

**CITY OF LIBERTY COUNCIL MEETING
ROSEWOOD CENTER
APRIL 14, 2008 - 6:00 P.M.
MINUTES**

Call to Order

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

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

Invocation

CM Walt McJunkin gave the invocation

Pledge of Allegiance

CM Michael Sheriff led the Pledge of Allegiance

Approval of Minutes

Approval of March 1st, 2008 Work Retreat Minutes

- CM Rick Clark made motion to approve 03/01/08 City Council minutes
- CM Josh Harrison seconded the motion
- Vote: All in favor

Approval of March 10th, 2008 City Council Minutes

- CM Michael Sheriff made motion to approve 03/10/08 City Council minutes
- CM Dwight Yates seconded the motion
- Vote: All in favor

Approval of April 7th, 2008 Work Session Minutes

- CM Michael Sheriff made motion to approve 04/07/08 City Council minutes
- CM Brian Petersen seconded the motion
- Vote: All in favor

Topics From The Public:

Doug Collins from Competitive Sales stated the ACOG did not recognize and the City of Liberty did not recognize the e-commerce business. He stated he worked on the computer with the United States Government as a purveyor of goods that are not on a regular contract. Mr. Collins stated he rented an office in Liberty because it was next to the library where, at the time, he did his computer work. But, he stated, he could operate his business from the back of a truck as long as he had a lap top computer. He stated e-commerce does not require inventory or a cash register, not a place for customers to come. For this reason, it has been impossible for the State, Federal or City government to tax e-commerce. We do not depend upon Liberty or the citizens of Liberty to buy any of our products. Our taxes have been going up 50% to 100% per year and we have just signed a 31 million dollar deal with Flour, which means we would have to leave Liberty, because of what the tax would be. We could not compete with other e-commerce businesses which do not have to pay this tax. You call it a business license, but it is really an

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income tax because my business license fee is based on my gross. I don't want to make a case for Competition Sales for an exemption from any tax law, I just want to remind you that in the very near future and currently, there are people everywhere involved in e-commerce and they are not buying any kind of license. We volunteered to be taxed. We told you what we were going to do and how we were going to do it. We do not use the police or fire department services. This is a new business that this council needs to address. Our business has doubled each year and we expect that to continue. We cannot stay in the City if our tax rate does not change. Council asked some questions of Mr. Collins and the Mayor stated they would take his proposal under advisement and it would be discussed at the next work session. CM McJunkin requested the City Attorney to look into this and give a report to council.

New Business :

1st Reading of Ordinance No. 08-0401, An Ordinance to Adopt Changes to the Official Zoning Ordinance.

- CM Rick Clark made motion to approve Ordinance No. 08-0401
- CM Brian Petersen seconded the motion
- Vote: All in favor

Pay Raise for City Attorney

Mayor Deese stated they received a letter from the City Attorney requesting a pay increase from \$85.00 per hour to \$100.00 per hour. He asked for a motion and vote on this matter.

- CM Walt McJunkin made motion to approve Ordinance No. 08-0401
- CM Rick Clark seconded the motion
- Vote: All in favor

Vote to Rescind the Environmental Fee

Mayor Deese asked for a motion to rescind the environmental fee from the \$25.00 for commercial garbage pickup until further studies are conducted.

- CM Rick Clark made motion to rescind the \$25.00 environmental fee until the next budget fiscal year.
- CM Walt McJunkin seconded the motion
- Discussion: CM Michael Sheriff stated he would like to modify the motion to rescind the fee until a decision is made on what we are going to do, not put a deadline on it. Mayor Deese asked CM Clark if he accepted that modification to his budget. CM Clark stated he just put a deadline on it so they would do it. CM Sheriff stated they would probably do it sooner than that. He stated we can't carry throughout the rest of the year and not make a decision on it, we would have to act sooner than that. CM Sheriff asked CM Clark if he would consider making his motion "on or before" the next fiscal year's budget.

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- CM Clark modified his motion to state that we rescind the \$25.00 environmental fee to on or before July 1st.
- CM Walt McJunkin seconded the modified motion.
- Vote: All in favor

Old Business: None

CHAMBER OF COMMERCE

Melanie Ginn stated each councilmember should have a copy of the Chamber's last meeting's minutes. She also thanked the Mayor and councilmen who came to the Chamber's Business After Hours to kick off the Liberty Idol.

DEPARTMENT HEAD REPORTS

Police Department

Police Chief Miller reported the following:

MARCH	
Warnings Issued:	37
Citations Issued:	72
Calls for Service:	167
Auto Accidents:	3
Juveniles Housed:	19
Arrests	12
Code Enforcement	21
Public Service Calls	
Total Fines Collected	\$3,665.73

Chief Miller explained due to the cost of gas, the patrol are now limited to 60 miles a shift. This has reduced the gas consumption in half. The officers now do a lot of stationary patrol. This will reduce a lot of neighborhood patrols. We still do extra patrols in problem areas when requested by citizens. Chief Miller reported that the cities of Liberty, Pickens, and Central are getting together to form a task DUI/Drug task force. Each city is going to utilize working agreements with one another. We will set up road checks in all of the cities at separate times and

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rotate times. We are doing this to try to deter some drinking and driving and stop the drugs moving throughout our communities. This will also give us more numbers for our grants. We will be able to utilize all the numbers from this task force and this will be important when we apply for grants. CM McJunkin asked what period of time the officer would be out of our town. Chief Miller stated we would not pull officers off the road. We would pay overtime for another officer to go. Chief Miller stated they were going to utilize their school resource officers helping out with this task force also. CM Yates asked what was the overtime rate Chief Miller anticipated paying. Chief Miller stated it would depend on the officer. Chief Miller stated whatever we spent in their town would come back to us when we use their officers, I won't have to call in 3 or 4 officers to come in and set up a road block. CM McJunkin asked if he was talking about 1 or 2 hours. Chief Miller stated it was depending on what was going on at the time. Most of the time it is 4 hours but it could go on longer. CM McJunkin stated usually when he saw the highway patrol conducting a road block, and came back an hour later, they were gone. Chief Miller stated they do not stay in one place that long, but they move the road block from place to place. CM Sheriff stated it looked like we would benefit from it because we would get about a 3 or 4 percent return on the investment.

Fire Department

MARCH	
City:	6
County:	16

Chief Sargent stated they had 3 firefighters to be trained in Auto Extrication. They had 2 firefighters complete and be certified as Firefighter II status. Six firefighters are scheduled to take the Emergency Vehicle Driver Training Class. Chief Sargent stated they will be conducting our yearly driver training tomorrow for all firefighters. One inspection was conducted for a new business. The department participated in career day at the high school and took a truck to the Board of Disabilities for 4 hours. Almost all firefighters were recertified in 1st Responder, CPR and AED. A landing zone was set up for Med-Trans One at the OWT parking lot to transport a burn patient to Augusta, GA.

Public Works Department

Director, Ray Clark reported in March there were 30 cut offs, no new taps, 12 new accounts and finalized 15. Lightning hit an eight inch line at Cornell Dublier Friday evening. They will probably notice later a good deal of water loss.

Recreation Department

Mayor Deese reported they had a super tournament this past weekend. I had some great comments from other communities that come to play here. CM Sheriff reported that we are one step closer to having the gym air conditioned. We have gotten the bids back. Mayor Deese stated that Tony was being creative in looking for revenue services by having a world championship wrestling match at the gym on April 25. Also, Mayor Deese stated we would be

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having a car show at the Rosewood Center from 7:00 until 7:00 on Saturday, the 19th. We would also be getting some revenue from that.

CITY COUNCIL REPORTS

CM Walt McJunkin

CM McJunkin stated he wanted to mention the beaver situation. We've had a lot of rain since he set the traps out and with the rain the pond came up and the beavers left. We did not trap any beavers, but they are gone.

CM Brian Petersen

CM Petersen stated he had been doing some research on the environmental fee for commercial garbage collection and he would have some additional information and hopefully some solutions at the next work session.

CM Michael Sheriff

CM Sheriff reported that he and Mayor Deese graduated this week from the Mayor's Institute of Art and Design.

CM Dwight Yates

CM Yates stated he did not have a report at this time.

CM Rick Clark

CM Clark did not have a report at this time.

CM Josh Harrison

CM Harrison stated he did not have a report at this time.

Mayor Deese reported that at the graduation this week from the Mayor's Institute for Art and Design, he and CM Sheriff were asked to give a presentation to the Tri-State Landscape Architectural Society on April 25 and 26 in Charleston. We were one of only two cities asked to do that, so it was quite an honor. Mayor Deese stated the 3rd annual Liberty Idol went pretty well. He invited everyone to come out and enjoy the festivities.

Adjourn

- CM Michael Sheriff made motion to adjourn.
- CM Brian Petersen seconded the motion.
- All voted in favor.

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V. Sue Woods, Clerk

Approval Date

Verification/Mayor