

**Board of Aldermen Meeting
May 16, 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. Review/Approve Site Plan Recommendation from Planning Commission

5. Horseshoe Pub

Martin Dick

6. Park Board Budget Presentation

7. Minutes

A. April 18, 2023 Regular Meeting

8. April Financial Report

9. April Invoice/Check Listing

10. 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

11. Sales Tax Acceptance Ordinance

12. Review and Approve Audit Accounting Proposal

13. Review/Approve Ordinance Concerning Distracted Driving

14. Review/Approve Ordinance Concerning Parking on Oak Street

15. Schedule Budget Working Session

16. Public Participation

17. Mayor Comments

18. Aldermen Comments

19. Adjourn

Bob Burns, City Administrator

Posted May 12, 2023

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY TO IMPOSE AN ADDITIONAL ONE PERCENT SALES TAX IN THE CITY OF LATHROP, MISSOURI.

WHEREAS, pursuant to Ordinance 1364 the Board of Aldermen ordered an election to be held in the City on April 4, 2023, for the purpose of submitting to the voters of the City the following question:

Shall the city of Lathrop, Missouri, impose a city sales tax of 1%, with such funds to be used for the improvement of streets?

WHEREAS, the votes cast at said election were duly canvassed as provided by law, and it was found and declared that a majority of the qualified voters of the City voting at said election on said question voted in favor of the imposition of said sales tax.

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

SECTION 1. The Board of Aldermen hereby authorizes the City to impose a general revenue sales tax of 1% pursuant to R.S.Mo. 94.510, with such funds to be designated for street improvements.

SECTION 2. The City Clerk shall forward to the Missouri Department of Revenue a certified copy of this Ordinance and of Ordinance 1364, and certifications of the election results on the question for the April 4, 2023 election.

Read twice and passed by a majority vote of the Board of Aldermen of the City of Lathrop, Missouri, this 16th day of May, 2023.

Mayor, Jennifer Morrison

ATTEST:

Court Clerk, Maria Ezell

BILL _____

ORDINANCE _____

AN ORDINANCE REVISING THE CITY OF LATHROP, MISSOURI MUNICIPAL CODE REGARDING THE TRAFFIC OFFENSE OF DISTRACTED DRIVING.

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

1. THE Lathrop Municipal Code is revised by adding a new Section 340.280, to read as follows:

340.280. Use of text messaging and hand-held mobile devices prohibited, when.

- A. Except as otherwise provided in this section, no person operating a moving motor vehicle upon roads exclusively within the jurisdiction of the City of Lathrop, Missouri, by means of a hand-held electronic wireless communications device, send, read, or write a text message or electronic message.
- B. The provisions of subsection A through subsection C of this section shall not apply to a person operating:
 - (1) An authorized emergency vehicle; or
 - (2) A moving motor vehicle while using a hand-held electronic wireless communications device to:
 - (a) Report illegal activity;
 - (b) Summon medical or other emergency help;
 - (c) Prevent injury to a person or property; or
 - (d) Relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.
- C. Nothing in this section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand-held electronic wireless communications device, while operating a noncommercial motor vehicle upon the highways of this state.
- D. As used in this section, "**electronic message**" means a self-contained piece of digital communication that is designed or intended to be transmitted between hand-held electronic wireless communication

devices. "Electronic message" includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.

- E. As used in this section, "**hand-held electronic wireless communications device**" includes any hand-held cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently embedded into the architecture and design of the motor vehicle.
 - F. As used in this section, "**making or taking part in a telephone call**" means listening to or engaging in verbal communication through a hand-held electronic wireless communication device.
 - G. As used in this section, "**send, read, or write a text message or electronic message**" means using a hand-held electronic wireless telecommunications device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand-held electronic wireless communications device for the purpose of making a telephone call.
 - H. A violation of this section shall be punishable by up to the maximum fine for a municipal ordinance violation.
 - I. The provisions of this section shall not apply to:
 - (1) The operator of a vehicle that is lawfully parked or stopped;
 - (2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;
 - (3) The use of factory-installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;
 - (4) The use of voice-operated technology;
 - (5) The use of two-way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service.
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, on _____, 2023

Mayor, Jennifer Morrison

ATTEST:

Court Clerk, Maria Ezell

BILL _____

ORDINANCE _____

AN ORDINANCE REVISING THE CITY OF LATHROP, MISSOURI MUNICIPAL CODE REGARDING PARKING.

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

1. Schedule V-B of the Lathrop Municipal Code is revised by changing the current parking restriction on Oak Street between Center Street and Locust Street to read as follows:

Location

On Oak Street between Center Street
And Locust Street

Restriction

Between the hours of 2:00 a.m.
and 5:30 a.m.

Vehicles parked on the street during the aforesaid period may be towed at the owner's expense and any storage charges will be the responsibility of the owner.

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, on _____, 2023

Mayor, Jennifer Morrison

ATTEST:

Court Clerk, Maria Ezell