

Regular Meeting  
New Council  
April 09, 2024  
5:11 PM

- The Piedmont city council met in regular session with the new council April 9, 2024 at Piedmont City Hall. Those in attendance were as follows: Alderman Kyle Allen, Alderman Chris Harris, Alderwoman Karin Townsend, Alderwoman Morgan Robinson, and City Clerk Tammy Thurman. Mayor William H. Kirkpatrick presided.

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- Mayor Kirkpatrick listed the following items for consideration:
  1. Swear in new council
  2. Call to order and welcome guest.
  3. Approve/disapprove Mayor appointments
  4. Charge the City Collector with delinquent taxes
  5. Approve/disapprove Ordinance 2024-01 An Ordinance amending the Piedmont City Code By the Amendment of certain Sections as set forth herein-City Court
  6. Approve/disapprove Ordinance 2024-02 An Ordinance amending Chapter 605 of the City Code of the City of Piedmont with respect to Section 605-.062: Farmers Market Use Requirements; Violations and Penalties
  7. Accept/reject bids for the Lead Service Line Inventory Project
  8. Accept/reject bids for a "B" Licenses Wastewater Chief Operator for the wastewater plant
  9. Miscellaneous
  5. Retire into executive session
  6. Adjournment of both meetings

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1. Mayor William H. Kirkpatrick swore in the April 2, 2024 newly elected officials:

Alderman Ward I	Karin Townsend
Alderman Ward II	Christopher Harris

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2. Mayor Kirkpatrick called the meeting to order and welcomed the following guests: Vicki Eaton, Richard W. Sanders Chief of Police, City Collector William McMurry, City Assistant Clerk Barbara Potter, Kenneth Simmons, Randy Potter, Lynn Terrell-Stone Taz Terrell-Stone, City Street Superintendent Darrin Percy, Jeanie Webb, Casey Webb, Kyle Webb, and City Treasurer, Dennis Ross

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3. Mayor Kirkpatrick presented the following list of non-elected officials for the council's consideration:

- Mayor Pro-tem: Karin Townsend
- City Attorney: Michael Hackworth
- City Prosecuting Attorney: Michael Hackworth

- Fire Chief: Seth Deck
- City Treasurer: Dennis Ross
- City Clerk: Tammy Thurman

Alderwoman Robinson made the motion, seconded by Alderman Allen to approve the appointments of the non-elected officials. The motion carried.

Alderwoman Townsend	Aye	Alderman Bishop	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye
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4. City Collector, William McMurry, presented the council with the Delinquent Real Estate Tax list for April 2 2024:

To Board of Aldermen:

According to Missouri Statute, Section 94.320 you should charge me with delinquent taxes. Attached are lists of delinquent taxes for the years 2021-2023. The following is a summary and total for all of the lists:

2021	=	682.98	(11 Accounts-12 Parcels)
2022	=	1,851.42	(29 Accounts-36 Parcels)
2023	=	<u>3,146.53</u>	(73 Accounts-92 Parcels)
		\$5,680.93	

Mr. McMurry stated in his letter addressed to the Aldermen dated April 2, 2024, that he has mailed delinquent tax letters for the 2<sup>nd</sup> time this year. Once on February 8<sup>th</sup>, and then on April 2<sup>nd</sup>. On May 15<sup>th</sup>, he will send final notices stating that they must pay their taxes by June 15<sup>th</sup>, in order to avoid charges for "Title Search (\$125)", "Newspaper Publishing and other costs (up to \$700 or higher)" that will be added at Tax Sale. These final notices will only be mailed to those accounts owing 2021 taxes.

Property with 2021 RE Taxes due, will be sold if not paid by the 4<sup>th</sup> Monday in August.

Mayor Kirkpatrick called for a motion to charge the City Collector, according to Missouri Statute, Section 94.320 with delinquent taxes.

Alderman Allen made the motion to charge the City Collector for Delinquent Real Estate Taxes in the amount of \$5,680.93 for Fiscal Year 2024. Alderwoman Robinson seconded the motion and it carried.

Alderwoman Townsend	Aye	Alderman Harris	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye
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5. Mayor Kirkpatrick presented Bill # 01-2024 for consideration:

**Bill No. 01-2024**

**Ordinance #2024-01**

**AN ORDINANCE AMENDING  
THE PIEDMONT CITY CODE  
BY THE AMENDMENT OF CERTAIN SECTIONS  
AS SET FORTH HEREIN**

**WHEREAS**, the Board of Aldermen of the City of Piedmont, Missouri is desirous of promoting the health and welfare of the citizens of the City of Piedmont, Missouri; and

**WHEREAS**, amendment of the city code as it relates to operation and conduct of the Municipal Court in order to comply with certain requirements of law and administration thereof,

**WHEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PIEDMONT, MISSOURI** that Sections 125.080, 125.310 and 1254.320 are hereby amended to read as follows:

**Section 125.080. Report To The Board Of Aldermen.** The Municipal Judge shall cause the Municipal Court Clerk to prepare, within the first ten (10) days of every month a report indicated the following: A list of all cases heard or tried before the Judge during the preceding month, giving in each case the name of the defendant, the fine imposed if any, the amount of costs, the names of defendants committed, and the cases in which there was an application for trial de novo, respectively. The Court Clerk or Judge shall verify such lists and statements by affidavit and shall file the same with the City Clerk who shall lay the same before the Board of Aldermen of the City for examination at its first session thereafter. The Municipal Court shall, within the ten (10) days after the first of the month, pay to the Municipal Collector the full amount of all fines collected during the preceding month, if not previously paid to the Municipal Collector.

**Section 125.310. Installment Payment of Fines** When a fine is assessed for violation of an ordinance, it shall be within the discretion of the Judge assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as the Judge may deem appropriate after appropriate inquiry of the Defendant as to means and ability to pay. If the defendant/debtor has the ability to pay but is unable to pay when assessed or due or the defendant/debtor has no ability to pay, the court shall comply with the procedures set forth in Rule 37.65. Any plan or procedure set by the court should state the plan's effective date, the minimum payment due at case disposition, the minimum monthly payment amount, the means by which the court shall obtain the debtor's social security number and the collection procedure that the court shall utilize if there is a default in payment. If an offender defaults in the payment of the fine or an installment, the debt shall be collected by any means authorized for the collection of money judgements, other than a lien against real estate, or may be waived at the discretion of the sentencing judge.

**Section 125.320 Certain items as costs**

Amend by removal of "costs, such as for the issuance of a warrant, a commitment or a summons" and mileage" and "12. Sheriffs Retirement Fund"

**READ, ADOPTED AND PASSED BY THE BOARD OF ALDERMEN, CITY OF PIEDMONT, MISSOURI THIS 9<sup>th</sup> DAY OF APRIL 2024.**

**CITY OF PIEDMONT, MISSOURI**

\_\_\_\_\_  
William H. Kirkpatrick, Mayor

ATTEST:

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Tammy Thurman, City Clerk  
SEAL.

After being read three times a motion was made by Alderwoman Robinson and seconded by Alderwoman Townsend to pass Bill# 01-2024 to Ordinance #2024-01. The motion passed.

Alderwoman Townsend	Aye	Alderwoman Robinson	Aye
Alderman Allen	Aye	Alderman Harris	Aye

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6. Mayor Kirkpatrick presented Bill # 02-2024 for consideration:

Bill No. 02-2024

Ordinance No. 2024-02

**AN ORDINANCE AMENDING CHAPTER 605  
OF THE CITY CODE OF THE CITY OF PIEDMONT WITH RESPECT  
TO SECTION 605.062: FARMERS MARKET USE REQUIREMENTS; VIOLATION  
AND PENALTIES**

**WHEREAS,** The City has a Farmers Market with regulations; and

**WHEREAS,** Those regulations are in need of update.

**THEREFORE,** it is resolved by the Board of Aldermen of the City of Piedmont, Missouri, that Section 605.062 is repealed and the following Section 605.062 is enacted in its place instead.

**Section 605.062: Regulations:**

All persons using the Farmers Market for sale of farm produce shall be subject to the following:

1. Any person may sell produce in the Piedmont Farmers ' market. No permit is required;
2. Hours of operation shall be Monday through Friday from 7:00 a.m. until Dusk; Saturday from 7:00 a.m. until 3:00 p.m.;
3. There shall be no assigned or reserved spaces; Spaces shall be on a "First Come, First Served" basis;
4. Items for exhibition and sale are defined as farm related products suitable for human consumption without limitation as to kind, to include by way of example, fruit, plants, flowers, fresh eggs, home produced goods and small farm animals. Clothing, hardware or flea market or yard sale type items are specifically excluded;
5. All items exhibited for sale shall comply with any and all rules or regulations imposed by any state or federal agency, in addition to the requirements of this Ordinance;
6. Every user shall permit the city or its agents to inspect their sales location at any reasonable time;
7. Every user shall vacate the premises whenever instructed to do so by the mayor or his representative; Failure to do so shall constitute trespass;
8. No structures of any kind shall be permitted to be constructed or to remain on the premises of the Farmers Market; neither political signage nor materials are permitted;
9. Upon presentation, each patron shall be required to sign a Waiver of Liability For Damages in behalf of the City on a form to be provided by the City.

**ADOPTED AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF PIEDMONT, MISSOURI THIS 9<sup>th</sup> DAY OF APRIL, 2024.**

\_\_\_\_\_  
 William H. "Bill" Kirkpatrick, Mayor

ATTEST:

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 Tammy Thurman, City Clerk  
 (SEAL)

After being read three times a motion was made by Alderman Allen and seconded by Alderwoman Robinson to pass Bill# 02-2024 to Ordinance #2024-02. The motion passed.

Alderwoman Townsend	Aye	Alderwoman Robinson	Aye
Alderman Allen	Aye	Alderman Harris	Aye

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7. Mayor Kirkpatrick submitted the following bid documents for consideration:

**BID TABULATION FOR LEAD LINE INVENTORY PROJECT**

DATE: APRIL 5, 2024  
 TIME: 5:00 PM  
 LOCATION: PIEDMONT CITY HALL

CONTACT PERSON	BAHR HYDROEXCAVATION	TAYLOR ENGINEERING	5 COPIES
BID 1 RECORDS REVIEW	\$5,700.00	\$8,500.00	Y
BID 2 IN-FIELD VERIFICATION	\$97,500.00	\$75,000.00	Y
BID 3 ADMINISTRATIVE SERVICES-GENERAL	\$13,700.00	\$50,000.00	Y
BID 4 ADMIN SERVICES-IN FIELD EXCAVATION	\$4,800.00	\$19,500.00	Y
BID 5 CONSTRUCTION MANAGEMENT-8 MONTHS	\$38,400.00	\$24,000.00	Y
BID 5 UNIT PRICE ADJUSTMENT/MONTH	\$4,800.00	\$3,000.00	Y
BID 6 REPLACEMENT PLAN	\$1,700.00	\$12,500.00	Y

TOTAL COSTS	\$161,800.00	\$189,500.00	Y
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CONTACT PERSON	HBK ENGINEERING	Byrne & Jones	N
BID 1 RECORDS REVIEW	\$12,212.00	\$7,000.00	N
BID 2 IN-FIELD VERIFICATION	\$105,000.00	\$637,500.00	N
BID 3 ADMINISTRATIVE SERVICES-GENERAL	\$47,424.00	\$6,500.00	N
BID 4 ADMIN SERVICES-IN FIELD EXCAVATION	\$14,424.00	\$5,000.00	N
BID 5 CONSTRUCTION MANAGEMENT-8 MONTHS	\$200,096.00	\$5,000.00	N
BID 5 UNIT PRICE ADJUSTMENT/MONTH	\$9,360.00	\$3,500.00	N
BID 6 REPLACEMENT PLAN	\$1,700.00	\$625.00	N
TOTAL COSTS	\$388,346.00	\$664,500.00	N

Alderman Townsend made the motion, seconded by Alderman Robinson to accept the bids, approve the two bids by Bahr Hydroexcavation and Taylor Engineering for meeting all the bid requirements, and to select the low bidder, Bahr Hydroexcavation upon the funding agencies approval, and if for some reason, Bahr Hydroexcavation is disqualified, then to go with the next approved bid which is Taylor Engineering. The motion carried.

Alderman Townsend	Aye	Alderman Robinson	Aye
Alderman Allen	Aye	Alderman Harris	Aye
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- Mayor Kirkpatrick turned the meeting over to Mayor Pro tem Karin Townsend and left the meeting room. Mayor Pro tem Townsend presented the only bid received for "B" License Wastewater Chief Operator.

Alderman Allen made the motion, seconded by Alderman Robinson to accept the only bid for the "B" Licenses Wastewater Chief Operator bid, and to select the contractor, William H. Kirkpatrick at \$1,500 per month depending on the recommendation by the Missouri Ethics Commission. The motion carried.

Alderman Townsend	Aye	Alderman Robinson	Aye
Alderman Allen	Aye	Alderman Harris	Aye
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9. Mayor Pro tem Karin Townsend turned the meeting back over to Mayor Kirkpatrick. Mayor Kirkpatrick asked if there was any other business before the council:

- Mayor Kirkpatrick recognized , Lynn Terrell-Stone and Taz Terrell-Stone, who live at 418 Park Street. After reviewing photos of damage to their chain link fence by tree limbs, the Mayor said that he would have Ashley Tubbs and the Street Department repair the fence were it was damaged and to look at the tree to see if it needed removed.
- Alderman Allen made the motion, seconded by Alderwoman Townsend to approve speed bumps at 4<sup>th</sup> and West Fir Street, and Green Street and 4<sup>th</sup> to slow down speeders. The motion carried.

Alderwoman Townsend	Aye	Alderman Harris	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye
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10. With no other business before the council, Alderman Allen made the motion to retire into executive session. Alderwoman Townsend seconded the motion and it carried.

Alderwoman Townsend	Aye	Alderman Harris	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye
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11. After returning to open session, Alderman Allen made the motion, seconded by Alderwoman Robinson to purchase a 2015 Skid Steer from David Montgomery in the amount of \$28,000. The motion carried.

Alderwoman Robinson	Aye	Alderman Harris	Absent
Alderwoman Townsend	Aye	Alderman Allen	Aye
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12. With no further business before the Council, Alderman Allen made the motion to adjourn the April 9<sup>th</sup>, 2024 regular and executive meetings. Alderwoman Townsend seconded the motion and it carried.

Alderwoman Townsend	Aye	Alderman Harris	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye

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William H. Kirkpatrick, Mayor

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Tammy Thurman, City Clerk  
(SEAL)