

Regular Council Meeting
February 14th, 2023
5:00 P.M.

- The Piedmont City Council met in regular session on February 14, 2023 at Piedmont City Hall. Those in attendance were as follows: Aldermen Kyle Allen, Alderman Roger Bishop, Alderwoman Karin Townsend, Alderwoman Linda Palmer, City Attorney Bob Ramshur, and City Clerk Tammy Thurman. Mayor William H. Kirkpatrick presided over the meeting.

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- Mayor Kirkpatrick listed the following items for consideration:
 1. Call to order and welcome guest.
 2. Approve minutes from the previous meetings:
 - a) January 10th, 2023 regular council meeting
 - b) January 10th, 2023 executive session
 3. Amend the budget if necessary
 4. Approve accounts payable for February 2023
 5. Discuss and approve making application to the Missouri Department of Natural Resources for financial assistance in obtaining a Drinking Water Engineering Report (Grant Application)
 6. Discuss and approve Resolution 2023-01 authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for Grant/ or Loans under the Missouri Safe Drinking Water Law
 7. Discuss and approve making application to the Missouri Department of Natural Resources Financial Assistance Center Clean Water State Revolving Fund loan application for the Piedmont Wastewater Treatment Plant inflow and infiltration improvements
 8. Discuss and approve Resolution 2023-02 authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for Grant/ or Loans under the Missouri Clean Water Law for the Piedmont Wastewater Treatment Plant inflow and infiltration improvements
 9. Discuss passing an ordinance imposing a sales tax at a rate of three percent on all tangible personal property retail sales of adult use marijuana sold with the City of Piedmont, Missouri, pursuant to article xiv, section 2.6(5) of the Missouri Constitution subject to the approval by the voters of the city and select an official election day
 10. Miscellaneous
 11. Retire into executive session
 12. Adjourn both meetings

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1. Mayor Kirkpatrick called the meeting to order and welcomed the following guests: City Collector Bill McMurry, Tony Eller, Tier Eller, Amy Folmar Eller, Frank Teifenbruch, Fire Chief Andrew Dickerson, Jeremy Louis, Chief of Police Richard

Sanders, Vicki Eaton, Brian May, Pamela Green, David Green, and Distribution Superintendent Darin Percy.

2. Mayor Kirkpatrick called for a motion to approve the minutes of the January 2023 council meetings.

Alderman Bishop made the motion to approve the following minutes: January 10th, 2023 regular council meeting, and January 10th, 2023 executive session. Alderwoman Townsend seconded the motion and it carried.

Alderwoman Palmer	Aye	Alderman Bishop	Aye
Alderwoman Townsend	Aye	Alderman Allen	Aye
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3. This item was tabled.

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4. Mayor Kirkpatrick called for a motion to approve the accounts payable for February 2023.

Alderman Allen made the motion, second by Alderwoman Townsend to approve accounts payable for February 2023, Posting Journals 4568-4576 in the amount of \$52,052.54. The motion carried.

Alderwoman Palmer	Aye	Alderman Bishop	Aye
Alderwoman Townsend	Aye	Alderman Allen	Aye
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5. Mayor Kirkpatrick recognized Dominick Thompson, an engineer with Smith and Company of Poplar Bluff, Missouri. Mr. Thompson informed the council that a drinking water engineering report was needed to identify what issues at the (1) water treatment plant, (2) distribution lines, and (3) storage tank, pumps and telemetry (communication) repairs. Each item for the water system was quoted to cost \$7,500 apiece for a total of \$22,500. The city will not be charged until the funding for the water system has been obtained.

Alderman Allen made the motion, seconded by Alderwoman Townsend to allow Smith and Company to immediately move forward with preparing an engineering report for the items listed above but not to seek funding through DNR SRF. The motion carried.

Alderwoman Palmer	Aye	Alderman Bishop	Aye
Alderwoman Townsend	Aye	Alderman Allen	Aye
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6. There was no need for item six.

7. Alderman Allen made the motion, seconded by Alderwoman Townsend to pursue making application to the Missouri Department of Natural Resources financial assistance Center Clean Water State Revolving Fund Loan for the Piedmont

Wastewater Treatment Plant Inflow and Infiltration Improvements grant in the amount of 4,026,485.00. The motion carried.

Alderwoman Palmer	Aye	Alderman Bishop	Aye
Alderwoman Townsend	Aye	Alderman Allen	Aye
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8. Mayor Kirkpatrick presented Resolution No. 2023-01 for consideration:

RESOLUTION 2023-01

MISSOURI DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL QUALITY
FINANCIAL ASSISTANCE CENTER

RESOLUTION OF GOVERNING BODY OF APPLICANT
RESOLUTION NO. 2023-01

(Suggested Form for Grant/Loan Applicant use)

Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Clean Water State Revolving Fund Program for financial assistance under the Missouri Clean Water Law (Chapter 644, RSMo.).

WHEREAS pursuant to the terms of the Missouri Clean Water Law Chapter 644, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the engineering of specific public projects.

NOW, THEREFORE, be it resolved by the City of Piedmont

1. That William H. Kirkpatrick (designated official) be and he/she is hereby authorized to execute and file an application on behalf of the City of Piedmont (Legal name of applicant) with the State of Missouri for a loan and/or grant to aid in the engineering and/or construction of:

Piedmont Wastewater Treatment Plant inflow and infiltration improvements (Brief project description)

2. That William H. Kirkpatrick, (Authorized representative) Mayor (Title) is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting City Clerk (Title of officer) of the City of Piedmont, (Legal name of applicant) does hereby certify: That the attached

resolution is a true and correct copy of the resolution adopted at a legally convened meeting of the Piedmont City Council, Board of Aldermen, held on the 14th day of February, 2023; and further that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of February, 2023.

RESOLUTION OF GOVERNING BODY OF APPLICANT
RESOLUTION NO. 2023-01

Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program For Loans Under The Missouri Safe Drinking Water Law (Section 640, Rsmo)

WHEREAS, under the terms of the Missouri Safe Drinking Water Law, Section 640, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the construction of specific public projects.

NOW, THEREFORE, be it resolved by the City of Piedmont

1. That William H. Kirkpatrick be and he/she is hereby authorized to execute and file an application on behalf of the City of Piedmont with the State of Missouri for grant funding to aid in the completion of: Drinking Water Engineering Report Grant project.
2. That , William H. Kirkpatrick Mayor, is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting city clerk of the City of Piedmont, does hereby certify: That the attached resolution is a true and correct copy of the resolution adopted at a legally convened meeting of the City of Piedmont Board of Aldermen held on the 14th day of February, 2023; and further that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of February, 2023.

RESOLUTION OF GOVERNING BODY OF APPLICANT
RESOLUTION NO. 2023-01

Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Clean Water State Revolving Fund Program for financial assistance under the Missouri Clean Water Law (Chapter 644, RSMO)

WHEREAS, under the terms of the Clean Water Law, Chapter 644, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the construction of specific public projects.

NOW, THEREFORE, be it resolved by the City of Piedmont

1. That William H. Kirkpatrick be and he/she is hereby authorized to execute and file an application on behalf of the City of Piedmont with the State of Missouri for grant funding to aid in the completion of the Piedmont Wastewater Treatment Plant inflow and infiltration improvements.

2. That , William H. Kirkpatrick Mayor, is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting city clerk of the City of Piedmont, does hereby certify: That the attached resolution is a true and correct copy of the resolution adopted at a legally convened meeting of the City of Piedmont Board of Aldermen held on the 14th day of February, 2023; and further that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of February, 2023.

After being read three times a motion was made by Alderman Allen and seconded by Alderwoman Palmer to pass Resolution 2023-01 stating that the City is filing an application with the Missouri Department of Natural Resources for the Piedmont Wastewater Treatment Plant inflow and infiltration improvements in the amount of \$3,928,278.00. The motion carried.

Alderwoman Townsend	Aye	Alderman Bishop	Aye
Alderman Allen	Aye	Alderwoman Palmer	Aye
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9. Alderwoman Townsend made the motion, seconded by Alderman Allen authorizing the City Clerk to pursue the wording on imposing a sales tax at a rate of three percent on all tangible personal property retail sales of adult use marijuana sold within the city limits of the City of Piedmont, Missouri, pursuant to Article XIV, Section 2.6(5) of the Missouri Constitution subject to the approval by the voters of the City at the next official election day. The motion carried.

Alderwoman Palmer	Abstained	Alderman Bishop	Aye
Alderwoman Townsend	Aye	Alderman Allen	Aye
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10. Mayor Kirkpatrick asked if there was anything else before the council:

- Chief Sanders presented to the council the revised age limit for a minor in the Missouri State Statues from under the age of 17 to under the age of 18. Chief Sanders also requested that the council consider changing the curfew times and days.

Alderman Allen made the motion, seconded by Alderman Bishop to change Section 210.1970 MINOR of the Piedmont City Code from Any person under the age of seventeen-to-under the age of eighteen (18), and to reflect the age change throughout Article XII "Offenses Concerning Minors", and to change Section 210.1980 Curfew for Persons under 18 from 12:01 A.M. and 6:00A.M. to 12:00A.M.-6:00A.M. Friday and Saturday and Sunday through Thursday 10:00P.M. to 6:00P.M. by Ordinance 2023-01. The motion carried.

Alderman Palmer	Aye	Alderman Bishop	Aye
Alderman Townsend	Aye	Alderman Allen	Aye
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- Alderman Allen made the motion, seconded by Alderman Townsend to participate in Missouri's Highway Safety Program by applying to MODOT for traffic enforcement funding. When funding through the Highway Safety Division is no longer available, the local government entity agrees to make a dedicated attempt to continue support for this traffic safety effort. The motion carried.

Alderman Palmer	Aye	Alderman Bishop	Aye
Alderman Townsend	Aye	Alderman Allen	Aye
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11. With no other business before the council, Alderman Allen made the motion to retire into executive session. Alderman Palmer seconded the motion and it carried.

Alderman Palmer	Aye	Alderman Bishop	Aye
Alderman Townsend	Aye	Alderman Allen	Aye
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12. After returning to open session from executive session, Alderman Allen made the motion, seconded by Alderman Bishop to approve Officer Shane Babb to attend the MNOA Spring 2023 Training Conference March 29-31st, in Springfield, Missouri. The motion carried.

Alderman Palmer	Aye	Alderman Bishop	Aye
Alderman Townsend	Aye	Alderman Allen	Aye
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13. After discussing the council's opinion regarding keeping the mowing contracts the same this year, and not seeking new bids, Alderman Townsend made the motion,

seconded by Alderman Allen not to seek new bids for the city's mowing contracts for the 2023 mowing season if all who hold contracts agree to mow for the same dollar amount as their bid price and contracts honored as stated. The motion carried.

Alderman Palmer	Aye	Alderman Bishop	Aye
Alderman Townsend	Aye	Alderman Allen	Aye

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14. Alderman Townsend made the motion, seconded by Alderman Allen to vacate by Quit-Claim Deed, to Brian K May, whose address is 621 East Dryden Street in Piedmont, Missouri , and to David and Pamela Green whose mailing address is 701 East Dryden Street of Piedmont, Missouri, the following described Lots, Tracts or Parcels of land lying, being and situate in the County of Wayne and State of Missouri, to-wit:

The City of Piedmont conveys to Brian K. May:

Commencing at the southeast corner of Lot 10 in Block 3 of the Durham Addition to Piedmont, Missouri, described as follows:

In a northeasterly direction along the eastern boundary of Lot in Block 3, to the northeast corner of Lot 10; thence in a southeasterly direction 20 feet to the center of Durham Street; thence in a southwesterly direction parallel to the eastern boundary of Lot 10 to a point in the center of the terminal end of Durham Street; thence in a northwesterly direction a distance of 20 feet to the PLACE OF BEGINNING, containing .09 acres more or less.

The City of Piedmont conveys to David Green and Pamela Green:

Commencing at the western most corner of Lot 11 in Block 3 of the Durham Addition to Piedmont, Missouri, described as follows:

In a northeasterly direction along the terminal end of Durham Street a distance of 20 feet to the center; thence in a northeasterly direction along and parallel to the westerly boundary of Lot 11 to a point; thence in a southeasterly direction to the northern corner of Lot 11; thence along the westerly boundary of Lot 11 to the PLACE OF BEGINNING, containing .09 acres more or less.

Alderman Palmer	Nay	Alderman Bishop	Nay
Alderman Townsend	Aye	Alderman Allen	Aye

With the vote being a tie, Mayor William H. Kirkpatrick voted with a Aye, passing the motion to vacated the easement.

15. With no further business before the Council, Alderman Townsend made the motion to adjourn the February 14th, 2023 regular and executive meetings. Alderman Allen seconded the motion and it carried.

Alderman Palmer	Aye	Alderman Bishop	Aye
Alderman Townsend	Aye	Alderman Allen	Aye

Regular Meeting
February 14, 2023
5:00 PM

Mayor William H. Kirkpatrick

Tammy Thurman, City Clerk
(SEAL)