

PETITION 3 · SUPPLEMENTAL CLARIFICATION NO. 2 TO THE PETITIONS

Scope of the Petitions and Reservation of Rights

Proposed asphalt operation · 50 Roelker Road · Wright City, Missouri

Date	August 18, 2026
To	Abbie Ogborn, City Clerk / Custodian of Records, for filing in the official record and distribution to the City Attorney, the Mayor, the Board of Aldermen, the Planning and Zoning Commission, the Board of Adjustment, the Zoning Enforcement Officer, the City Engineer, and the Building/Permits Official
From	Dr. Jackie D. Ramey, on behalf of the undersigned petitioners
Re	Volumes I–IV, filed July 20, 2026, resubmitted July 30, 2026, and updated August 17, 2026

Purpose of this clarification

The petitioners submit this clarification to state plainly the scope of what has been requested, so that no part of the petitions is read to mean more, or less, than it says. **This is not a new petition.** It adds no new request, withdraws nothing, and does not alter the relief sought in Volumes I and II. It clarifies three things: what the rescission request is, what the sequencing language does and does not mean, and what the petitioners have not conceded.

1. The rescission request stands exactly as signed

The petitions ask the Board of Aldermen to **rescind its conditional site-plan approval of June 11, 2026**. That request is unchanged and remains pending. The verified signatures supporting the petitions were given in support of that request, and nothing in this clarification, in any supplement, or in any accompanying presentation reduces, narrows, or substitutes for it.

The petitioners further confirm that the signatures were not gathered in support of any revised approval, any amended plan, or any alternative approval pathway. **They were given in support of rescission and of the requirement that the Code be followed.**

2. What the sequencing language means — and what it does not

Volume I identifies the failure to complete the boundary-adjustment process required by §410.010(G) before the June 11 approval, and asks that the matter be returned to the proper procedural posture. The petitioners wish to be unmistakable about why that request was made.

The sequencing objection is an objection to the validity of the approval. It is not a roadmap for making the project approvable. The petitioners have never asked the City to identify what the applicant would need to submit in order to obtain an approval, and nothing in the petitions should be read as guidance, invitation, or consent to that end.

Where the petitions and supporting materials observe that a complete site plan would allow the Code to be applied — for example, that heights are needed before setbacks can be computed, or that equipment must be shown before it can be reviewed — those observations are made to demonstrate **that the approval given was not, and could not have been, a lawful application of the Code on the record before the City.** They are not requests that the deficiencies be cured so that the same approval may be granted again.

Similarly, where the petitioners note that completing the review protects the applicant and the City from later loss, that observation is offered because it is true and because the petitioners do not wish harm to anyone. **It is not an agreement that the project should proceed once the paperwork is in order.**

3. No concession that any process can cure this project

The petitioners expressly state that **nothing in Volumes I through IV, in the July 21, 2026 clarification, in this clarification, or in any accompanying presentation or exhibit concedes that the proposed asphalt operation at this location can be made lawful or appropriate** by any of the following:

- a revised, corrected, supplemented, or completed site plan;
- a conditional use permit;
- a variance from the Board of Adjustment;
- a rezoning, district amendment, text amendment, or unlisted-use determination;
- a boundary adjustment, consolidation plat, replat, or recorded dedication;
- the completion of the traffic, geotechnical, stormwater, or plat-review items now outstanding; or
- the imposition of conditions of any kind.

The petitioners identify these procedures because the Code requires them and because the record does not show that they were followed. **Identifying a required procedure is not an endorsement of the outcome that procedure might produce.** The petitioners' position on the merits — that a permanent asphalt production and processing operation is not a suitable or lawful use at this location, adjoining homes, a creek, a school route and a residential road — is fully reserved, and is not reached or resolved by any procedural question raised in the petitions.

4. Reservation of rights

The petitioners reserve all rights, objections, arguments, and remedies, whether or not stated in the petitions, and specifically:

- the right to object to the use itself, on any ground, at any stage;
- the right to raise additional Code provisions, facts, or records as they become available — the record having been produced to the petitioners in stages, most recently on August 6, 2026;
- the right to appeal, or to seek review of, any determination, approval, permit, or recorded instrument concerning this property, and to contend that the time for any such appeal has not begun to run where no written, dated determination has been issued;
- the right to contend that no approval has been lawfully granted at all; and
- the right to participate in any hearing, notice period, or public process that the Code requires and that has not yet occurred.

No act of the petitioners — including the filing of these petitions, the making of records requests, participation at any meeting, or the submission of the accompanying presentation — constitutes consent to the project, waiver of any objection, or

acquiescence in any approval.

5. The accompanying presentation

The presentation submitted with this clarification, titled “**Petition 3 — Clarification No. 2 Companion Slides (August 18, 2026)**,” is offered as an explanatory aid. It summarizes matters set out in the petitions and in the records produced by the City. **It does not amend the petitions, does not add or withdraw any request, and where it may be read to differ from the petitions, the petitions govern.** Its factual statements reflect the records available to the petitioners as of August 6, 2026, and the petitioners will correct any statement shown by a later record to be inaccurate.

6. What the petitioners ask

That this clarification be **filed in the official record** alongside Volumes I–IV and the July 21, 2026 clarification, and distributed to each official and body named above; that the pending rescission request be **acted upon and answered in writing**; and that no further approval, recording, or permit issue while the matters raised in the petitions remain unanswered.

In short: the petitioners asked the City to follow its own Code. They did not ask the City to show the applicant how to satisfy it, and they do not agree that satisfying it would make this use appropriate here. Those remain two separate questions, and only the first has been put before the City.

Respectfully submitted,

Dr. Jackie D. Ramey, on behalf of the undersigned petitioners

August 18, 2026

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