

Board of Aldermen Meeting November 21, 2023 at 6:00 PM

The Mayor and Board of Aldermen will hold the regular monthly meeting in the Betty Brazelton Community Center at 707 Oak Street to consider and act upon the matters on the following tentative agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

Tentative Agenda

1. Call to Order

Pledge of Allegiance to the American Flag

2. Roll Call

3. Approve Agenda

4. Christmas Wonderland

Middle Road Productions

5. Minutes

A. October 17, 2023 Regular Meeting

6. October Financial Report

7. October Invoice/Check Listing

8. Reports

a. Water System Report – Jeff Jones, Decker Construction

b. Police Report – Dave Speiser

c. Public Works Report – Dennis Hudson

d. City Administrator Report – Bob Burns

9. Review/Approve Employee Health Insurance

10. Review/Approve Ordinance for General Election

11. Review/Approve Ordinance for Marijuana Sales Tax

12. Review/Approve Ordinance for Engine Brake Mufflers

13. Public Participation

14. Mayor Comments

15. Aldermen Comments

16. Adjourn

Bob Burns, City Administrator

Posted November 17, 2023

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CALLING FOR A GENERAL ELECTION FOR THE CITY OF LATHROP, MISSOURI TO BE HELD ON TUESDAY APRIL 2, 2024 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS, CANDIDATES FOR A TERM OF TWO YEARS, ONE ALDERMAN FROM WARD I (SOUTH WARD) FOR A TERM OF TWO YEARS, AND ONE ALDERMAN FROM WARD II (NORTH WARD) FOR A TERM OF TWO YEARS.

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

Section 1. That the general election of the City of Lathrop, Missouri shall be held on April 2, 2024 for the purpose of submitting to the voters of the city candidates for Mayor for the term of two years, one Alderman from Ward I (South Ward) for a term of two years, and one Alderman from Ward II (North Ward) for a term of two years.

Section 2. That the General Election will be held at the following place in said City: Polling place for Ward I and Ward II, Goppert Community Center, 406 Elm Street, Lathrop, MO.

Said election will be held and the polling place for same will be open between the hours of 6:00 o'clock in the morning and 7:00 o'clock in the evening.

Section 3. The Clerk of the City of Lathrop, Missouri is responsible for filing Notice of General Election by causing to be published in The Clinton County Leader, a newspaper printed, published and in general circulation in the City of Lathrop, Missouri, a Notice of General Election in the following form, to-wit:

Notice of City Election

In accordance with the Missouri Comprehensive Election Act of 1977, and pursuant to the provisions of Chapters 70.010, et seq., and 130.010 et seq., Revised Statutes of Missouri, I hereby give notice that the General Election for the City of Lathrop will be held on Tuesday, April 2, 2024, for the purpose of electing the following city officials:

One Alderman from Ward I (South Ward) for a term of two years.

One Alderman from Ward II (North Ward) for a term of two years.

Polling place for Ward I and Ward II, Goppert Community Center, 406 Elm Street. Polls will be open from 6:00 AM until 7:00 PM.

All candidates shall file with the City Clerk beginning December 5, 2023, 8:00 AM and ending December 26, 2023. Hours to file are 8:00 AM to 5:00 PM, Monday through Friday. All qualified electors of the City of Lathrop shall be entitled to vote at said election.

SUSIE FREECE, CITY CLERK

Section 4. This ordinance shall be in full force and effect from and after the date of its passage by the Board of Alderman of the City of Lathrop, Missouri.

READ TWO TIMES and passed by the Board of Aldermen of the City of Lathrop, Missouri, this 21st day of November, 2023.

Jennifer Morrison, Mayor

ATTEST:

Susie Freece, City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE 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 OF LATHROP, MISSOURI.

WHEREAS, on November 8, 2022, the electors of the State of Missouri approved Amendment 3 to the Missouri Constitution enacting Section 2 of Article XIV of the Missouri Constitution effective December 8, 2022; and

WHEREAS, the newly enacted Article XIV, section 2.6(5) of the Missouri Constitution authorizes the City of Lathrop, Missouri to impose, by ordinance, an additional sales tax in amount not to exceed three percent on all tangible personal property retail sales of adult use marijuana sold in such political subdivision subject to approval by voters of the City of Lathrop, Missouri; and

WHEREAS, the Board of Aldermen finds that it is in the best interests of the citizens of the City of Lathrop, Missouri to impose a sales tax of three percent on all tangible personal property retail sales of adult use marijuana sold in the City of Lathrop, Missouri and to submit the same to the voters of the City for approval by a majority of those voting at the general municipal election to be held on April 2, 2024.

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

SECTION 1 – ADULT USE MARIJUANA SALES TAX. A sales tax at the rate of three percent on all tangible personal property retail sales of adult use marijuana sold in the City of Lathrop, Missouri, as authorized by Article XIV, section 2.6(5) of the Missouri Constitution, is hereby imposed. The tax imposed hereunder shall be in addition to any and all other sales taxes allowed by law.

SECTION 2 – EFFECTIVE DATE. The sales tax imposed by this Ordinance shall not be effective unless approved by a majority of the votes cast by the qualified voters voting thereon at the General Municipal Election to be held on April 2, 2024, at which election a proposal to authorize the Board of Aldermen of the City of Lathrop, Missouri, to impose the tax herein provided for shall be submitted to the voters of the City of Lathrop.

SECTION 3 – FORM OF BALLOT. The ballot to be used in such election shall contain the following question:

Question 1

Shall the City of Lathrop, Missouri, impose a sales tax of three percent (3%) on all retail sales of adult use non-medicinal marijuana sold in the City of Lathrop, Missouri?

☐ Yes

☐ No

SECTION 4 – NOTICE OF ELECTION. The City Clerk is hereby directed to notify the County Clerk of Clinton County, Missouri, of the enactment of this Ordinance no later than 5:00 p.m. on Tuesday, January 23, 2024, in accordance with the Comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended.

Read twice and passed by a majority vote of the Board of Aldermen of the City of Lathrop, Missouri, this 21st day of November, 2024.

Mayor

ATTEST:

City Clerk

BILL _____

ORDINANCE _____

**AN ORDINANCE TO AMEND THE CITY CODE OF LATHROP, MISSOURI,
REGARDING ENGINE BRAKING.**

Be it ordained by the Board of Aldermen of the City of Lathrop, Missouri, as follows:

1. Section 340.270 of Title III of the City Code of Lathrop, Missouri is hereby amended by deleting it in its entirety, and adding the following in its place:

Section 340.270. Engine Brake Mufflers Required.

Engine compression braking devices on any commercial vehicle, as defined in Missouri Revised Statute R.S.Mo. Section 301.010, may only be used within the city limits of Lathrop, Missouri if the truck is equipped with an adequate muffler (factory muffler or equivalent aftermarket muffler) which is properly maintained to prevent any excessive or unusual noise. If the truck's exhaust system is equipped with a muffler cut-off, bypass, or similar device, that device shall not be activated when the engine brake is being utilized. Unmuffled engine braking system shall only be utilized within the city limits by commercial motor vehicles in emergency situations to protect life or property. Engine braking systems on rescue vehicles, city and state vehicles are exempt from this ordinance if used in the performance of official duties.

2. This ordinance shall be in full force and effect upon approval by the Board of Aldermen of the City of Lathrop.

Read twice and passed by a majority vote of the Board of Aldermen of the City of Lathrop, Missouri, this 21st day of November, 2023.

Mayor

ATTEST:

City Clerk