

Regular Council Meeting  
August 8<sup>th</sup>, 2023  
5:00 PM

- The Piedmont City Council met in regular session on August 8, 2023 at Piedmont City Hall. Those in attendance were as follows: Alderwoman Karin Townsend, Alderwoman Morgan Robinson, Alderman Kyle Allen, Alderman Roger Bishop, City Attorney Bob Ramshur, City Treasurer Dennis Ross, and City Clerk Tammy Thurman. Mayor 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. Accept the minutes from the previous meetings:
    - a) July 11<sup>th</sup>, 2023 regular council meeting
    - b) July 11<sup>th</sup>, 2023 executive session
  3. Amend budget if necessary
  4. Approve accounts payable for August 2023
  5. Discuss and approve Ordinance #2023-04 an Ordinance for the regulation of animals
  6. Discuss and approve Ordinance 2023-05 an Ordinance for keeping, possessing, transporting or exhibiting venomous reptiles
  7. Discuss and approve Ordinance 2023-06 determining and fixing the Ad Valorem Tax Rate Levy for the year 2023
  8. Discuss and approve Resolution 2023-04 a Resolution of the City of Piedmont, Missouri, stating intent to seek funding through the Community Development Block Grant Program and authorizing the Mayor to pursue activities in an attempt to secure funding under Title I for an entire Comprehensive Plan
  9. Discuss and select contractor for the CDBG Paving Project 2021-G1-07
  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: Chief of Police Richard Sanders, City Collector William McMurry, City Secretary Barbara Potter, Street Supervisor Darin Percy, Vicki Eaton, Brian Rosener with the Ozark Foothills Regional Planning Commission, Zachery Elkin, Chad Henson, Jessica McMahan, Diane Elkin, Ken Schultheis, Paula and Ken Simmons, Kim Combs representing the Wayne County Journal Banner, Josh Rainwater, and Linda Palmer.

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2. Mayor Kirkpatrick called for a motion to accept the minutes of the previous meetings:
  - a) July 11<sup>th</sup>, 2023 regular council meeting
  - b) July 11<sup>th</sup>, 2023 executive session

Alderman Bishop made the motion to approve the July 11<sup>th</sup> 2023 regular and executive meetings. Alderman Allen seconded the motion and it carried.

Alderman Bishop	Aye	Alderman Bishop	Aye
Alderman Allen	Aye	Alderman Allen	Aye
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3. City Treasurer, Dennis Ross, stated that there was no need to amend the budget at this time.

4. Alderman Townsend made the motion seconded by Alderman Robinson to pay accounts payable for August 2023, posting journals 4816-4821 in the amount of \$16,197.24. The motion carried.

Alderman Robinson	Aye	Alderman Bishop	Aye
Alderman Townsend	Aye	Alderman Allen	Aye
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5. Mayor Kirkpatrick presented Bill 04-2023 for consideration

**Bill No. 04-2023**

**Ordinance #2023-04**

**AN ORDINANCE FOR THE  
REGULATION OF ANIMALS**

**WHEREAS**, the Board of Aldermen of the City of Piedmont, Missouri desires to regulate and to control Animals.

**THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
PIEDMONT, MISSOURI** the enactment of Section 205-140 through 205.180 relating to the topic of Animal Regulations, as follows:

**Section 205.140: Keeping a Dangerous Wild Animal**

A person commits the offense of keeping a dangerous wild animal if he/she keeps any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, Canada lynx, bobcat, jaguarondi, hyena, wolf, bear, nonhuman primate, coyote, and deadly, dangerous, or poisonous reptile, or any deadly or dangerous reptile over eight (8) feet long, in any place other than a properly maintained zoological park, circus, scientific, or educational institution, research laboratory, veterinary hospital, or animal refuge, never the less upon compliance with Section 205.145 herein shall be permitted.

**Section 205.150: Humane Treatment of Animals  
(R.O. 2003 ~ 205.110; Ord. No. 94-5 ~ 73.060, 4-12-1994)**

- A. It shall be unlawful to feed and dog or cat or other animal unwholesome or unsuitable food, or unclean water to drink, or which is likely to cause or produce disease in the animal.
- B. No person shall put any ashes, hot water or other torturous thing upon, beat, wound, maltreat, torture or inflict unnecessary pain or needlessly cruelly maim, mutilate or kill any dog or cat or other animal, nor shall any person give, sell, lend, barter or otherwise knowingly furnish any instrument, means, compound or other things to be used for the purpose of maltreating, torturing, maiming or killing any animal except for those means legally recognized by the State of Missouri and/or the Federal Government.

**Section 205.160: Wanton Poisoning of Animals Prohibited  
(R.O. 2003 ~ 205.120; Ord. No. 94-5 ~ 73.065, 4-12-1994)**

No person in the City of Piedmont shall poison a dog, cat, or any other animal or distribute poison in any manner whatsoever with the intent or for the purpose of harming or killing any dog, cat or other animal or cause off any of these acts to be done.

**Section 205.170: Exotic Animals  
(R.O. 2003 ~ 205.130; Ord. No. 94-5 ~ 73.070, 4-12-1994)**

It shall be unlawful for any person to own, keep or harbor any non-human living creature that is not customarily regarded as capable of being domesticated or any non-human living creature whose size, inherent characteristics, physical attributes or dangerous propensities makes it a threat to human life of limb, whose nature precludes it being safely kept in captivity, or to whom captivity would be detrimental to its health. Any said person violating this Section shall be deemed guilty of an ordinance violation.

**Section 205.180: Use of Deadly Weapons by Animal Control Officers  
(R.O. 2003 ~ 205.140; Ord. No. 94-5 ~ 73.085, 4-12-1994)**

The use of deadly weapons by animal control personnel is authorized and limited to the following circumstances:

- a. Prior approval by the Animal Control Officer's supervisor or the Chief of Police.

READ THREE TIMES AND PASSED this 8th day of August, 2023.

City of Piedmont, Missouri

William H. Kirkpatrick, Mayor

ATTEST:

Tammy Thurman, City Clerk  
SEAL.

After being read three times a motion was made by Alderman Bishop and seconded by Alderman Allen to pass Bill# 04-2023 to Ordinance #2023-04. The motion passed.

Alderman Allen	Aye	Alderman Bishop	Aye
Alderman Allen	Aye	Alderman Bishop	Aye
Alderman Allen	Aye	Alderman Bishop	Aye

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6. Mayor Kirkpatrick presented Bill 05-2023 for consideration:

**Bill No. 05-2023**

**Ordinance #2023-05**

**AN ORDINANCE FOR KEEPING, POSSESSING, TRANSPORTING  
OR EXHIBITING VENOMOUS REPTILES**

**WHEREAS**, the Board of Aldermen of the City of Piedmont, Missouri desires to regulate and to control the keeping, possessing, transporting, or exhibiting venomous reptiles, reptiles of concern, conditional reptiles, native or non-native, or prohibited reptiles, within the city limits of The City of Piedmont.

**WHEREAS**, the City Council has been approached by a citizen who wishes to keep and possess venomous reptiles within the city limits of the City of Piedmont: and

**WHEREAS**, no Ordinance currently exists authorizing the keeping and possession of venomous reptiles within the city limits of the City of Piedmont:

**THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PIEDMONT, MISSOURI AS FOLLOWS:**

1. Keeping and Possession:
  - a. No person, party, firm, association, or corporation shall keep, possess, or exhibit any poisonous or venomous reptile or reptile of concern, within city limits, without first having obtained a special permit or license therefor from the Fish and Wildlife Conservation Commission and/or the Missouri Department of Conservation (MDC).
  - b. The MDC shall establish a list of reptiles of concern, including venomous, non-venomous, native, nonnative, or other reptiles, which require additional regulation for possession, transportation, or exhibition due to their nature, habits, status, or potential to negatively impact humans, the environment, or ecology.
  - c. It shall be unlawful for any Person, party, firm, association, or corporation, whether licensed hereunder or not, to keep, possess, or exhibit any venomous reptile of concern in any manner not approved as safe, secure, and proper by the MDC. Venomous reptiles or reptiles of concern native or nonnative held in

captivity are subject to inspection by the MDC. The MDC shall determine whether the reptiles are securely, safely, and properly penned. In the event that the reptiles are not safely penned, the MDC shall report the situation in writing to the person, party, firm, association, or corporation owning the reptiles. Failure of the person, party, firm, association, or corporation to correct the situation shall be grounds for revocation of the license or permit of the person, party, firm, association, or corporation.

- d. Venomous reptiles, reptiles of concern, native or non-native reptiles shall be transported in a safe, secure, and proper manner. The MDC shall establish by rule the requirements for the transportation of venomous reptiles or reptiles of concern. Failure of the person, party, firm, association, or corporation to abide by said rules shall be grounds for revocation of the license or permit of the person, party, firm, association, or corporation.

2. Permits and/or License:

- a. Once a person, party, firm, association, or corporation has complied to all rules, regulations and requirements put forth by the MDC and obtained necessary permits and/or licenses, may then be eligible for keep of venomous reptiles, reptiles of concern, conditional reptiles, native or non-native, or prohibited reptiles, inside of city limits.
- b. Once eligibility is established, persons, party, firm, association, or corporation, are required to purchase a permit from the city in the sum of \$25.00. Renewal of said permit shall coincide with the annual permit renewal guidelines as set forth by the MDC. Renewal of city permit shall only be allowed upon renewal of permits and/or license required by the MDC.
- c. Persons, party, firm, association, or corporation will be required to provide a valid copy of permits and/or license, issued by the MDC, to be kept on file with the city. A valid copy of permit and/or license granted by the MDC, in addition to a valid copy of permit issued by the city, must be posted in establishment venomous reptiles, reptiles of concern, conditional reptiles, native or non-native, or prohibited reptiles are held.
- d. The number of animals shall be regulated by rules of the MDC.

READ THREE TIMES AND PASSED this 8th day of August, 2023.

City of Piedmont, Missouri

William H. Kirkpatrick, Mayor

ATTEST:

Tammy Thurman, City Clerk  
SEAL.

After being read three times a motion was made by Alderwoman Robinson to pass Bill# 05-2023 to Ordinance #2023-05 with the additional wording “that the number of allowed cats and dogs do not pertain to this ordinance” be included Alderman Bishop seconded the motion and it carried.

Alderwoman Townsend	Aye	Alderwoman Robinson	Aye
Alderman Allen	Aye	Alderman Bishop	Aye
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7. Mayor Kirkpatrick presented Bill #06-2023 for consideration:

Bill No. 06-2023	Ordinance No. 2023-06
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AN ORDINANCE DETERMINING AND FIXING THE AD VALOREM TAX RATE LEVY FOR THE CITY OF PIEDMONT, MISSOURI, THE YEAR OF 2023.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PIEDMONT, MISSOURI AS FOLLOWS:

General	\$0.2200 per \$100.00 valuation
Light	\$0.1300 per \$100.00 valuation
Library	\$0.1000 per \$100.00 valuation
Mile Cemetery	\$0.0300 per \$100.00 valuation
TOTAL TAX RATE 2020	\$0.4800

READ THREE TIMES AND PASSED BY THE BOARD OF ALDERMEN THIS 8th DAY OF AUGUST 2023.

William H. Kirkpatrick, Mayor

ATTEST:  
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# 06-2023 to Ordinance #2023-06. The motion passed.

Alderwoman Townsend	Aye	Alderman Bishop	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye
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8. Mayor Kirkpatrick recognized Brian Rosener with the Ozark Foothills Regional Planning Commission. Mr. Rosener explained the benefits of a Community Development Block

Grant opportunity through a 100% grant with the funding being funneled through the Title I Program for an entire comprehensive plan. Missouri State Law requires that municipalities have a city plan – also known as a Comprehensive Plan to help better serve the community. A comprehensive Plan should address the community’s key physical elements; provide a long term guidance for the timing and location of development and redevelopment; provide a basis for defensible zoning and subdivision decisions; provide routine evaluation and updating; and, scaled to local circumstances, resources, level of government and authority. The elements should include transportation, public facilities, infrastructure, housing, economic development, intergovernmental coordination, capital improvements, public health, utilities, community character and land use.

Mayor Kirkpatrick presented the following Resolution for consideration:

RESOLUTION 2023-04

**A RESOLUTION OF THE CITY OF PIEDMONT, MISSOURI, STATING INTENT TO SEEK FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE MAYOR TO PURUSE ACTIVITIES IN AN ATTEMPT TO SECURE FUNDING.**

WHEREAS, Title I of the Housing and Community Development Act of 1974 does state as its primary objective “ the development of viable urban communities, by providing decent housing and suitable living environment and expanding economic opportunities principally for persons of low and moderate income;” and

**WHEREAS**, Title I does offer to communities the opportunity of monetary assistance in accomplishing its stated primary objectives; and

**WHEREAS**, The Missouri Department of Economic Development is designated to awarded Community Development Block Grant Funding under Title I; and

**WHEREAS**, the City does have areas of need which may be addressed through the Community Development Block Grant Program.

**NOW, THEREFORE BE IT RESOLVED** by the City of Piedmont, Missouri, that it desires to participate with the Missouri Department of Economic Development in the improvement of our community under the activities authorized pursuant to the Housing and Community Development Act of 1974.

**THEREFORE, BE IT FURTHER RESOLVED**, that they Mayor of Piedmont, Missouri, is hereby authorized to prepare and submit documents which are necessary in applying for funding and establishing an administrative organization to implement activities pursuant to the aforementioned act.

Passed by the City Council this 8th day of August, 2023.

William Kirkpatrick, Mayor

ATTEST:  
 Tammy Thurman, City Clerk

A motion was made by Alderman Bishop and seconded by Alderman Allen to pass Resolution #2023-04. The motion passed.

Alderman Townsend                      Aye                      Alderman Bishop                      Aye  
 Alderman Robinson                      Aye                      Alderman Allen                      Aye

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9. Mayor Kirkpatrick presented the following bid tabulation for consideration:

BID TABULATION FOR PIEDMONT PAVING IMPROVEMENTS

DATE:                      July 28<sup>th</sup>, 2023  
 TIME:                      10:00 A.M.  
 LOCATION:                      PIEDMONT CITY HALL

CONTACT PERSON	Robertson Inc. Bridge & Grading	Jokerst, Inc	Apex Paving Company
ADDRESS	Poplar Bluff, MO.	St. Genevieve, MO.	Cape Girardeau, MO.
BID BOND	YES	YES	YES
ADDENDUM	YES	YES	YES
TOTAL BASE BID	472,878.05	420,981.20	492,464.22
TOTAL BASE BID PLUS ADD ALTERNATE ITEM A	517,361.65	456,984.90	545,170.37

CONTACT PERSON	Causey Asphalt LLC	Pace Construction	
ADDRESS	Dexter, MO.	St. Louis, MO.	
BID BOND	YES	YES	
ADDENDUM	YES	YES	
TOTAL BASE BID	454,467.82	613,029.00	
TOTAL BASE BID PLUS ADD ALTERNATE ITEM A	498,790.82	681,000.00	

Mayor Kirkpatrick requested that the council consider Smith and Company's letter of recommendation:

July 28, 2023

Mayor Bill Kirkpatrick  
 City of Piedmont  
 115 W Green St.  
 Piedmont, Missouri 63957

RE: Piedmont CDBG Street Improvements



Dear Mayor Kirkpatrick:

Bids were opened for the above referenced project on July 28, 2023. We have attached detailed bid tabulations to this document for your review of the individual bid item breakdown. The below information summarizes the bid results as well as our recommendation to the city on how to proceed. There were a total of five (5) responsive bids submitted. The low bid for the project was submitted by Jokerst Inc. of Ste. Genevieve, MO in the amount of \$420,981.90 for Base Bid and \$456,984.90 for Base Bid plus Add Alternate Items A. We feel the low bid was a competitive and reasonable bid and was within the funding established by the grant funds for the project. Therefore, our recommendation is to move forward with the process of awarding the Base Bid plus Add Alternate Items A to Jokerst Inc. contingent upon CDBG concurrence.

Sincerely,  
Mark Webb  
Project Manager

A motion was made by Alderwoman Townsend and seconded by Alderwoman Robinson to accept the bids and to select the low bidder, Jokerst Inc. of St. Genevieve, MO. in the amount of \$420,981.90 for the base bid and \$456,984.90 for Base Bid plus Add Alternate Items A contingent upon CDBG's approval. The motion passed.

Alderwoman Townsend	Aye	Alderman Bishop	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye

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10. Mayor Kirkpatrick asked if there was any other business before the council:

- Mayor Kirkpatrick recognized Vicki Eaton. Vicki stated that "Piedmont, Missouri, has been recognized by Governor Parsons as the UFO Capital of Missouri which will become official August 28<sup>th</sup>, 2023. It is only wise to capitalize on this opportunity to benefit the city and local businesses". An area of flood buyout property has been set aside for the construction of an UFO Capital of Missouri Sculpture Park in the Park/Legion Park Street area. Phase I of the sculpture park includes an installed sign and UFOs, hopefully by the Ozark Heritage Festival date of October 21<sup>st</sup>. Phase II of the park is to have everything installed by April 2024 for the UFO/Eclipse festivities. Vicki would like to see the park have wooden Aliens carved by Seth Miller, and the UFOs to be installed with lights. Security cameras need to be installed for protection from vandalism, and all sculptures need to be secured to the ground. Vicki stated that she estimates the cost at this time to be around \$9,000.00 dollars. Business owner Dianne Elkin spoke up and stated that this past April her business had doubled then the previous 2022 April due to the UFO festivities that the Chamber of Commerce had sponsored. Mrs. Elkin feels that all business can be helped with additional revenue brought in from the UFO Sculpture Park and activities. The Alderman thanked Ms. Eaton for a beautiful presentation

and for all the leg work that she has done, and for the vision to see this project completed. This item was tabled for further discussion.

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- Vicki Eaton presented a cost estimate to the Mayor and City Council on a replacement pavilion for Ash Street Park. The cost came in at \$24,000.00. Mayor Kirkpatrick suggested moving the pavilion from the Clearwater Youth Center down to Ash Park. No motions or votes were made on this issue.

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- City Clerk, Tammy Thurman, requested that the council consider waiving the carnival fee for the Piedmont Area Chamber of Commerce for the upcoming Fall Festival.

Alderwoman Townsend made the motion, seconded by Alderman Bishop, to waive the carnival fee for the Piedmont Area Chamber of Commerce for the Fall Festival. The motion carried.

Alderwoman Townsend	Aye	Alderman Bishop	Aye
Alderwoman Robinson	Aye	Alderman Allen	Nay

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11. With no additional business before the Council, Alderman Allen made the motion to retire into executive session. Alderwoman Robinson seconded the motion and it passed.

Alderwoman Townsend	Aye	Alderman Bishop	Aye
Alderwoman Robinson	Aye	Alderman Allen	Aye

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12. With no further business before the Council, Alderman Allen made the motion to adjourn the August 8<sup>th</sup>, 2023 regular and executive meetings. Alderwoman Townsend seconded the motion and it carried.

William H. Kirkpatrick, Mayor

Tammy Thurman, City Clerk  
(SEAL)