

**CITY OF LIBERTY WORK SESSION MEETING
APRIL 7, 2008 - 6:00 P.M.
ROSEWOOD CENTER
MINUTES**

This meeting was called to order by Mayor Deese. Present were Council Members: Josh Harrison, Brian Petersen, Walt McJunkin, Michael Sheriff, Dwight Yates, and Rick Clark. Others Present: Chief Miller, Barry Chappell. Mayor Deese welcomed everyone and the meeting started at precisely 6:00 p.m.

DISCUSSION: COMPETITION SALES/DOUG COLLINS

No one showed up from Competition Sales. Mayor Deese explained that Mr. Collins wants his rate changed on his business license because it is an e-commerce business and he does not have a warehouse or anything in the City. Mayor Deese stated as far as he was concerned, his business is conducted out of his office, which is in the city limits and therefore his rate should not be changed on his business license. Mayor Deese stated we open up a can of worms if we begin to change rates due to increasing internet sales. CM Petersen stated the discretion of that judgment is really not left up to you or to us. It is based on the SIC (Standard Industry Classification Code). Your license fee is based on where you fall in this classification and unfortunately, that is the rate Mr. Collins falls under. CM McJunkin asked what he was paying now. CM Petersen stated .90 cents per 1000. CM McJunkin asked the actual amount he paid last year for his business license. Mayor Deese stated it was around \$800. CM McJunkin stated his license fee is going to be around \$1200 this time which is up 50% from last year. Mayor Deese stated his business increased from 1 million dollars in sales to over 2 million dollars in sales this year. CM McJunkin stated he does not have to have an office in the city, he could move his business to his home. Mayor Deese stated he has that option, but others in the city pay their license fee by the SIC rate they fall under. CM McJunkin stated he did not blame Mr. Collins, he would move out of the City. CM Clark stated isn't there a declining balance when sales reach that high? Mayor Deese stated there is. CM Petersen stated he thought the biggest contention is that if we make an exception for this gentleman then any other person could come to us with a claim to limit or lower their rates also. CM McJunkin stated he was not saying to reduce it for one, but we should take a look at reducing the rate on this particular business. CM McJunkin stated we've already gotten ourselves in a bind with this environmental fee about hauling off garbage. CM Sheriff stated it was his understanding the issue was to revise the business license fee structure and to review his position, but it is my understanding that the Municipal Association and ACOG support what our business license ordinance says and that we are in compliance with the State requirements. It is unfortunate for a lot of us. Most of my work is done outside the City.

DISCUSSION: PICKENS COUNTY AIRPORT/SKEETS COOPER:

Before beginning, Mr. Cooper gave each councilman a flyer about the additions to the airport and a business card. He stated he has been the director of the airport for three years. He stated if the airport grows the City of Liberty will grow and Pickens County will grow. Mr. Cooper presented a power point presentation of the airport with examples of the different aircrafts that come into the airport. Mr. Cooper gave a presentation on the airport's business and its necessity to the community. He named many organizations the airport has helped and how the school children enjoyed coming to the airport for a field trip. Mr. Cooper also stated if you wanted to see the most beautiful sunset anywhere, you should come to the airport. He stated they are in the process of building a new terminal with most of the funding coming from the government. Mr. Cooper stated they welcome any help or advice the City may have. He stated May 15th Champion is having their air show at the airport.

DISCUSSION: CHANGES TO ZONING ORDINANCE

Wallace Gilstrap, Chairman of the Liberty Planning and Zoning Committee, stated he had tried to contact Mr. Davidson. He stated he didn't know which book they used to go back with ACOG, but some of these have already been changed. I have the cumulative amendments through October 12th, 2007, so that is the book I went to. The book that he probably used was printed June 2005. He stated number 1 and 2 he did not really know that much about so he asked CM Petersen to explain those. CM Petersen stated that number 1 and 2 referred to Ordinance No. 1101 and 1102 regarding the signs ordinance and the tattoo parlors that we have previously addressed and passed. If anyone has any questions, we can address those. Mr. Gilstrap addressed each change that has been made. Mr. Gilstrap stated number 3, 4 and 5 have been changed in the new book. Number 6 has not been changed in the new book but will be placed in the new book. Mr. Gilstrap went through the rest of the changes with council. Mr. Gilstrap stated the Planning and Zoning Commission did not have an official meeting for the last several months due to not having a quorum present. We unofficially met last Tuesday and there were some suggestions we would like for council to address. Mr. Gilstrap stated a couple of members were resigning from the committee and if council would replace them with someone who would attend the meetings, it would help us to be able to have an official meeting. Mayor Deese stated there was some thought on reducing the number of members to 5. Mr. Gilstrap stated they were satisfied having the 7 members; they just needed people who would attend the meetings. CM Sheriff stated he agreed that the number of members did not need to be reduced. CM Petersen stated the last time a quorum was present for a meeting was November. CM Petersen stated he believed the P&Z Commission was going to be meeting on a monthly basis from now on. Mayor Deese asked if anyone knew of anyone who wanted to serve on this Commission to please let him know. Mr. Gilstrap stated there was an issue regarding the meetings being publicized in the paper. CM Petersen stated the Clerk was out sick and he did not get to address that. Mayor Deese stated he thought that was already being done, but he would see that he gets done from now on. Mr. Gilstrap stated there was an issue about us becoming an entity to ourselves and if we do that we need to hire a secretary who could type and they would need supplies from the City. Mayor Deese stated he had already addressed that issue and taken care of it. Mr. Gilstrap stated Sue had given him an extra copy of the city map and they needed to mount it. Mayor Deese stated they were already in the process of having a map mounted for Rosewood and it would be ready tomorrow. CM Petersen stated he would bring Mr. Gilstrap up to speed on his meeting with the Mayor and Clerk regarding clarity of steps such as who does what. Mayor Deese stated there would be a first reading on these changes to the book at the next council meeting. CM Sheriff stated we have already voted on most of these changes, we were just updating the zoning book.

DISCUSSION: LETTER FROM JIM ALEXANDER

Mayor Deese stated he received a letter from Jim Alexander requesting a raise in salary. He brought this to council for their review. He stated this would be on the agenda at the council meeting for their vote.

DISCUSSION: ENVIRONMENTAL FEE

Mayor Deese brought this issue to the table for discussion. He asked for anyone's thoughts or ideas on how to handle this. Mayor Deese stated he had discussed this issue with Corky and one option was to have an opt out option on it where they would collect from people who wanted to pay the fee and those who did not could outsource their garbage. CM Clark asked how they made up the revenue from those who opt out. Mayor Deese stated that would lower your tonnage. CM Sheriff stated one scenario that he could see happening was that all the small businesses would opt out and we could see be picking up 75% of the garbage because the main producers are going to have us pick theirs up. We would not be receiving but probably 50% of the fee. So if we

implemented an opt out program, we would have to raise the price of what we are charging now in order to cover the costs which would put a heavy burden on the ones in the program. Mayor Deese stated he did not believe there was a complete win/win way to do this which is unfortunate. He stated another option was to just have everyone outsource their garbage. CM Clark stated he was still in favor of a two tier system. CM McJunkin stated he received a letter from a lady who owns a beauty shop that is only open two days a week. She only has two or three bags of trash per week. CM McJunkin stated he voted against raising the costs. He stated he felt it was not right to charge the small business owner who has very little garbage the same as the ones who have large amounts. He felt they should have the option to opt out. Mayor Deese stated that is why we are revisiting this issue to find a fair solution. CM Sheriff stated we have water use customers that have their garbage picked up by private companies and that fee is also on their bill. CM McJunkin stated he felt like he represented the senior citizens and small business owners in Liberty who this kind of fee really burdens. CM Sheriff stated Walt was right and that would be one reason he had to think about supporting a fee across the board which would only be run around \$1.75, but still would have an impact on senior citizens and fixed income citizens. CM Clark stated between Ray, Gloria, Roger and Barry, he did not think a two tiered system would be that hard to come up with. CM Sheriff stated we could identify them by their business classification. He stated the biggest producers were the restaurants, which if we only charged them they would end up paying around \$300 per month. Mayor Deese stated we would need to determine who the small users are and who the large users are. CM Sheriff stated that would be subjective and any time you get into a subjective decision you may have a problem. Mayor Deese asked what would we base that on, business license? Mayor Deese stated he agreed that it was unfair for the smaller businesses to pay the same amount as the larger businesses. Mayor Deese stated he would run some numbers on a two tier system for council to review. CM Petersen stated we should let public works only run the heavy users a couple of times so we could get a sense of what the tonnage would be. CM Sheriff stated Neil Smith told him we mix our commercial garbage with our residential garbage. Mayor Deese stated we would have our commercial garbage collected separately and have that weighed out to give us the running average. CM Clark stated it may be that we need to assemble a committee to review this and come up with a plan. He stated he had confidence in the employees to come up with a plan. Mayor Deese stated we would have our garbage run strictly a commercial route for a month and get some data back from that. It was decided that council would rescind the environmental fee at Monday's council meeting until a solution could be found.

DISCUSSION: LAND FOR COUNTY FIRE TRAINING STATION

Mayor Deese reported that he, the County Administrator and a couple of his folks and CM Sheriff went to the see the old water treatment plant. They are going to get back with me as to how much land they are looking for and what they are proposing. He stated as far as the water treatment plant, his understanding is they are not going to use it. Mayor Deese stated we do not want them to use it due to issues coming up in the future regarding our water allotment. We are looking at making use of our water towers as well as this plant to keep everything leveled out. CM Clark asked if the County was going to give us plans for this. Mayor Deese stated they would furnish us plans. CM Yates asked what the city would be gaining from this. Mayor Deese stated not anything monetarily but they would be a training center located in Liberty in which the County would be investing about a half million dollars and the property does not have any use for us at this point and time. CM McJunkin stated that was just it, it may not have at this point and time. He asked if we were talking about selling it to the County or giving it to them. Mayor Deese stated we were talking about conveying it to them and should they stop using it as a training center, it comes back to us. CM McJunkin stated his objection was that before council was talked into giving them those lagoons, especially the Roper lagoon with 10 acres of land. He stated they took it over yet we are the ones having to pay for the clean up. Mayor Deese stated we are not

paying for the clean up we have to pay for the upgrades that are being done to the sewer system. CM McJunkin stated we decided it to them and we are paying for the clean up. CM McJunkin stated if at some point we needed to develop it ourselves we would have conveyed it to them and we would have no option. We can't keep giving away with any profit to the City. CM Harrison asked did it not also state it saved on insurance rates in any radius of the training facility. CM Clark stated it would save on the ISO and there were pros and cons. He stated he needed to see a plan. CM Petersen stated along with the site plan they should present an architectural plan and a water usage plan. Mayor Deese stated they also looked at Liberty Boulevard. CM Sheriff stated he wanted it to be quid pro quo, something for something, not something for nothing.

DISCUSSION: UPDATE/WORK RETREAT

Mayor Deese stated to update the wall at the Pedestrian Park was up. At this point we are working on a water feature design. Barry Anderson is making a drawing for a water feature for Crowe Memorial Courtyard which the Sarlan family has set aside funds for.

COUNT FOR MASC SUMMER MEETING (CHARLESTON)

Mayor Deese stated the Municipal Association's annual meeting is in Charleston this July and we need a head count within the next month.

Mayor Deese showed pictures from the Mayor's Institute of Art and Design of Liberty and the future Liberty and these were discussed by council.

CM McJunkin asked when we were going to start on Norris Avenue. Mayor Deese stated the bids were sent to Columbia and we should be able to start in a couple of week.

CM Petersen stated one of the things discussed in the work retreat was finishing up the wall behind City Hall. Mayor Deese stated we talked about this in staff meeting. Barry stated they are working on getting their sign up and they would go from there. CM Petersen stated we were going to identify a time line to get that done. CM Sheriff stated we budgeted money to get that done. Mayor Deese stated we would come up with a color and get that finished. CM Petersen stated right in front of the wall has never been backfilled. Mayor Deese stated we would see that gets done.

CM Sheriff stated we need to get the sign up for the police department. He stated several people ask him where the police department is.

Adjourn

- CM Clark made motion to adjourn.
- CM Petersen seconded the motion.
- All voted in favor

Verification/Mayor

V. Sue Woods, Clerk

Approval Date