




**CITY OF VALLEY PARK  
PLANNING AND ZONING COMMISSION  
MEETING  
VIA VIDEO CONFERENCING (ZOOM)  
AT 7:00 P.M. ON JUNE 15, 2020  
VALLEY PARK CITY HALL, 320 BENTON  
STREET, VALLEY PARK, MISSOURI 63088**

**\*\*\*\* AGENDA \*\*\*\***

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
  - a. 04-20-2020 Planning and Zoning Commission minutes
- 4. NEW BUSINESS**
  - a. Sno-Cap Presentation
  - b. Site Plan Review – 839 Meramec Station Road
  - c. Medical Marijuana Ordinance Discussion
  - d. Storage Regulations Discussion
  - e. PGAV Contract and Changes to CUP Information
- 5. ADJOURNMENT**

6-12-20 2:00pm 

Posted on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_

VALLEY PARK PLANNING & ZONING COMMISSION  
Monday, April 20, 2020

**CALL TO ORDER:** Meeting called to order at 7:00pm by Chairman Mike Cyr

**ATTENDANCE:** Mike Cyr, Chairman  
Alderwoman Betty Halker  
Alderman Randy Bowen  
Rich Schmitt  
Alva Roberts  
Dave Fowler  
Mayor, Chandra Webster

**NON MEMBERS IN ATTENDANCE:**

Tim Engelmeyer, City Attorney  
Gil DeNormandie, Building Commissioner  
Dusty Hosna, City Clerk  
Anna Krane , PGVA  
Alderman Mike White  
Alderman Ed Walker  
Alderman Tom Rauls

Pledge of Allegiance led by Chairman Mike Cyr.

3. Approval of Minutes

Meeting minutes from 3/9/20 were not included in packet and therefore approval tabled until next meeting.

4. Public Hearing – Conditional Use Permit – 839 Meramec Station Road

Public hearing opened at 7:03.. Speakers were as follows:

Randal Carter – observing only

Mary Erickson – Unfriendly to neighboring family businesses. Objects to project. Stated she thought it was a zoning and did not realize it was a dispensary until reading further.

Linda – observing only

Donna – observing only however opposes project.

Dave Evers – Notification not clear – opposes project. Believes business is not an asset to area.

Anne – Not good neighbor to family businesses in area.

Craig Caruso – Just listening

Al – Just observing

Peter Frolo – Objects to business

Public hearing closed at 7:14pm

5a – New Business – Conditional Use Permit – 839 Meramec Station Road

Jason Carrodo – applicant – spoke of project and described 24 hour security cameras on-site.

Randy Bowen was concerned with volume of traffic.

Dave Fowler questioned security of building. Jason Carrodo explained security personnel would scanning ID's as well as doors would have magnetic locking doors. Dave also asked if there was any type of retribution for improper use of product on premises. Tim explained that city would be able to revoke business license and state would have option of cancelling their license.

Betty Halker asked about appearance of building due to lack of details on drawings. Jason Carrodo stated the building would be rehabbed so that no one would be able to see into building. Jonathan Beck, attorney for applicant stated building would be non-discript with discrete signage with no obvious representations of marijuana sales. Tim Engelmeer commented city's main concern was things look professional. Applicant "committed" it will be top notch, professional,, more like an Apple store.

Randy Bowen asked about use of basement. Jason Carrodo explained that basement would be for storage of product and preparation of orders which would then be brought upstairs for client. Mike Cyr commented because of the change in occupancy, existing conditions exclusions from building code do not apply. The building will have to completely comply with the most current building codes for accessibility, egress, etc.

Dave Fowler asked if the site plan was their final construction. Gil DeNormandie explained that the site plan would be reviewed by Cochran Engineering and then brought back to P&Z for site plan review.

Randy Bowen asked about building code. Gil DeNormandie explained that building would have to be brought up to current building codes.

Rick Schmitt asked if property could be used for recreational marijuana use should the law be passed. Tim Engelmeyer explained that the property would not automatically include recreational use and the area is not zoned for that use.

Mayor Webster asked if people made appointments or just showed up to pick up their product. Suggested that making appointments could help to control traffic. Jason Carrodo said he would consider that suggestion.

Mike Cyr asked if public hearing was held for the amendment to code allowing marijuana. Tim Engelmeyer explained that there was no public hearing for that change. Mike also asked applicant and his attorney if marijuana was approved by FDA as medicine. They answered no. Tim Engelmeyer explained that amendment was passed by Legislative and they by Board of Aldermen.

Betty Halker asked how many employees they would have. Applicant answered they would have between 6-8 people. Stated they might have a parking problem with only 10 parking spaces available.

Dave Fowler made motion to issue a Conditional Use Permit with the following conditions as outlined in Memo from PGVA 4/13/20.

1. Business owner shall maintain a valid license from the Missouri Department of Health and Senior Services to operate a medical marijuana dispensary at this permit location and provide proof of the license on a yearly basis to the City Clerk.
2. The business shall be operated substantially in accordance with the Conditional Use Permit Application submitted to the City on February 28, 2020..
3. No marijuana cultivation, product testing, manufacturing, or use of marijuana infused products is permitted on the property.
4. The site plan shall be revised to show the location of the new Japanese Maple tree and the correct parking requirements of five parking spaces per 1,000 square feet and then submitted to the City for approval prior to issuing of construction permits
5. The site shall be brought into compliance with the site plan approved by the site and maintained in compliance with such site plans.
6. The hours of operation shall be Monday through Sunday from 8:00am till 8:00pm.
7. Patrons must be twenty-one (21) or older to enter the building.
8. All security camera footage shall be monitored and maintained for at least ninety (90) days and be made available to law enforcement upon request.
9. A secure vault area with a locking safe shall be permanently affixed or built into the interior of the building for storage of currency and products.
10. All marijuana inventory shall be kept and stored in a secured and locked manner.
11. Parking area lighting shall be installed upon approval by the Building Commissioner.
12. Site landscaping shall be installed and maintained in compliance with Article VII, Section 405.350.
13. All signage shall be installed with a proper permit and compliant with the City's Sign Regulation, Chapter 515.
14. Construction does not begin until P&Z has a review to go over all details.

Items 4, 12, and 13 shall be part of the site plan review.

Motion 2<sup>nd</sup> by Randy Bowen. Voice vote as follows: Mike Cyr – no, Betty Halker – no, Randy Bowen – yes, Rich Schmitt – yes, Alva Roberts – yes, Dave Fowler- yes. Motion passed.

Motion to adjourn by Betty Halker. 2<sup>nd</sup> by Rich Schmitt. Motion passed.

Meeting adjourned at 8:45pm

Respectfully submitted by

Mike Cyr  
Chairman





**City Clerk**

# Memo

**To:** Planning and Zoning Commission  
**From:** Dusty Hosna  
**Date:** June 15, 2020  
**Re:** Medical Marijuana Ordinance

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During the May 14, 2020 Legislative Committee Meeting the following motion was made:

Mike White made motion to send Ordinance 2027 to Planning & Zoning to work with the city planner, PGAV, to make sure the information from the original ordinance is still pertinent. 2nd by Jon Young. Motion passed.

I have attached the ordinance for your review and discussion. PGAV will be present.



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AN ORDINANCE AMENDING APPENDIX A OF THE ZONING ORDINANCE TO CHANGE MEDICAL CHEMICALS, INCLUDE MEDICAL MARIJUANA DISPENSARIES, AND INCLUDE MEDICAL MARIJUANA GROWING OPERATIONS AND AMENDING ARTICLE X OF THE ZONING ORDINANCE TO INCLUDE AN ADDITIONAL BURDEN OF PROOF FOR CONDITIONAL USE PERMITS

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WHEREAS, the City of Valley Park desires to update its Zoning Ordinance and Zoning Ordinance Appendix A: Listing of Permitted and Conditional Zoning District Uses to adapt to newly permitted medical marijuana activities under Missouri state law;

WHEREAS, the City of Valley Park desires to establish what zoning districts can include Medical Marijuana Dispensaries and Medical Marijuana Growing Operations;

WHEREAS, the City of Valley Park desires to add criteria of consideration for the Burden of Proof for Conditional Use Permit Procedures as found in Section 405.610 of the Zoning Ordinance;

WHEREAS, the Board of Aldermen of the City of Valley Park desire that Medical Chemicals shall be modified to exclude medical marijuana and allow Permitted Uses in I-1 and PD-I zones, Medical Marijuana Dispensaries (not including growing operations) shall be added and allow Conditional Uses in C-1, C-2, I-1, PD-C, and PD-I zones, Medical Marijuana Growing Operations shall be added and allow Conditional Uses in C-1, C-2, PD-C and PD-I zones; and

WHEREAS, the Board of Aldermen of the City of Valley Park desire for the Zoning Ordinance to be amended with the addition of an additional burden of proof for the conditional use permit procedure section (h).

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

Section One

1. The Board of Aldermen hereby amends the Appendix A: Listing of Permitted and Conditional Zoning District Uses to include Medical Marijuana Dispensaries and Growers.

2. Appendix A shall be amended as follows:

Medical chemicals – manufacturing (except medical marijuana) shall be coded 325411 and allow permitted uses in I-1 and PD-I zones.

Medical marijuana dispensaries (not including growing operations) shall be added and coded 446110 and allow conditional uses in C-1, C-2, I-1, PD-C, and PD-I zones.

Medical marijuana growing operations shall be added and coded 111998 C-2, I-1, PD-I, and PD-MX.

2. Said Appendix A: Listing of Permitted and Conditional Zoning District Uses is attached and incorporated by reference as Exhibit A.

Section Two

1. The Board of Aldermen hereby adds subsection 405.610(B)(3)(h) to Section 405.610 of the Zoning Ordinance to include

**h. The proposed uses are deemed consistent with good planning practice and are not inconsistent with the goals, objectives, and policies of the Comprehensive Plan; can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and are deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City.**

Section Three

This Ordinance shall become effective from and after its passage and approval by the Mayor.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN THIS 4 DAY OF February, 2019.

  
Mayor Chandra Webster

To approve Bill #2809

Motioned: Walker  
Seconded: Reynolds

|          | Aye                                 | Nay                      |           | Aye                                 | Nay                      |
|----------|-------------------------------------|--------------------------|-----------|-------------------------------------|--------------------------|
| Reynolds | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Henderson | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Halker   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Young     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Walker   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Drake     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| White    | <input type="checkbox"/>            | <input type="checkbox"/> |           |                                     |                          |

Absent: White

ATTEST:   
William C. Hanks, City Clerk

# MEMORANDUM

Re: Outdoor Storage Regulations  
Date: March 10, 2020

To: Dusty Hosna  
From: Anna Krane, AICP  
CC: John Brancaglione

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## Introduction

The City has seen an increase in questions about outdoor storage options in commercial and industrial zoning districts from existing businesses and from potential property developers. Based on some of the existing conditions of outdoor storage in the City and the operations proposed recently, PGAV has been approached by staff to draft a new set of regulations specifically geared toward outdoor or open storage.

## Background

We started with an analysis of the existing regulations pertaining to storage. The existing regulations that cover open or outdoor storage include the Land Use Definitions and provisions from the Light Industrial District Performance Standards.

The City Code includes a definition of open storage as the “storage of materials or goods on the ground or platforms outside of a building.” Open storage is not listed as a Land Use Category in **Appendix A Listing of Permitted and Conditional Zoning District Uses**. “Storage and warehousing of non-hazardous products” and “Storage and warehousing of household goods” are both listed in Appendix A as permitted land uses in the I-1, PD-I, and PD-MX zoning districts. While specific definitions for the listed permitted uses are not listed in the Definitions Section of the City Code, **Appendix A** does provide a NAICS Code for both uses.

| Land Use Category                                 | NAICS Code | NAICS Definition  |
|---|------------|---|
| Storage and warehousing of non-hazardous products | 493190     | This industry comprises establishments primarily engaged in operating warehousing and storage facilities (except general merchandise, refrigerated, and farm product warehousing and storage).  |
| Storage and warehousing of household goods        | 493110     | This industry comprises establishments primarily engaged in operating merchandise warehousing and storage facilities. These establishments generally handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks. They are not specialized in handling bulk products of any particular type, size, or quantity of goods or products. |

## MEMORANDUM

**Section 405.170.D.10 “I-1” Light Industrial District – Performance Standards** states the following regarding businesses in the I-1 District:

- a. All industrial operations shall be conducted within a fully enclosed building.
- b. All storage of materials and equipment shall be within a fully enclosed building or in a side or rear yard so screened by berms, dense vegetative plantings, wooden fences, or brick or decorative masonry walls, or combinations of these materials at least eight (8) feet in height so that said materials and equipment are not visible at the grade of the nearest adjacent street, or at the nearest property lines.

The existing regulations are not very clear when addressing open storage as a primary use versus as an accessory use. In both cases, open storage facilities can have negative impacts on adjacent property and surrounding communities based on the items being stored and the associated operations. Since the adoption of the existing code, there have also been changes in the storage industry. Self-storage operations in different forms have become a more popular business practice, which has been a source of the increased inquiries fielded by the City. The self-storage operations, like open storage facilities, are also not clearly addressed in the existing code.

### Overview of Recommendations

Based on our evaluation of the City’s existing regulations and the type of storage operations that have inquired about locations in the City, we have made several recommendations for text amendments to the City’s Land Use Code. Below is an overview of the main recommendations.

1. *Modify Appendix A Listing of Permitted and Conditional Zoning District Uses.*

Both storage related uses currently listed in Appendix A relate to warehouse type facilities, which are most frequently housed completely inside of a structure, and which do not include the self-storage variation as specified in NAICS. We recommend adding “lessors of mini-warehouses and self-storage units” as a land use category listed in Appendix A. This category covers more of the storage operations that the City is currently fielding questions about. We also recommend differentiating the open storage from indoor storage on the table.

2. *Require a Conditional Use Permit for storage uses.*

We recommend modifying Appendix A to show the storage uses (“storage and warehousing of non-hazardous products,” “storage and warehousing of household goods,” and “lessors of mini-warehouses and self-storage units”) as allowed with a Conditional Use Permit when the business operation includes open or outdoor storage. Given the many ways that sites can be arranged and used for indoor and outdoor storage, it is important for the City to have control and a firm understanding of each specific case proposed. The Conditional Use Permit process allows the City to analyze a proposed business more in-depth and understand potential impacts given the

## MEMORANDUM

context, scope and plan for the specific business. This process also allows the City an opportunity to place conditions on the operation and maintenance of the specific business.

Breaking apart indoor and open storage and warehousing uses allows the standard indoor warehousing facilities to continue to operate inside of building without the additional process of a Conditional Use Permit. This recommended modification also eliminates some of the past confusion on indoor versus outdoor facilities.

### 3. *Modify the definition of open storage.*

Edit the definition to say “outdoor/open storage.” This definition will come into play when understanding the new designations in the land use category of Appendix A. In the land use table, specifying “indoor” and “outdoor” is more intuitive than “indoor” and “open.” Adding “outdoor” will then link the existing definition of “open storage” to the modification made to Appendix A.

### 4. *Add Regulations to Chapter 405, Article X Special Procedures and Regulations.*

Article X contains special regulations pertaining to uses that “require particular consideration in each case because of the nature of the use and its effect on its surroundings...” In the case of open storage uses, adding special regulations will allow the City to set a minimum standard for operation guidelines. Through these special regulations, the City can pre-emptively mitigate potential impacts and call attention to areas of concern for the business to address prior to obtaining a Conditional Use Permit. We propose referencing the new regulations placed in Article X in the zoning district code sections to ensure that readers see the additional regulations.

The proposed regulations cover site design and layout, the types of storage operations allowed, and operations standards. Currently, the regulations only allow for exterior storage as an accessory use. The City Code definition of accessory use is “a use incidental and subordinate to the principal use of the premises.” The proposed regulations go further to state that the principal use must be primarily operated from inside of a structure. The intention of these regulations is to limit the amount of exterior storage and therefore, mitigate some of the potential negative impacts including, but not limited to, environmental, visual, noise, and odor.

### Next Steps

We recommend that the City reviews the proposed regulations and specifically evaluates the difference between open storage only as an accessory use versus allowing open storage as a primary use. The use of the Lakehill/Speedway site as previously proposed would represent a primary use of open storage. Given the number of inquiries related to businesses with a primary use of open storage, the City should decide if they would like to create specific condition, under which they would accept

## **MEMORANDUM**

and permit a primary use of open storage or if they would prefer to prevent the primary use of open storage.

Adopting the proposed regulations and modifications will require a Text Amendment and follow the procedures as required by **Chapter 405, Article XII Amendments**. City staff may also choose to present the proposed regulations to the Legislative Committee. This may be done prior to the Planning and Zoning Commission meeting or between the Planning and Zoning Commission meeting and the Board of Aldermen meeting. The Legislative Committee is an advising body and does not have decision making authority. Per the code referenced above, public hearings will be required before both the Planning and Zoning Commission and the Board of Aldermen for the text amendment process.

**City Clerk**

# Memo

**To:** Planning and Zoning Commission  
**From:** Dusty Hosna  
**Date:** June 15, 2020  
**Re:** PGAV Contract and CUP Process Update

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## **PGAV Planners Contract**

I have attached a copy of a proposed contract with PGAV Planners. This contract will be presented to the appropriate committees for approval and is being presented to the Planning and Zoning Commission as an informational item.

## **CUP Process Update**

During the June 11, 2020 Legislative Committee Meeting, a motion to amend the ordinance requiring a public hearing before both the Planning and Zoning Commission and the Board of Aldermen.

## **AGREEMENT FOR PROFESSIONAL SERVICES**

### **BETWEEN THE CITY OF VALLEY PARK, MISSOURI AND PGAV PLANNERS LLC.**

**THIS AGREEMENT**, is entered into on the date and by execution shown hereafter between the City of Valley Park, Missouri, hereinafter referred to as the "City", and PGAV PLANNERS LLC., hereinafter referred to as "PGAV".

**Whereas**, the City has determined that among its core functions is the ongoing planning, zoning, economic development, and redevelopment of the community; and

**Whereas**, the City from time to time requires special expertise and assistance in these activities; and

**Whereas**, the City wishes to secure technical assistance for review and analysis for a variety of assignments relating to planning and zoning matters; redevelopment of existing properties; revenue analysis; and other such urban planning-related assignments for which the City may seek assistance; and

**Whereas**, PGAV has experience in performing such assignments for the City;

**Therefore**, the parties hereto do mutually agree as follows:

#### **I. SCOPE OF SERVICES**

PGAV will provide the services as set forth below.

- A. Assistance to City staff in determining and/or interpreting zoning code applicability to situations presented by property owners or developers;
- B. Amendments to existing components of the City's development codes (i.e. zoning, subdivision, signage, etc.);
- C. Update of existing municipal planning and zoning-related mapping;
- D. Amendments to the comprehensive plan;
- E. Assistance with compliance with required noticing, posting, and other procedures related to the requirements of the City's zoning and subdivision code;
- F. Assistance with review of applications and associated submission documents for zoning changes, site plans, development plans, and subdivision plats;
- G. Review of requests for development incentives (i.e. tax abatement, tax increment financing, community improvement or transportation development districts, etc.) including review of revenue projections submitted by others or preparation of revenue projections for evaluation of project financing or economic benefit;
- H. Attendance at meetings of the Planning and Zoning Commission, Board of Adjustment, or the Board of Aldermen that are part of formal development code requirements and are needed to provide the services as outlined herein; and,
- I. Other urban planning and zoning-related matters as the City may request of PGAV;



## **II. INFORMATION TO BE PROVIDED BY THE CITY**

Depending upon where such information may be located and maintained, the City will provide to PGAV available data as follows:

- A. Data and/or contact persons who may provide information regarding proposed plans or projects that are contemplated including a graphic depiction of the proposed plan for redevelopment (i.e. proposed site plan), if applicable;
- B. Data which the City has or which may be readily acquired without extensive research which may assist in conducting the work as outlined in Part I, above, including information regarding, but not necessarily limited to, existing master development plans or conditional use permits, building code violations, fire data, and infrastructure problems or other such factors as may impact, either positively or negatively, the areas or tract that is the subject of an assignment;
- C. The services of the City Attorney, the City Clerk, Community Development Director, or other staff, if necessary, for review of preliminary documents prepared by PGAV and assistance in establishing meetings with the City Council, Planning and Zoning Commission, property owners or developers (or their representatives, or other parties as may be required to conduct the work.

## **III. SERVICES OUTSIDE THE SCOPE OF THIS AGREEMENT**

The scope of work to be performed by PGAV shall be as provided for herein. The following work elements are hereby specifically noted as not included as tasks to be performed in conjunction with the terms of this agreement:

- A. Preparation of redevelopment plans and related documents under any of the Missouri redevelopment statutes;
- B. Preparation of any legal descriptions associated with the creation of a redevelopment area;
- C. Provision of engineering services that may be required to perform any task provided for in the Scope of Services (Part I) of this agreement; and
- D. Complete rewrite of City development code.

These services shall be considered additional work beyond the scope of this agreement. The City may acquire the provision of such services by PGAV (either directly or via a PGAV sub-contractor) at an additional cost to be negotiated and provided for in the form of an addendum to this agreement.

## **IV. TIMING OF PERFORMANCE**

The services of PGAV will be available immediately upon acceptance of this Agreement and task request by the City. Any task request by the City will be confirmed in writing and will restate the requested services, estimated cost, and time of completion. Any such task will be undertaken and completed in accordance with the stated schedule.

The overall term of this Agreement shall be for a period of twelve (12) months from the execution of this Agreement subject to the ability of PGAV to establish meetings associated with any assigned task with City staff, the City Council, the Plan Commission, or other parties as the City may dictate in a timely manner.

**V. FEE AND METHOD OF COMPENSATION**

- A. Except as specifically provided for below, compensation shall be made to PGAV on an hourly basis in accord with the hourly rates as set forth below. The overall fee for the services as set forth herein including all such tasks as may be assigned shall not exceed \$30,000 (Thirty Thousand Dollars) exclusive of reimbursable expenses.
- B. The applicable hourly rates shall apply as set forth below. Any invoice issued for an assigned task will be based on the hourly rate of the PGAV staff involved in conducting the assignment.

| Project Staff                       | Hourly Rate |
|-------------------------------------|-------------|
| Vice President                      | \$235       |
| Senior Director                     | \$200       |
| Director                            | \$200       |
| Senior Project Manager              | \$180       |
| Project Manager/GIS Manager         | \$140       |
| Administrative/Technical Assistance | \$90        |

- C. Official meetings of the Planning and Zoning Commission, the Board of Aldermen, or Board of Adjustment requiring attendance by a PGAV staff member will be billed at a flat rate of \$200 without regard for the length of time spent at the meeting. Note that meetings that occur during normal PGAV business hours will be charged at the hourly rates as outlined above for the individual(s) in attendance at such meetings.
- D. Reimbursable expenses will consist of mileage, long distance telephone charges, express delivery charges, photographic expenses, the cost of printing or other reproduction of documents, fees or charges for documents owned by others, and other "out-of-pocket" expenses required to provide the services described. Such expenses will be billed at their direct cost to PGAV.
- E. If the City fails to make payment due PGAV for services and reimbursable expenses within 60 days after receipt of our initial statement, PGAV will suspend services under this agreement until PGAV has been paid in full the amounts due for services and expenses.
- F. If for any reason the City determines that a task properly initiated under the terms of this Agreement should not proceed, the City will inform PGAV in writing that they wish to terminate the task. The date of said termination shall occur upon receipt of the written notice of termination by PGAV via the U.S. Postal Service or facsimile (followed by receipt of an original signature copy). The City will pay to PGAV an amount representing the work performed to the date of termination in accordance with the hourly rate schedule herein for the classification of personnel involved with the work plus any reimbursable expenses which have been incurred by PGAV to that date.

**VI. PROJECT STAFFING & MANAGEMENT**

PGAV hereby agrees to provide the qualified professional, technical, and clerical staff available within the firm to conduct the work in accordance with the tasks as outlined in Agreement.

**VII. OWNERSHIP OF DOCUMENTS**

PGAV agrees that any and all reports prepared, and conclusions reached hereunder, are for the confidential information of the City and that neither PGAV nor any member of the PGAV staff will disclose any of the same with any person whatsoever, other than the City or their authorized representatives, except when called upon to testify in relation to such report or conclusion under oath in a judicial forum, or as may be otherwise required by law. Except to the extent that documents, reports or other information are prepared under the provisions of this Agreement and submitted to the City or other public entities wherein they become subject to Federal or State "sunshine law" provisions, the City will have sole ownership of all reports, maps, etc. prepared under this Agreement, including rights of copying and distribution.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

CITY OF VALLEY PARK, MISSOURI


\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Chandra Webster,  
Mayor

ATTEST:

PGAV PLANNERS, LLC

  
\_\_\_\_\_  
John W. Brancaglione  
Senior Director

  
\_\_\_\_\_  
Andy Struckhoff  
Vice President