

**CITY OF LIBERTY COUNCIL MEETING  
OCTOBER 12, 2009 - 6:00 P.M.  
ROSEWOOD CENTER  
MINUTES**

**CALL TO ORDER:**

Mayor Deese called the hearing to order at 6:00 p.m.

Present: CM Walt McJunkin, CM Brian Petersen, CM Michael Sheriff, CM Dwight Yates, and CM Josh Harrison

Absent: Rick Clark

**INVOCATION**

CM Harrison gave the invocation.

**PLEDGE OF ALLIGENCE**

CM Yates led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

*Approval of September 8<sup>th</sup>, 2009 Council Meeting Minutes*

- CM Walt McJunkin made motion to approve the 09/08/09 City Council minutes
- CM Josh Harrison seconded the motion
- Vote: All in favor

*Approval of October 5<sup>th</sup>, 2009 Work Session Minutes*

- CM Brian Petersen made a motion to approve the 10/05/09 Work Session minutes
- CM Walt McJunkin seconded the motion
- Vote: All in favor

**TOPICS FROM THE PUBLIC:**

Neal Collins, A republican from Easley who is running for Gresham Barrett's seat for Congress. He went over a few of his ideas on a positive change he felt he could deliver if elected. Russ Smith, a resident of Liberty, spoke about a new website he has called At Liberty to Say. Hayne Meyerson with the Liberty Beautification Committee described to council what ideas the committee had for decorating the courtyard and downtown and how much everything would cost. She thanked CM Dwight Yates for all his hard work at Sarlin Park and stated he looked fabulous. Ms. Meyerson asked what date the parade was and was told it is December 1<sup>st</sup>. Her suggestion was that the parade be held on Saturday and the downtown businesses hold an open house after the parade. Mayor Deese stated the chamber handled the Christmas parade and she would need to talk with them. CM Dwight Yates inquired as to when the light that shines on the flag was going to be repaired and if not soon then the flag should be taken down until the light is repaired. The Mayor asked, so that the monies are secured in the appropriate budget line, I ask for a motion to move \$2000 from contingency to the holiday expenditures.

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- *CM Dwight Yates made a motion to move \$2000 to the holiday funds*
- *CM Josh Harrison seconded the motion*
- *CM Petersen amended the motion to include that up to \$800 of the \$2000 be specifically for the committee*
- *Vote: All in favor*

**OLD BUSINESS:**

**RADIX**

Mayor Deese asked council to look again at the quotes for the Radix which they discussed previously in work session. After some discussion council it was decided to table this discussion until the next work session.

- *CM Josh Harrison made a motion to table this discussion until the next work session*
- *CM Michael Sheriff seconded the motion*
- *Vote: All in favor*

**KING'S SUNSET NURSERY LEASE**

Mayor Deese reported that he had left the lease for Tommy King to review and at the moment he was out of town. He would be getting the lease when he gets back in town and we will have it on the agenda.

**NEW BUSINESS:**

**FREEDOM OF INFORMATION ACT**

Mayor Deese presented a Freedom of Information Act form that people who request Freedom of Information would need to fill out. He stated he put a copy of this in council's box for them to review. He stated we had a request for information regarding the FOI Act and if took the treasurer half a day to gather all the information. We research this form with other municipalities who are charging fees and the Mayor is asking council to decide on a reasonable fee for gathering and copying the information requested. After some discussion by council it was decided the new fee would be \$10.00 administration fee for research for each Freedom of Information request plus \$10.00 per hour and .20 cents per copy.

- *CM Michael Sheriff made a motion to adopt the Freedom of Information form for \$10.00 administration fee and \$10.00 per hour plus .20 cents per copy and a procedure regarding the Freedom of Information Act in guidance with the State laws*
- *CM Josh Yates seconded the motion*
- *Vote: All in favor*

Jim Alexander, City Attorney, stated council needed to enact an ordinance specifically stating that we would not release information such as gross receipts according to the FOI Act.

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**CHAMBER OF COMMERCE REPORT:**

Mayor Deese reported Halloween downtown would be on Friday, October 30 from 4:00 pm until 6:00 pm. He invited everyone to come downtown and give out candy.

**DEPARTMENT HEAD REPORTS**

**Police Department:**

Detective Gilstrap reported the following:

	<b>September</b>
Warnings Issued	68
Citations Issued	84
Juveniles Housed	14
Total Fine Money	\$7,520.61
Total Arrested	9
Total Calls for Service	166
Patrol Activities	125
Public Service	29
Code Enforcement	4
Traffic Accidents	8

Detective Gilstrap reported the new Smith & Wesson MP45 handguns have been issued out and all Officers have been trained and qualified with their use.

The mandated EOV (emergency vehicle operation) training was done in the parking lots of the new Liberty High School.

**Fire Department:**

Total calls for September 2008: 43

Total calls for September 2009: 16

City: 6

Rural Area: 10

Mutual Aid: 0

**Training:**

On training night Sept. 15<sup>th</sup>, we practiced with the new Genesis extrication equipment that is now installed on Engine 1. This equipment was purchased by the rural district.

Brad Nix was voted the paid firefighter of the year for 2009.

We had two firefighters to resign: Andy Burlison and Pierce Womack both went to the Vineyards Fire Department. I hired John McGuire, a Liberty Volunteer with 5 years experience, and Elijah Reynolds from Central with 7 years experience. Both of these started work today from 8 to 4 pm for two weeks, then on 24 hour shifts for two weeks. At the end of the four-week training, they will each be on shift at station 1 by themselves.

**Used Truck Status:** On Sept. 22 we looked at a 1994 E-One Rescue Pumper (with a custom cab) in Union Grove, AL that will meet the needs of the city. This truck has an aluminum body, 1500 gpm pump, 500 gal poly tank, 4 seats – 3 with air packs, hose reel, front jump line, fairly new paint and ladders. The ladders are lowered from the top by a hydraulic ladder rack. The truck was \$74,400 and he included about \$14,400 of used equipment. We will order the air packs and spare cylinders at \$19,840, a radio at \$425 and misc. equipment not included at \$ 3,026. Total of \$99,989. SunTrust told me last Friday the loan is approved and we are going to set up an escrow

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account to pay for the items as they are delivered. SunTrust will have the closing once they have the paperwork drawn-up and we have had a chance to view it. We are still waiting to hear about the final approval for the bay extension.

**Water and Sewer Department**

No report

**Public Works Department:**

Barry Chappell reported that Habitat would be starting on the home on Lee Street next week. He also reported that the restrooms at the gym should be finished this week.

**Recreation Department:**

Mayor Deese reported the following:

The restroom renovation project at the City Gym should be completed by the end of the week. The tile has been placed, doors should be hung tomorrow and fixtures should be installed by the plumber by Wednesday. Concession and special event revenue has topped 18,000.00 for the current fiscal year. Homecoming Super Saturday brought in 3800.00 between gate and concessions. The penny a vote campaign for the homecoming queens generated \$1500.00 this year bringing the total revenue for this special event to \$5300.00.

Fall baseball and Football are going into the final week of the regular season. The Tri-County Palmetto playoffs for football will start this Saturday for the 1<sup>st</sup> round and continue for two weeks. We plan to have a meeting this Wednesday to draft up the brackets for the end of season playoffs for fall league baseball. This year we had three soccer teams and they will finish up next week. No playoffs for this group. Basketball registrations will start up this Thursday for all age divisions. Last year we had 15 basketball teams. We had to use the Middle School gym some to help us out with practices due to the overload of teams for one gym. We will try to secure a bid to host some of the SCAP all stars in football. We have had some problems with the lighting at Morris field with a breaker tripping periodically. I have all of our lighting renovations for all three of our ball fields outlined in our 5 year plan for county allocation funding. We hope to get lucky and secure some funding to rework our existing lights. Also, our hopes are high to get new lighting for field #3 at West Woodside Circle. This is greatly needed. We will pass this information along if any progress is made.

**CITY COUNCIL REPORTS**

**CM Michael Sheriff**

No report

**CM Walt McJunkin**

No report

**CM Brian Peterson**

CM Petersen stated he would be getting together next week with the committee for the renovation of the Legion Hut. Mayor Deese announced that Mrs. Soyars, a Liberty citizen, came by city hall and presented

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the city with a check for \$1000 to help renovate the Legion Hut. The city is very grateful for this donation and wants to thank Mrs. Soyars for her generosity.

**CM Rick Clark**

Absent

**CM Dwight Yates**

CM Yates stated he would like to review our ordinance for clean up throughout the city. He stated we possibly may need to add more meat to this ordinance in order to get some areas cleaned up in a more expedient manner than what we have seen. He referred to section 23-92 of the ordinance and stated this had specific standards which site unhealthy or unsightly conditions. CM Yates stated we have several lots within the city limits that are in clear violation of this ordinance. He stated he would like for council to discuss this issue and this ordinance to see if they can remedy these problems of leaning up these lots in a more expedient manner than is being done now. CM Yates explained that it was not his intention nor that of council to put an undue hardship on any of Liberty's citizens, but the properties that he is speaking of are a health hazard and a sore eye for the community. Mayor Deese stated they have about 4 or 5 properties that they have been working on for the past few months. Some problems we have faced are some of the residences are vacant because the owners are in nursing homes. In one instance there is a relative that seems to be "junking" up the residence and we can't locate that person without going to the home owner who is in the nursing home. We are trying to be understanding in this matter, but we do understand the neighbors are complaining. Mayor Deese stated he talked with the county today who simply refuse to take on the liens in these situations. He stated on our CSI software, which we may have to enter this manually, but we can put the liens in there. From there it goes to the State and the State collects the lien through income tax returns. If the person is not paying income tax due to being in a nursing home, it would then go toward the estate. Mayor Deese stated if it was the wish of the council the Code Enforcement Officer could go in and clean up these sites and bill or lien the owners. Mayor Deese stated they should be given an advanced notice. Mayor Deese stated Barry will address these lots tomorrow and they would be cleaned up. Mayor Deese appointed a committee to be chaired by CM Yates to review the ordinance and what course of action should be taken. CM Yates can choose who he wants to be on the committee with him.

**CM Harrison**

CM Harrison had no report

**ADJOURN**

CM Michael Sheriff made the motion to adjourn.

CM Josh Harrison seconded the motion.

All voted in favor.

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V. Sue Woods, Clerk

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Approval Date

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Verification/Mayor