

Regular Council Meeting
January 10th, 2017
6:00 PM

- The Piedmont City Council met in regular session on January 10, 2017 at Piedmont City Hall. Those in attendance were as follows: Aldermen Scot Tucker, Tracey Bennett, Alderwoman Karin Townsend, City Attorney Bob Ramshur, 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. Approve minutes from the previous meetings:
 - a) December 13, 2016 regular meeting
 - b) December 13, 2016 executive meeting
 3. Approve accounts payable for January posting session 1692-1698
 4. Amend the budget if necessary
 5. Approve Ordinance 2017-01 for the purpose of imposing a use tax for general revenue purposes
 6. Miscellaneous
 7. Retire into executive session
 8. 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 Secretary Georgia Woods, City Treasurer Dennis Ross, and City Collector William McMurry.

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2. Mayor Kirkpatrick called for a motion to approve the minutes of the December 13, 2016 regular and executive council meetings.

Alderman Bennett made the motion to approve the December 13, 2016 regular and executive council meetings. Alderwoman Townsend seconded the motion and it carried.

Alderman Tutterrow	Aye	Alderman Tucker	Aye
Alderwoman Townsend	Aye	Alderman Bennett	Aye

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3. Mayor Kirkpatrick called for a motion to approve the accounts payable for January.

Alderman Tutterrow made the motion, seconded by Alderman Bennett to pay accounts payable for January posting sessions 1692 - 1698. The motion carried.

Alderman Tutterrow	Aye	Alderman Tucker	Aye
Alderwoman Townsend	Aye	Alderman Bennett	Aye

4. Mayor Kirkpatrick asked City Treasurer, Dennis Ross, if there was a need to amend the budget? Mr. Ross responded with a no. No motions or votes were made on this issue.

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5. Mayor Kirkpatrick presented Bill 01-2017 for consideration:

Bill No. 01-2017

Ordinance #2017-01

AN ORDINANCE IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF TWO AND FIFTY ONE-HUNDREDTHS PERCENT (2.5%) PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 RSMO; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE ELECTION CALLED TO BE HELD IN THE CITY ON THE 4TH DAY OF APRIL, 2017

WHEREAS, the City has imposed total local sales taxes, as defined in section 32.085 RSMo, at the rate of two and fifty one hundredths percent (2.5%); and

WHEREAS, The City is authorized, under Section 144.757 RSMo, to impose a local use tax at a rate equal to the rate of the total local sales taxes in effect in the City; and

WHEREAS, the proposed City use tax cannot become effective until approved by the voters at a municipal, county or state general, primary or special election.

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

Section 1. Pursuant to the authority granted by, and subject to, the provisions of Sections 144.600 through 144.761 RSMo, a use tax for general revenue purposes is imposed for the privilege of storing, using or consuming within the CITY any article of tangible personal property. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this City or until the article has become commingled with the general mass of property of this City.

Section 2. The rate of the tax shall be two and fifty one-hundredths percent (2.5%). If any city sales tax is repealed or the rate thereof is reduced or raised by voter approval, the city use tax rate also shall be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the city sales tax.

Section 3. This tax shall be submitted to the qualified voters of Piedmont, Missouri, for their approval, as required by the provisions of Section 144.757 RSMo, at the election hereby called and to be held in the City on Tuesday, the 4th day of April, 2017. The ballot of submission shall contain substantially the following language:

Shall the City of Piedmont, Missouri impose a local use tax at the same rate as the total local sales tax rate, currently two and fifty-one hundredths percent (2.5%), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? This is to help replace revenue lost due to a major retailer leaving the city. A use tax return shall not be required to be filed by persons who purchase from out-of-state vendors do not exceed two thousand dollars (\$2,000.00) in any calendar year.

YES

NO

If you are in favor of the question, place an "X" in the box above "YES". If you are opposed to the question, place an "X" in the box above "NO".

Section 4. Within ten (10) days after the approval of this Ordinance by the qualified voter of Piedmont, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this Ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE BOARD OF ALDERMEN THIS _____ DAY OF _____ 2017.

Karin Townsend

Brian Tutterrow

Tracey Bennett

Scot Tucker

William H. Kirkpatrick, Mayor

ATTEST:

Tammy Thurman, City Clerk

SEAL.

After being read three times a motion was made by Alderman Tucker and seconded by Alderman Tutterrow to pass Bill# 01-2017 to Ordinance #2017-01. The motion passed.

Alderwoman Townsend	Aye	Alderman Tucker	Aye
Alderman Bennett	Abstained	Alderman Tutterrow	Aye
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6. Mayor Kirkpatrick presented a letter from the Missouri Municipal League requesting that the Piedmont Board of Aldermen consider assigning part of the past tax payment from the class action suit settlement with TracFone in the amount of \$2747.32 or 5% of the settlement amount.

Alderman Bennett made the motion to assign 5% of the past tax payment from the TracFone class action suit to the Missouri Municipal League. Alderman Tucker seconded the motion and it passed.

Alderwoman Townsend	Aye	Alderman Tucker	Aye
Alderman Bennett	Aye	Alderman Tutterrow	Aye
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7. Mayor Kirkpatrick asked if there was any other business before the councilmen. With no response, the Mayor asked for a motion to retire into executive session.

Alderman Tutterrow made the motion to retire into executive session. Alderwoman Townsend seconded the motion and it carried.

Alderman Tutterrow	Aye	Alderman Tucker	Aye
Alderwoman Townsend	Aye	Alderman Bennett	Aye
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7. With no further business before the Council, Alderman Tucker made the motion to adjourn the January 10th, 2017 regular and executive meetings. Alderman Bennett seconded the motion and it carried.

Alderman Tutterrow	Aye	Alderman Tucker	Aye
Alderwoman Townsend	Aye	Alderman Bennett	Aye

William H. Kirkpatrick, Mayor

Tammy Thurman, City Clerk
(SEAL)