

Board of Aldermen Meeting June 15, 2021 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. Review/Approve Ordinance from Planning Commission

Recommendation of a Lot Split at NW corner of 116/I-35

5. Discussion Parking on Clinton and Elm Street near Ingram Field

6. Middle Road Production Event Request

7. Review/Approve Sewer Extension Financing Ordinance

8. Discuss MOPERM Proposal for Liability Insurance

9. Review/Approve Ordinance for Water Maintenance Contract

10. Minutes

A. May 18, 2021 Regular Meeting

B. May 27, 2021 Special Meeting

11. May Financial Report

12. May Invoice/Check Listing

13. Reports

a. Water System Report – Jeff Jones, Decker Construction

b. Police Report – Dave Speiser

c. Annexation Committee Report – Dave Speiser

d. Public Works Report – Dwight Adkison

e. City Administrator Report – Bob Burns

14. COVID 19 Discussion

15. Review/Approve Change Order 3 for Treatment Project

16. Update Wastewater Collection System Status

Scott McDonald – Veenstra & Kimm

17. Review/Approve Ordinance for Fiscal Year 2022 Budget

18. Public Comments

19. Mayor Comments

20. Aldermen Comments

21. Adjourn

Bob Burns, City Administrator - Posted June 11, 2021

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT A REPLAT OF THE REAL PROPERTY LOCATED IN SECTION 28, TOWNSHIP 55N, RANGE 30W, BOUNDED ON THE NORTH BY 256th STREET, ON THE EAST BY I-35, THE SOUTH BY MO HIGHWAY 116, AND THE WEST BY STONUM ROAD, IN THE CITY OF LATHROP, MISSOURI.

WHEREAS, The City of Lathrop annexed the property described above in two lots in September of 2019, and are on file and recorded with the Clinton County Recorder of Deeds, and

WHEREAS, an application for a replat of these two lots into three lots has been filed with the Lathrop Planning Commission; and

WHEREAS, after such application has been on file with the Planning Commission for at least 15 days, a public hearing was conducted, as required by the Lathrop Code Section 400.590; and

WHEREAS, the Planning Commission of the City of Lathrop recommended that the proposed replat be adopted.

NOW THEREFORE, be it ordained by the Board of Alderman of the City of Lathrop, Missouri, as follows:

Section 1. The Board of Alderman hereby receives and approves the June 7, 2021 recommendation of the Lathrop Planning Commission regarding the lot split application of Dale and Sharon Harris. Such application is attached to this ordinance as Exhibit A.

Section 2. The split of the two tracts in exhibit A to the three tracts in exhibit B, in the City of Lathrop, County of Clinton, Missouri hereby replatted in accordance with the application and the attached Exhibit B. The replat will be submitted to the Clinton County Recorder of Deeds.

Section 3. This ordinance will be in full force and effect upon approval by the Board of Alderman of the City of Lathrop.

READ TWO TIMES and passed by the Board of Aldermen of the City of Lathrop, Missouri, this 15th day of June, 2021.

Jennifer Morrison, Mayor

ATTEST:

Bob Burns, City Administrator

Subscribed and affirmed before me this 15th day of June, 2021.

Notary Public – State of Missouri
Commissioned in _____ County

[SEAL]

My commission expires:

BILL NO. _____

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE CITY OF LATHROP, MISSOURI, CERTIFICATES OF PARTICIPATION, SERIES 2021 AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE DELIVERY OF THE CERTIFICATES.

WHEREAS, the City of Lathrop, Missouri (the "City"), desires to obtain funds for the acquisition, construction and installation of improvements to its sewer system, including approximately 3,667 linear feet of gravity sewer including 21 manholes, one duplex lift station, and approximately 13,775 linear feet of 6" diameter pressure sewer (the "Equipment") for its sewerage system; and

WHEREAS, the City finds and determines that it is advantageous and in the best interests of the City that the City enter into certain transactions with UMB Bank, N.A., as trustee (the "Trustee"), relating to the delivery of the City of Lathrop Certificates of Participation, Series 2021 (the "Certificates") evidencing proportionate interests in the right to receive rental payments payable pursuant to the hereinafter described Lease, for the purpose of (1) paying the costs necessary to acquire, construct and install the Equipment, (2) funding a reserve fund for the Certificates, and (3) paying the costs of delivering the Certificates; and

WHEREAS, in connection with the delivery of the Certificates, the City desires to authorize the execution of (a) a Trust Indenture (the "Indenture"), between the City and the Trustee to pay the costs of the Equipment, (b) a Lease Agreement (the "Lease"), pursuant to which (i) proceeds of the Certificates will be used to provide for the Project; (ii) the Trustee will lease certain personal property (the "Leased Property," which does not include any interest in the underlying real property) to the City for an initial term ending June 30, 2022 (the "Initial Term"), with successive one-year renewal options (the "Renewal Terms") exercisable by the City subject to annual budget appropriations; and (iii) the City will make rental payments to the Trustee for the use of the Leased Property, (c) a Financing Agreement between the City and the East Lathrop Community Improvement District (the "District") to provide for the District funding a portion of the costs of the Equipment, and (d) a Continuing Disclosure Services Agreement between the City and Gilmore & Bell, P.C. (the "Special Counsel") to provide for the preparation and filing of continuing disclosure matters related to the Certificates; and

WHEREAS, the City further finds and determines that it is necessary and desirable in connection with the lease of the Equipment from the Trustee and the delivery of the Certificates that the City enter into certain documents, and that the City take certain other actions and approve the execution of certain other documents as herein provided.

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

Section 1. Approval of Delivery of the Certificates. The City hereby approves the delivery by the Trustee of the Certificates for the purpose of (a) financing the costs of the Equipment, (b) funding a reserve fund for the Certificates, and (c) paying the costs of delivering the Certificates. The Certificates shall be issued and secured pursuant to the herein approved Indenture. The Certificates shall be dated, shall become due in the years and in the respective principal amounts and shall bear interest and be payable as provided in the herein approved Indenture.

The Certificates shall be sold to [Central States Capital Markets] and approved as of the date of approval of this Ordinance (the "Purchaser") at the price and upon the terms and conditions set forth by a purchase agreement (as defined below); provided, however, the Certificates shall be issued in an aggregate principal amount not to exceed \$1,600,000, shall bear interest at various rates not to exceed a true interest cost of 3.00%, shall have a final maturity not later than 2046, shall have a weighted average maturity of not less than 10 years and not more than 16 years, shall be subject to an optional prepayment prior to maturity no later than 2026, and shall be sold with an underwriter's discount of not more than 1.50% of the principal amount of the Certificates.

The Certificates shall be in such denominations, shall be in such forms, shall be subject to prepayment prior to the stated payment dates thereof, shall have such other terms and provisions, and shall be executed and delivered in such manner subject to such provisions, covenants and agreements, as are set forth in the Indenture and the Purchase Agreement, subject to the terms of this Ordinance.

Section 2. Limited Obligations. The Certificates and the interest with respect thereto shall be limited obligations, payable solely out of the rents, revenues and receipts received by the Trustee from the City pursuant to the herein authorized Lease. The Certificates and the interest with respect thereto shall not constitute a debt or liability of the City, the State of Missouri or of any political subdivision thereof, and the Certificates shall not constitute indebtedness, within the meaning of any constitutional or statutory debt limitation or restriction.

Section 3. Authorization of Documents. The City is hereby authorized to enter into the following documents (the "City Documents") in substantially the forms filed in the records of the City, with such changes therein as shall be approved by the officers of the City executing such documents, such officers' signatures thereon being conclusive evidence of their approval thereof:

- (a) Trust Indenture (the "Indenture") between the Trustee and the City.
- (b) Lease Agreement (the "Lease") between the Trustee and the City.
- (c) Purchase Agreement (the "Purchase Agreement") between the Purchaser and the City.
- (d) Financing Agreement (the "Financing Agreement") between the City and the District.
- (d) Tax Compliance Agreement (the "Tax Agreement") between the City and the Trustee.
- (e) Continuing Disclosure Services Agreement (the "Continuing Disclosure Agreement") between the City and Special Counsel.

Section 4. Official Statement. The Preliminary Official Statement filed in the records of the City is hereby ratified and approved, and the final Official Statement is hereby adopted by supplementing, completing and amending the Preliminary Official Statement. The Mayor and City Clerk are hereby authorized to execute the Official Statement and the Purchaser is hereby authorized to use the Official Statement in connection with the sale of the Certificates. For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the City hereby deems the information contained in the Preliminary Official Statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and the appropriate officers of the City are hereby authorized, if requested, to provide the Purchaser a letter or certification to such effect and to take such other actions or execute such other documents as such

officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirements of such Rule.

The City agrees to provide to the Purchaser within seven business days of the date of this Ordinance an electronic copy of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 5. Execution of Documents. The City is hereby authorized to enter into, and the Mayor and the City Clerk are hereby authorized and directed to execute and deliver, for and on behalf of and as the act and deed of the City, the City Documents, and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 6. Further Authority. The officers, agents and employees of the City, including the Mayor and City Administrator, shall be, and they hereby are, authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the City with respect to the City Documents, to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed that they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 6. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

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PASSED by the Board of Aldermen, and **APPROVED** by the Mayor, of the City of Lathrop, Missouri this ____ day of June, 2021.

Mayor

[SEAL]

ATTEST:

City Clerk

BILL _____

ORDINANCE _____

AN ORDINANCE OF THE CITY OF LATHROP, MISSOURI TO APPROVE A MAINTENANCE CONTRACT WITH DECKER CONSTRUCTION SERVICES, INC. FOR MAINTENANCE OF THE CITY OF LATHROP WATER DISTRIBUTION SYSTEM.

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

WHEREAS, the Board of Aldermen desires to continue to provide for the maintenance of the water system; and

WHEREAS, the City of Lathrop has no employees with a Class DSII Water Operator's License for the State of Missouri to read meters or to otherwise perform appropriate testing of the City's water supply; and

WHEREAS, the Board of Aldermen declare that the Maintenance Contract is in the best interest for the health and welfare of the citizens to have appropriate personnel available to care for and maintain the City's water supply system.

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Lathrop, Missouri, as follows;

Section 1 Attached hereto labeled Exhibit A, and incorporated herein by reference as is fully set forth herein is Water System Maintenance Contract, City of Lathrop, Missouri Water System that provides for Decker Construction Services, Inc. to provide certain services, as set forth in such contract, to the City of Lathrop, Missouri Water System. The Board of Aldermen hereby approves such contract and directs that Jennifer Morrison, Mayor, shall enter into such contract with Decker Construction Services, Inc. on behalf of the City of Lathrop, Missouri. The contract shall be entered into as soon as practicable after passage of this ordinance.

Section 2 Effective Date, This Ordinance shall be in full force and effect from and after the day of its passage and approval.

BILL _____

ORDINANCE _____

READ TWO TIMES and passed by the Board of Aldermen of the City of Lathrop, Missouri, this 15th day of June 2021.

Jennifer Morrison, Mayor

Date: _____

ATTEST:

Susie Freece, City Clerk

Date: _____

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LATHROP, MISSOURI, TO ADOPT THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2022.

WHEREAS a budget has been proposed to the Board of Aldermen; and

WHEREAS the Board of Aldermen have reviewed such budget and wish to adopt it as the budget for the fiscal year ending June 30, 2022.

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

Section 1. The proposed budget, as attached hereto and made a part hereof as if fully set forth herein, is adopted.

Section 2. Funds are hereby appropriated for the expenditures set forth in said budget.

Section 3. The Mayor and Board of Aldermen have signed the adopted budget, and a signed copy shall be maintained in the City's records and be available for public inspection.

Section 4. This Ordinance shall be in effect from the date of passage and approval of the Board of Aldermen.

READ TWO TIMES and passed by the Board of Aldermen of the City of Lathrop, Missouri, this 15th day of June 2021.

Jennifer Morrison, Mayor

DATE: _____

ATTEST:

Susie Freece, City Clerk

DATE: _____