

**CITY OF LIBERTY COUNCIL  
SPECIAL CALLED MEETING  
JANUARY 26<sup>th</sup>, 2009 6:00 P.M.  
MINUTES**

This special called meeting was called to order by Mayor Deese. Present were Council Members: Michael Sheriff, Walt McJunkin Brian Petersen, Dwight Yates, Josh Harrison, Rick Clark and Mayor Deese.

Mayor Deese stated he had been asked to amend the agenda to add the Woodside Park Restroom project to it.

- *CM Yates made motion to amend the agenda to include the Woodside Park Restroom project.*
- *CM Petersen seconded the motion*
- *Vote: All in favor*

**DISCUSSION: CDBG GRANT FOR EXPANSION OF LIBERTY FIRE DEPARTMENT**

- *CM Clark made motion to take the CDBG Grant for Expansion of the Liberty Fire Department Grant off the table for discussion*
- *CM Sheriff seconded the motion*
- *Vote: All in favor*

**DISCUSSION:**

CM Clark stated there had been some concerns raised regarding questions No. 1 and No. 6 in the grant application. CM Petersen stated maybe we need to read the questions and concerns first so that the public would know what they were. CM Clark read the memorandum to Dan Wagner, ACOG, dated October 13, 2008. The questions and concerns on this memo center on questions No. 1 and No. 6. (Please see attached memo.) The No. 1 question concerned a statement that the Liberty Area District was building its first ever fire station and planned to discontinue its contract with the City and that the City not the Liberty area fire district provided fire protection to areas inside the jurisdiction of the City of Liberty. Question No. 6 stated the City holds its council and planning commission meetings at the Rosewood Center and will move its City Hall operations to that location as improvements continue to occur. CM Clark read the letter written to Ms. Dale Culbreth, SC Department of Commerce, Grants Administration, clarifying questions 1 and 6.

- *CM Clark made motion to accept the grant from the SC Department of Commerce for the fire department expansion to protect the downtown district and approval to send the letter just read to the Ms. Dale Culbreth.*
- *CM Sheriff seconded the motion to get the issue on the table*

**DISCUSSION:**

Mayor Deese stated the motion is that we approve the grant with the stipulation that the SC Department of Commerce approves our letter correcting Questions 1 and 6 in the Memorandum to Dan Wagner. CM Sheriff stated he did not think that we have answered question number 1 and he still has concerns about it. He asked what is the

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actual service area of the fire station. it is in fact a fire district. Mayor Deese stated we service the City as well as the district because we entered a contract to service the district. Mayor Deese stated we own the building and certain equipment and vehicles that are separate and apart from the district, but we are under contract to service the whole area. He stated the district does supply us with vehicles and equipment and repairs to that equipment. They also give us money for three employees at this time. CM Clark stated that was explained to the members of the Department of Commerce during their visit here. He stated we explained the purpose of the addition as being the primary focus was the protection of our downtown Commerce district. We invested up front with our ladder truck and explained here is what we need to protect our downtown commerce district and this is what we need to do. CM Sheriff asked how CM Clark was addressing the part in question 1 which read, "If the service area extends outside of the city limits, the entire area will need to be surveyed to determine the eligibility of the project". CM Clark stated that is how we defined the scope of it. He stated let's not forget this is two separate increments, the Liberty Fire District and the City of Liberty. The Department of Commerce said we could define our new addition for our service area to our city because that is its primary function. CM Clark stated they were not penalizing us for having a contract with the rural district is what it boiled down to. CM McJunkin asked if the Mayor had spoke with the city's attorney on this matter. Mayor Deese stated he did talk with the city attorney and with Dan Wagner at ACOG. The city attorney stated the language in our letter is sufficient to correct any misunderstanding. CM Clark stated the letter to the SC Department of Commerce clarified the statements made and we have given them everything we can give them. CM McJunkin brought up that in questions 6 we state we are moving city hall to the Rosewood Center. He pointed out that nothing has been decided in that matter. Mayor Deese explained we know that in the future we will have to address moving at least the administrative and water departments. He stated they were several ideas for that on the table but that could be years down the road. CM Sheriff stated the statement involving moving city hall did not concern him since that was subjective, but he was concerned about the statement regarding discontinuing the relationship between the city and the rural district. CM Sheriff stated he recognized the need for the additional space to house the fire equipment and that this grant is our best opportunity to do that in the short term, but I still maintain my position that this is not the best solution to the problem. However, at this particular time, considering all the solutions, this is the best at this time since we have a commitment for this grant. CM Sheriff stated he would support the acceptance of that grant with the stipulation that these two issues were clarified beyond a shadow of a doubt. There was some discussion concerning the contract with the rural fire district. CM Petersen stated he would like to see at the very least, question 1 clarified to read "the scope of this grant is to provide expanded fire protection to the central commerce district located inside the city of Liberty and the fire district". He stated we are a team and to alienate them even in thought, let alone in writing is appalling to me. Mayor Deese stated there was no intent to do that. He explained some of the language in the grant. CM Petersen stated in paragraph 3 sentence 1 says "although the relationship with the Liberty area fire district has improved", I think should be stricken and should say "although the relationship with the Liberty Fire district is ongoing". That clarifies everything and does not alienate anyone and brings total clarity to the fact that we were totally in error in the statement that was sent to them for approval at the very least. Mayor Deese

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stated we can put that language in there. CM Petersen stated we need the Department of Commerce to clearly understand that grave errors were made in that initial response and this is what we are trying to clarify so there can be no retaliation. CM Clark stated one other issue that he would like clarified for the benefit of the public and council is that we have clarified the fact that the ISO rating would not go to 10. We were told that if we had trucks outside, our ISO rating would automatically go up to a 10 which is not correct. CM McJunkin stated he did not know who exaggerated the fact that we would go from a 5 rating to a 10 rating with all the improvements we have made. CM Clark stated he would accept full responsibility for that because that is what he read regarding the ISO rating. Chief Sargent pointed out document from the ISO's website stating minimum criteria that has to be met and it states that if vehicles were not housed the rating could go to a 10. There was some discussion on new pumpers. CM Clark asked Richard Ricken who is with the rural fire district if he felt he alienated him during this grant process. Richard Ricken stated no. CM Clark stated he had kept Mr. Ricken informed the whole time. CM Clark read the response to question 1 sentence 1 again in the letter to the Department of Commerce and stated that it defines the scope of what is needed and that CDBG grants are issued to municipalities. He stated the word ongoing was a good addition, but that is what needs to be changed, "ongoing". CM Harrison asked were we going to be okay with the wording "mutual aid" if that is outside the city. CM Clark stated we would be. He stated they went over that during the onsite visit. CM Harrison expressed his concern over if the school district decides not to deal with the city and if we have decided that we do not want to move city hall to the Rosewood Center are there other ideas on where to move. Mayor Deese stated there are a couple of other places that could be discussed. CM Harrison stated his concern was that we were not putting ourselves in a bind in 5 or 10 years. Mayor Deese stated we are always looking at other options. CM Clark stated he had talked with the SCDOT about moving parking along Church Street and he stated that could be done. He stated we would move employee parking to Church Street. CM Sheriff stated that would work fine since we are in a core district. CM Sheriff stated we are looking at someone moving out of the city hall building in several years, probably not the fire department since we are committing to them now, but there are other options we have looked at through the years if the middle school did not become available. CM Petersen state he would just like to clarify for our guests that the only reason we are making these revisions was to clarify statements that were given to the SC Department of Commerce that were untrue, not intentionally we're sure, but if we were to have entered into that agreement and accepted those funds, there could have been some recourse there that would have been far less than pleasant. I further would like to say that I think everybody that is in the room knows that everyone on council knows the need and that it has been an ongoing one for some time, but I again with many of the other councilmen, do not think this is the solution, just a band aid. We might be voting here in a few minutes to move forward but are we answering the true need, we all know the truth, we're not. We are just putting a band aid on a big sore that is going to fester again very soon and we're going to be pushing the envelope with that structure. Mayor Deese stated motion has been made and seconded to accept the grant from the Commerce Department with the understanding that they will accept our letter with changes.

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*Vote: 4 in favor (Mayor Deese, CM Sheriff, CM Clark, CM  
McJunkin)*

*Opposed: 3 (CM Yates, CM Petersen, CM Harrison)*

**DISCUSSION: POLICE CARS FOR FY 2009-2010**

Mayor Deese stated everyone received the information on these vehicles from Chief Miller. He stated all he was asking for was to be able incorporate funds into the 2009/2010 budget for two police cars. It will cost around \$15,000 over a three year period.

- *CM Petersen made motion to incorporate funds into FY 2009/2010 budget for two police cars. He stated personally he thought this was likely to be cut due to the budget but he suggested that we at least consider it.*
- *CM Clark seconded the motion.*

**DISCUSSION:**

CM McJunkin stated we just bought two new police cars on which we made a payment in April on \$15,911.32 and that is for the year 2009. We still have to make payments on those two vehicles in 2010 and 2011. He stated now we want to buy two more new vehicles when the milage on the others is not that high. CM McJunkin stated he has been on council for years and we did not trade cars, especially two cars, every year and the milage would be a lot higher than on these cars. I do not feel like we need to be paying for two more cars while we are still paying for two cars until 2011. These cars do not have to go enormous speeds and our vehicles are very operable. Mayor Deese stated any time police vehicles go over 100,000 miles they start to wear down. Chief Miller explained he tried to keep these vehicles well maintained and when one vehicle goes over 100,000 miles it does begin to break down. He tries to not have 4 police cars in the budget at one time. He stated he was hoping by ordering these two cars now he could get into a rotation where we don't get caught needing 5 or 6 vehicles at one time. CM McJunkin stated he did not feel that this should be put in this year's budget, we have two more years. He stated after all, you can start in the middle of Commerce Street and go 1 mile in either direction and you will be outside of the city limits, so you are not driving at a high rate of speed and I feel that the vehicles will hold up. He stated when you start talking about adding 42 or 43 thousand dollars being added to a budget that is already paying 15 thousand for police cars is the point I am making. Chief Miller stated he was trying not to go over having 4 vehicles financed at one time, but when the ones that do get high millage, we replace them and get into a rotation. Mayor Deese stated the motion is we want the two cars only if we can fit it in the budget. CM McJunkin stated we paid \$1362.92 just in interest and next year it will drop to \$922.11 and so on. There again, if we add two more we would be paying a lot of interests. He stated the tax payers pay for that when some of them are having a tough time now and can't even buy their medicine and I will speak out for them. That is my personal feeling. Chief Miller stated he was also concerned and dedicated to the people in Liberty, but I am also dedicated to the officers that operate these vehicles and I want to be sure they are driving safe vehicles. CM Yates what the interest rate was on the interest we are paying now. CM Clark stated it was 3.03%. Mayor Deese stated when this was put out for bid no one could

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beat BB&T. Chief Miller stated we saved thousands of dollars in purchasing a vehicle rather than leasing one.

- *Vote: All in favor*

**DISCUSSION:**

CM Yates stated it has come to their attention that Representative Davy Hiott has contacted the city and stated they have found \$27,000 in grant money that is available to the Liberty Recreation Department. He stated we have a need for restrooms at our Woodside Park. The \$29,000 in grant funds maybe along with some county funds would pay for these restrooms. This would benefit the tournaments played there and would in turn increase funds coming into the city. The restrooms have held us back for increasing tournament turn out in this area. There was some discussion regarding the renovation work on the restrooms and the total costs.

- *CM Yates made motion to get the paperwork started and put out for bids the renovation of the restrooms at Woodside Park*
- *CM Petersen seconded the motion*
- *Vote: All in favor*

Mayor Deese stated we do have a couple of police vehicles to sell and it was brought to his attention that it was up to council to set the price to sell them so next work session we will be looking at that.

**Adjourn**

- CM Clark made motion to adjourn.
- CM Yates seconded the motion.
- Vote: All in favor.

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Approval Date

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Verification/Mayor

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Sue Woods, City Clerk