

Sunshine Request & Production Log

Records requests to, and productions from, the City of Wright City (Clerk A. Ogborn) — Magruder asphalt plant, 50 Roelker Road.

DATE SENT	REQUESTED (BY ME)	RECD	RECEIVED / CITY RESPONSE
Jun 16	Original Sunshine request (9 items): zoning classification; code section for the permitted use; staff reports/interpretations/legal opinions relied on; any CUP/variance/rezoning; P&Z materials; Board materials; traffic studies; site/engineering & compliance plans; City-counsel correspondence.		Acknowledged next day; no records yet.
Jun 17	Evening clarification: not seeking privileged advice — only the non-privileged basis for M-1 vs. M-2 (\$405.560 vs. \$405.570). Asked for it before paying for more.	Jun 17	City letter (4:49 PM): confirmed zoning is M-1; links to code & posted agendas/minutes; records to release on \$35.80 fee. Items 3 & 9 (use basis) WITHHELD · privilege. Item 4 (CUP/variance/rezoning): none exist. No records attached; no privilege log.
Jun 22	Records follow-up letter (1:44 PM): the final condition-marked site plan; conditions/motion/roll-call; draft & final June 11 minutes + recording; all site-plan versions from the Jan 29 preliminary plat; consolidation plat & setback determination; storage/40% calc; June 1 workshop + full traffic study; screening/lighting/stormwater/noise/odor/dust plans; hours/route/no-left-turn; parking; DNR air permit 032010-001AK; temporary-vs-permanent basis.		Fee paid 4:01 PM; no records received. Later phone call asking purpose of payment; Clerk on vacation.
Jun 25	Consolidated request + one-page chart (10:54 PM); cited §610.023.3 (written reason for delay + date records available); confirmation fee logged; immediate partial production of the June 11 minutes/recording, motion, conditions, marked site plan.		No response; Clerk still out. No records received.
Jun 29	Thank-you + outstanding-items letter (3:31 PM); plus a 2nd note (3:38 PM) adding the June 11 5:00 PM Special Meeting (CBB) records.	Jun 29	RECORDS RECEIVED — batch 1 (1:26 PM, responsive to the June 16 request) and batch 2 (4:01 PM, responsive to the June 29 follow-up). Included: zoning confirmation, DRAFT June 11 minutes, approved site plan, CBB preliminary traffic memo & turn-lane plan, and the June 11 5:00 PM Special Meeting agenda & minutes (no recording exists, per the City).
Jul 1	Follow-up request: privilege log for withheld Items 3 & 9; the non-privileged M-1 determination or written confirmation none exists; any withheld analysis shared with the applicant (waiver).		Pending — no response yet.

TIMELINESS — §610.023.3 RSMO

The rule: act within **3 business days**, or give a written reason for delay + a date records will be ready.

MILESTONE	STATUS	WHAT HAPPENED
Initial response Jun 16 → Jun 17	TIMELY 1 business day	Request Tue Jun 16 → City letter Wed Jun 17 — acknowledged within the window.
Records produced fee Jun 22 → Jun 29	TARDY ~5 biz days	Fee paid Mon Jun 22 (4:01 PM) → records Mon Jun 29 — ~2 business days past the 3-day window, with no interim written reason or date. Even if the after-hours payment is counted as received the next business day (Jun 23), production on Jun 29 is still late.
Delay notice requested Jun 25	NONE 4+ days	Jun 25 letter expressly asked for the §610.023.3 reason + date; no reply until the Jun 29 production. The Sunshine Law’s deadlines run against the public body , not any one person — so a custodian’s absence doesn’t pause the clock; the body is expected to arrange coverage.
M-1 basis (Items 3 & 9) since Jun 17	OPEN 15+ days	Withheld as privileged with no privilege log ; the Jul 1 follow-up is still unanswered.

Business-day counts exclude weekends and the Jun 19 Juneteenth closure; confirm exact dates against the emails. Informational, not legal advice.

STILL OUTSTANDING AFTER THE JUNE 29 PRODUCTIONS

The **non-privileged M-1 vs. M-2 basis** (asked June 17, still unanswered; Items 3 & 9 withheld as privileged, no privilege log) · the **June 11 audio/video recording** & certified minutes · the **complete signed traffic study** (only the CBB preliminary memo received) · any **recorded consolidation plat** / permits or written confirmation none exist · the **setback determination** against the "conceptual only" lots.

Sunshine items only (records requests & productions); agenda, administrative-hold, Board-of-Adjustment, and school-district letters are logged separately. Dates from sent/received email timestamps. Maintained by Dr. Jackie Ramey, President, NO Wright City Asphalt Plant, LLC.