I leave here and go home the noise will be there. I have been complaining about this noise since October 2013 and this is September 2014. I have not received any serious efforts from no one. Even the officials who said they would come to my house and that was two months ago. This is why I am standing here because I haven't heard from anyone here that I spoke with at the meeting two months ago. Mayor Jerkins asked it is outside the City limits. Mr. Brantley stated yes, it is outside the City limits. Mr. Brantley stated the first time I went to Code Enforcement they told me I was out of their jurisdiction. I then said wait a minute the noise is coming from your jurisdiction so it is your jurisdiction because that is where the noise is coming from. Mayor Jerkins stated let me ask you a question, have you been to an ear doctor? Mr. Brantley stated excuse me, I haven't the need to go to an ear doctor. Mayor Jerkins stated you are the only one that is hearing it. No one else is hearing the noise. Mr. Brantley asked Mayor Jerkins do you know that for a fact. Mayor Jerkins stated, yes I do we haven't had another complaint. Mr. Brantley stated I can tell you right now that is not true. First of all the statement itself is not true. Mayor Jerkins stated no one has complained to us. Mr. Brantley stated I don't even know that. Mayor Jerkins stated we haven't had any other complaints from anyone. Mr. Brantley stated I filed two complaints and there should be two complaints on record. Mr. Brantley asked if I were to look for my complaint how I would access my complaint. My complaint form has no filing number on it. So, how was my complaint filed if there was no filing number on it. If I wanted to research complaints how would I do so. In the chamber outside the meeting two months ago I was told the City does not keep the complaints past thirty days. If you don't keep the complaints past thirty days then of course you don't have a record of the complaint. I am not speaking for anyone else I am speaking for me. My problem in my house has nothing to do with anyone else. My neighbor across the street hears it and other people hear it. I hear them say to me they tolerate it. I follow that noise from my house all the way to the plant making stops at the two ball parks on the way. First, the school yard on Ewing Road and then the two ball parks on Austell-Powder Springs Road and then down the street from the plant. I hear so much about the train depot against my noise and it amazes me because there is always an argument against my noise but never anyone concerned about it. I went to the train depot and I parked at the gate and I rolled down both my windows and the noise is coming from my left not my right. I can't hear anything at the train depot. Everything is coming from my left where Caraustar is located. It is clear. It's a fact and if I can get the City of Austell to stop being in denial and stop what seems like protectionism then maybe we can get this thing resolved. Because so far no one has been interested in getting it resolved.

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Mayor Jerkins stated no one else can hear it but you. Mr. Brantley stated see, this is what I am up against. Mayor Jerkins stated we have sent people over to your house and no one can hear it.

Mr. Brantley stated no one has been to my house. Mayor Jerkins stated George Bach with Code Enforcement has been to your house. Mr. Brantley stated he can walk in is house and from the noise outside the road noise and it may take a minute for my ears to adjust but I hear the noise. I have audio recordings on the inside and outside of my house. The denial from the City of Austell I am not going to obtain any longer. I just want to know if anyone is going to do something about it. Mayor Jerkins stated Caraustar has done the studies and the City has no way of doing such a study. Mr. Brantley stated Caraustar should not be doing a study because it is a corporation inside the City. The City is an entity within itself and has the jurisdiction of every company and everybody inside of it. Mayor Jerkins stated the best thing you can do is hire your own company to do your own study then bring it back to us and then you will be satisfied. Mr. Brantley stated the excuse that is used because individual people do not have the access or the resources like a municipality or a corporation. This is why the people in the community depend on our elected officials to represent them. Ms. Anderson stated she would like to ask a question, is your house in the City limits of Austell. Mr. Brantley stated no it is not. The other side of that is the noise that is disturbing my house is coming from the City of Austell and that means the City is responsible. Ms. Anderson stated how long have you lived in your house. Mr. Brantley stated I have lived there a little over one year. Ms. Anderson stated she had lived in the City of Austell for twenty years. Caraustar has been here ever since I have lived here and I live quite close to it and I have never heard a complaint. Mayor Jerkins explained to Mr. Brantley the City has a Noise Ordinance and Caraustar has not violated this Ordinance and stated we cannot do anything about it and thanked Mr. Brantley for coming. Mayor Jerkins asked if anyone else would like to speak to the Mayor and Council.

Ms. Ann Turner stated she lived at 5415 Austell-Powder Springs Road. As the crow flies and if it was to fly straight I am within a half of a mile of the stacks at Caraustar. I hear noise occasionally at night usually in December when they are purging the boilers. It lasts maybe a half hour and it is not objectionable. When I go outside I understand then what it is it sounds like steam escaping from an old fashion radiator. It sounds like a pressure cooker letting off excess steam. That's all it is. How close does Mr. Brantley live to the high tension wires and is he getting sixty cycle over bleed. Mayor Jerkins stated he didn't know and asked if anyone else would like to speak to the Council.

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Mr. Tony Cain stated his name and stated he had spoken at the last two Council meetings and I had not planned on speaking tonight but something came up.

Our Mayor has been accused of misuse of power and of interfering with the Police and the performance of their duties and I understand this is a felony. The man who accused him of this is James Quarterman. Mr. Quarterman called a press conference and from the picture in the newspaper I think it was right out here. He also had a man from the SCLC and another who is a minister from a Marietta church. The man from the SCLC is from Douglas County. They were standing with him as he accused the Mayor of criminal activity. Well, there is nothing new about this because our Mayor has been accused by certain people of criminal activity for years now. The reason I am speaking about this is because I know James Quarterman and I have known him for at least ten years or maybe fifteen years. James Quarterman is not only a fool but he is crazy. James Quarterman has filed so many lawsuits in Douglas County against the County government and against other people and he lost all of them. As far as I know he filed at least sixteen and there may be more. Finally, Superior Court Judge David Emerson put an order against Quarterman that he could not file anymore lawsuits without the written permission from the Superior Court Judge David Emerson. Quarterman would have to tell him why he wanted to file and get the reasons why and who he was filing against. Judge Emerson had to give his permission. As soon as I read that in the paper I called him and told him buddy you don't need to file anymore lawsuits because they are going to put you in jail and this is it and you need to quit what you are doing. I didn't want Quarterman to go to jail and tried to help him but you cannot help James Quarterman. I told him they will put him in jail if you file another lawsuit. He said I am a United States citizen and I have the right to file a lawsuit and it is my constitutional rights and I can file a lawsuit if I want too. I said you need to appeal this or get Judge Emerson's permission that's the way it is. Mr. Quarterman filed another lawsuit against the County that had Judge Brantley because he didn't want Emerson to hear it. He wanted a special Judge Brantley from Cobb County who went to Douglas County and he was going to hear the lawsuit and unfortunately for Quarterman the opposing Attorney Mr. Mathis for Douglas County mentioned this order that was placed on Mr. Quarterman. Mr. Mathis stated Mr. Quarterman is violating Judge Emerson's orders and I would like for him to be arrested. I would like for him to be put in jail now and fined. Judge Brantley said granted. They arrested James Quarterman in court and before they put him in handcuffs Mr. Quarterman gave me his wallet, his car keys, his pens, his watch, his rings, his belt, his tie and his coat. And, he gave me all these papers he had brought into court which he was going to accuse the County of Election fraud. I had to carry all that out of the courtroom. Then they put him in handcuffs and they took him to the jail where he stayed for twenty days.

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Also, there was a fine and I think it was three thousand dollars maybe a little more. Mr. Mathis wanted all the Attorney fees from Mr. Quarterman that it had cost Douglas County. This was seventy something thousand dollars.

After Quarterman got out of jail they brought he and his wife into court to find out their financial resources. Quarterman did not have a job as usual and all the time I have known him he has never had a job. His wife works for the Federal Reserve a very good woman and why she puts up with him I don't know. They may not be married anymore. They found out that Quarterman didn't have any money nor did he have any property or anything. I don't know how that turned out except he hasn't filed anymore lawsuits since then. Now, he has come over to Austell. I thought I had heard the last of Quarterman but he will not leave you alone. Quarterman cannot stop himself. I think there is something wrong with his physical brain. I don't think it is impulse. Attorney Scott Kimbrough stated you cannot get personal just say your statement. I know Quarterman and I know the Mayor not personally but as the Mayor. I am really sorry that Mr. Quarterman has done this but if I can give a little bit of moral support and a little encouragement I believe in you and I think when the GBI finishes their investigation and the DA finishes their investigation I think you will come out just fine. Having said that, there was a recent letter in the Marietta Daily Journal. It was written by a man who ran for the City Council and was not elected and he was defeated. This man accused the City Council of being in the thick of things and that the Mayor was spending thousands of dollars to have his people re-elected and to oppose anyone who opposed him. What is interesting about this man when he was running for City Council I put out flyers for the incumbent. This man and his wife stole all my flyers. I witnessed it and other people witnessed it. He lost the election and then he accused the Austell employees of voter fraud. Including, the Police Department who was watching after the ballots. He accused all these people of conspiring to keep him out of office so the incumbent could win. A day or two later he withdrew all the charges. Three months later his wife filed a temporary protective order against me. She accused me of stalking her, harassing her, threatening her, trespassing on her property, and she was in fear of her life and the lives of all of her family members because of me. A TPO cost her nothing and all she had to do was swear she was telling the truth and sign her name on the paper and it goes to Superior Court in Cobb County and which is what happened. She got to testify for one hour on the stand and quite frankly for that whole hour nothing she said made any sense. I'll give you some real good advice if anyone goes to Superior Court to testify it is a really good idea not to be on drugs and I'll leave it at that. Mr. Cain asked the City Attorney to please look at his legal document from the Judge to see the case was dismissed against him. Mr. Kimbrough stated it does say dismissal Temporary Protective Order filed on February 7, 2012 by Judge Watson White.

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Mr. Cain stated a year later almost to the day her husband and the man who ran for office sent an e-mail to me stating he was afraid I was going to kill him. He was afraid I was going to run over him in my car if I saw him on the street. Then he said a bunch of ugly things about me and then he said he had talked to the Marietta Daily Journal and he said he had told them all the dirt on me. I forwarded the e-mail to the editor and he responded back to me in about five minutes. He said apparently, our friend has gone crazy. He's lost his mind. I also spoke to a few other people at the paper and I haven't heard from him since. But now he's accusing the Mayor of criminal activity without knowing James Quarterman and he's backing James Quarterman. Apparently, without any regard for the truth and letting this play out in the courts or in the investigation. Let's all just keep our heads here and let's consider where the complaints are coming from and the people who are making them and let's be patient and I believe things will work out. Thank you.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

A. Reappointment Gas Board Member – Jean Floyd

Mayor Jerkins stated I think most everyone knows that Hank Floyd passed away and he was on the Gas Board. We need to appoint someone else in his place and I recommend Jean Floyd his wife to replace Hank Floyd.

Mr. Thomas moved to follow the recommendation of Jean Floyd to replace Hank Floyd on the Austell Gas Board. Seconded by Ms. Anderson. Motion passed (6-0).

Mr. Kimbrough stated we had a Gas Board meeting on Thursday night and the regular business was taken care of and addressed and adopting the gas rate schedule applicable for this billing period. We just finished the fiscal year for the Gas System and we actually did better than we did last year by about a half of a million dollars. Thank goodness for the cold winter and there was talk of another cold winter. We will keep our fingers crossed that it actually occurs. They said the corn husks were thick this year so that means cold weather.

**7. FINANCE DEPARTMENT
VIRGINIA REAGAN, CHAIRPERSON
Denise Soesbee, Director**

A. Financial Report

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**8. GENERAL ADMINISTRATION
KIRSTEN ANDERSON, CHAIRPERSON
Carolyn Duncan, Director**

- A. No Report

**9. POLICE DEPARTMENT
VIRGINIA REAGAN, CHAIRPERSON
Bob Starrett, Police Chief**

- A. Police Report
B. Code Enforcement Report
C. Purchase of Tag Reader

Ms. Reagan stated the Police Committee requests that Council approved the purchase of a Tag Reader from Applied Intelligent System. The cost of the Tag Reader and yearly subscription fee will be \$23,487.00. After the 1st year there will be a charge of \$500.00 per camera (\$1500.00 a year for this system, which consists of 3 cameras). The Police Committee asks that Council waive the three bid practice, since this company uses eAgent for Hit Verification, and the Police Department currently utilizes this feature in 911. Also, Agencies using the system from this company include GSP, Marietta, Douglas County and other agencies. The Committee also requests that Council approve taking the money for this purchase from the General Fund (Contingency), due to this not being a budgeted item.

This company has allowed the Austell Police Department to try out this system for the past month. The Police Committee believes that this purchase will be of great value to the City of Austell and its citizens.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Purchase of Tag Reader. Seconded by Mr. Thomas. Motion passed (6-0).

**10. FIRE DEPARTMENT
RANDY GREEN, CHAIRPERSON
Tim Williams, Fire Chief**

- A. Fire Report

11. PUBLIC WORKS DEPARTMENT
KIRSTEN ANDERSON, CHAIRPERSON
Randy Bowens, Director

1. Recommendation and Approval:

- A. Acceptance of Real Estate Property
5145 A & B Lakeview Court and 5147 A & B Lakeview Court

Ms. Anderson moved to follow the recommendation of the Public Works Committee to accept the donation of real estate property located at 5145 A & B Lakeview Court (Parcel Identification Number 19121100120) and 5147 A & B Lakeview Court (Parcel Identification Number 1912110130).

City taxes have been paid for both parcels; however, Cobb County taxes in the amount of \$226.00 are due. The agent will pay all outstanding taxes and deed and recordation costs. Seconded by Ms. Reagan. Motion passed (6-0).

- B. Petition for Speed Bumps (Shannon Drive)

Ms. Anderson stated the Public Works Department is in receipt of a petition for speed bumps. City policy for installation of speed bumps states that residents must obtain support from every resident whose home is within 100 feet of a proposed speed bump.

According to the attached aerial GIS map, there are 16 affected properties. To achieve the 70 percent needed, a total of 11 approvals are needed from the residents; 11 of those residents are in full support of having speed bumps installed.

Ms. Anderson moved to follow the recommendation of the Public Works Committee to approve the attached petition for speed bumps as presented and authorize the installation of two speed bumps and signage on Shannon Drive. Seconded by Ms. Reagan. Motion passed (6-0).

12. PARKS DEPARTMENT
SCOTT THOMAS, CHAIRPERSON
Jim Graham, Director

- A. Austell First Baptist Church Veterans Day Event

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Mr. Thomas stated the City of Austell Parks Committee recommends approval of the request from Austell First Baptist Church to use Veterans Memorial Park to host an event on November 9, 2014 in honor of our veterans.

Mr. Thomas moved to follow the recommendation of the Austell Parks Committee to approve the Austell First Baptist Church Veterans Day Event. Seconded by Ms. Reagan. Motion passed (6-0).

Mr. Graham stated he would like to add he had received more information on this event. It will begin at 2 P.M. and they will have singing and recognition of the veterans.

**13. COMMUNITY DEVELOPMENT
OLLIE CLEMONS, CHAIRPERSON
Jim Graham, Director**

A. Approval of J. Kevin Moore as the City of Austell Zoning Attorney

Mr. Clemons stated the Department of Community Affairs recommends approval of J. Kevin Moore as the City of Austell Zoning Attorney. Mr. Moore has agreed to handle legal matters for the City of Austell pertaining to zoning issues.

The Department of Community Affairs also requests approval for the Mayor to sign a contract with J. Kevin Moore to establish his hourly rate at \$150.00.

Mr. Clemons moved to follow the recommendation of the Department of Community Affairs to approve J. Kevin Moore as the City of Austell Zoning Attorney. Seconded by Mr. Thomas. Motion passed (6-0).

B. Austell Farmers Market (Vote to Add)

Mr. Clemons stated on July 2, 2007 Mayor and Council voted to approve use of the area known as Veterans' Memorial Park as a Farmers Market; however, the area has been repurposed as a park to honor our Veterans.

The Community Affairs Committee recommends that Veterans Memorial Park no longer be designated an area for use as a Farmers Market. The Community Affairs Committee also recommends that no vendors be allowed to set up in veterans Memorial Park with the exception of special events in honor of our Veterans approved by Mayor and Council on a case to case basis.

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The Community Affairs Department requests the area be zoned and patrolled by the Austell Police Department to ensure Veterans Memorial Park is not being used as a location for vendors.

I would like to ask Mr. Graham to give us a little background on this.

Mr. Graham stated it is basically what the memo refers to. It was setup years ago on Thursday, Friday and Saturday to let the vendors sell vegetables and stuff like that. This was before we had anything out there except a parking lot. Since then we haven't had as many people setting up there. As you mentioned the other day we had people starting to setup there so we felt like it was necessary to rescind this since 2007 and stop people from selling produce or plants. The park is now to honor our veterans.

Mr. Clemons moved to follow the recommendation to approve the use of the area known as Veterans Memorial Park as a Farmers Market. Also, the area be patrolled by the Austell Police Department to ensure Veterans Memorial Park is not being used as a location for vendors.

Mayor Jerkins asked if anyone had any questions. Ms. Anderson asked if the other Council Members talked to the residents about this and gotten their opinions. Because, I have, I have been out knocking on doors and I have been calling constituents and I have not had one constituent say that bothers them or it's ugly or they don't wish to see there. What I have heard my constituents say is we don't have any business here. This really is sad it's looking dead and why are we running off proprietors when we have very little anyway. I don't know how many people here are aware that a lot of people here in Austell do not have transportation. There are a lot of elderly people who drive that live in Austell but they don't drive pass Bankhead Highway or even come over the tracks. This is one of the few places that they are generally there on Sunday. This is one of the few places they can go to purchase something out of the ordinary and don't have to go to the East-West Connector. The reason I went and knocked on doors and called my constituents to ask them is because I am here to represent them. I am not here to go around and say what looks good and what looks bad and I don't think we need this because this is not what we want in our City. My residences are the ones who live in my City. They are the ones who tell me what they need. What they need and what I hear over and over again is we need some businesses. I don't want to get in my car and drive to Kroger. I don't want to go to the East-West Connector.

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I want to be able to go here and get something. Now, here again, we are taking away another proprietor and we are not offering anywhere else other than the grocery store parking lot. Someone suggested Sierra's and that's fine but that's private property. I just personally think if it was out of hand and we had tons of people there on the weekends it would be a problem and I can see that. I drove by there and I don't know how many others drove by there on Sunday but I did and there was only one vendor selling boiled peanuts. I think it is sad that we are not looking for more ways to offer our constituents more things that they can go and buy in the City instead of running out the business because it doesn't look like we want it too. We can have a gorgeous City and have no one here. I personally think we need to work harder on attracting and offering our residents more than running things out. Not so much my opinion but hearing from the constituents I spoke with. Ms. Thomason stated we already have someone setting up plants and who's to say who will be there next month. Ms. Anderson asked how long were they there because they were not there on Sunday. I have been watching it. Ms. Anderson stated she goes to Smyrna every weekend and I drive by there every weekend for over two years and I have never gone by and seen five people out there with all kinds of stuff. I have never gone by there and seen where there is not enough parking for people who want to go to that park and park. Mr. Green stated the only thing, is there a way that we can limit the many vendors in that area and legally do that. Because if not, they do have a point there will be more and more vendors and you can't tell them no. My personal opinion is to just wait until we have more and more and we have a problem. I am just going by the residents I have talked with and they don't want to see proprietors run out of Austell. We are not dying we are dead. Mr. Thomas stated none of us want to see that and the thing about it is we have spent a lot of money making this into a Veterans Park and I would like to have a designated place so they could setup but not this particular location. Ms. Anderson stated she thought that would be fabulous. Mr. Thomas stated I would like to see us come up with some property designated for that purpose. Mr. Clemons stated he agreed with this because I did ride by there and I noticed the plants and the peanuts being sold. As I recall before we made this a Veterans Park there would be even additional people along with that so that was the reason I brought it up. I noticed it is a beautiful tribute to the Veterans and it would be a shame for it to go back in the direction it was prior to doing that. I agree with Mr. Thomas if there is a designated place and I don't want to see the proprietors run out. Since it is a Veterans Park it should be used for that purpose and if we can find a designated place I am all for that.

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Ms. Anderson stated yes, I hope we can find a designated place and reason being it is a beautiful place and beautiful tribute to the Veterans. I hate to have a beautiful tribute to Veterans and no one goes to visit and it just sits there and is empty all the time.

Mayor Jerkins stated he would like to make a suggestion. He asked Mr. Graham about the property where we bought Louise Suggs Park below the park and how much property is there. Mr. Graham stated it was a little over a half of an acre. Mayor Jerkins stated couldn't we fix something for them to use within much trouble. Mr. Graham stated they would have to come off of Springs Street because they don't have a curb cutoff off Veterans Memorial Highway. The Mayor stated if we could get an agreement or permission from O'Reilly's for them to come in there wouldn't that work. Mr. Graham stated we have a church that is doing a fund raiser in October and we were going to put this on the Agenda for October and they did this last year and we didn't know anything about it. We did put up signs stating you had to check with the City. They ended up having about sixty (60) people to attend. It doesn't bother me to let the vendors setup over there and I really don't think O'Reilly's will say much, but we can ask them. They may not mind if they come around and park on the street. You can't get much better visibility than that. Mayor Jerkins stated I think we can try to fix them something there and not mess the park up at the Veterans Park. If the vendors setup when the church has their fund raiser they should make a fortune. The church raised about \$5,000.00 for some women's charity. We do ask them to contribute to the park because we maintain and fix whatever. When we open up the other nine holes it will bring in more people. This is fine with me Mayor, and I have already priced a pipe to go in there and make a driveway from Spring Street. Mayor Jerkins stated we need to go down there and look at it and see what we can come up with. Mr. Graham stated I can grade it on and we have plenty of gravel for it. Mr. Thomas stated this is a good compromise and I think it will be even better than Veterans Park. Mayor Jerkins stated it will take a little time especially doing the entrance this will take time. Mr. Graham stated it will take us about a week or two to get it ready. Right now it is grass that you can park on and we keep it mowed that we bought it. It is a little over a half acre. Ms. Anderson stated this sounds good. Mr. Green asked would it be a problem to table this now. Mr. Clemons stated I don't have a problem with that, but it depends upon how long it takes those vendors that are potentially there need to understand if we have an event such as the one for the church they can't be there.

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Mr. Kimbrough stated unless it is a motion adopted by the City Council you can't tell them they can't do that. Mr. Graham asked can we pass it and make it retroactive within thirty days. I can have that lot done in thirty days. Mayor Jerkins stated you will not be able to get an entrance in there. Mr. Graham stated I can do it in thirty days. Mayor Jerkins stated not from Bankhead you won't. Mr. Graham stated no sir, not from Bankhead. Mayor Jerkins stated it will be hard for them to go around Spring Street and come in the back. Mr. Green asked couldn't you fix it where they could come in from the parts store. Mr. Graham stated he would have to check with O'Reilly's. Mr. Graham stated we can definitely start this week and we will have to something drawn up from the D.O.T. Mayor Jerkins stated it will take at least three months on that. Mayor Jerkins stated a month will not get you the entrance from Veterans Memorial. Three months at least from the State D.O.T. Mr. Graham stated he would have to wait till Mr. Bowens returns on Monday from vacation to discuss with him about the entrance. Ms. Duncan asked is it just the two vendors, the plant vendor and the peanut vendor. Mayor Jerkins stated yes. Ms. Duncan stated so right now you are not putting out a legion of people who are trying to make a living down there. So, we are looking to take care of someone who is selling peanuts and plants. I really didn't know how many vendors we have. Mayor Jerkins asked the Council if they are o.k. with giving Mr. Graham ninety days to get everything setup. Mr. Green asked Mr. Graham if he should have some idea in thirty days what to expect. Mr. Graham stated yes, he should.

Mr. Clemons stated for clarification we just need to understand that Mr. Kimbrough has already stated we can't just tell the vendors they can't be there and my concern is when we approve an event which has significance to the park which we have that we don't run into any conflict with that. Now in conferring with him it has been approved for the event that overrides them being there but someone would have to communicate this. Because, if we table this for ninety days that event will come up within that ninety day period of time and someone would have to communicate to them they cannot be there during that time. Mayor Jerkins stated he didn't think they would give you any trouble. Mr. Kimbrough stated and that is a two hour time frame from what Mr. Graham was talking about. Mr. Green stated he doesn't know how long it will take so if we table it and Mr. Graham could report back to us and that time we could figure out what we want to do. Mr. Clemons asked so you are saying to table this until the next meeting. Mr. Green stated yes, and we get a report from Mr. Graham at that time. Then we will have a timeframe. Maybe it will be sooner. Mr. Clemons stated he was o.k. with that.

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Mr. Clemons moved to withdraw his motion. Mr. Clemons moved to follow the recommendation to table Austell Farmers Market until October 6, 2014 the next Council meeting. Seconded by Mr. Thomas. Motion passed (6-0).

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING	SEPTEMBER 9, 2014
TIME:	6:30 P.M.
LOCATION:	Marietta City Hall
	Speaker: David Hankerson –S.P.L.O.S.T.

B. Work Place Wellness Policy

Mayor Jerkins stated this policy ties in with our insurance us with our health insurance to receive a grant. We need to pass this Wellness Policy.

Mr. Clemons moved to follow the recommendation to approve the Work Place Wellness Policy. Seconded by Ms. Anderson.

C. Proclamation for American Legion Day

Mr. Thomas moved to follow the recommendation to approve the Proclamation. Seconded by Ms. Anderson. Motion passed (6-0).

Mayor Jerkins stated this was all he had and asked if anyone had anything else.

Ms. Anderson stated Mr. Cain has been here the last few months and has been very complimentary and I would like to say thank you to that. I would like to acknowledge our Department Heads and our fabulous employees that we have in the City of Austell. They always go above and beyond. They always have a smile on their faces. If it is cold and something needs to be done at two in the morning and I am warm in my bed and if it is hot and something needs to be done they are out there in the hot sun. They are really the people who make Austell the great city it is. Thank you all because we have wonderful dedicated employees. I am personally proud of all of them.

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16. ADJOURN

*Mr. Thomas moved to follow the recommendation to adjourn the meeting.
Seconded by Ms. Reagan. Motion passed (6-0).*