



Let's Cross Paths

**CITY OF SEDALIA
SPECIAL COUNCIL MEETING
Friday, April 5, 2024 – 12:30 P.M.
Municipal Building – Council Chambers
200 S. Osage Avenue**

**Call to Order
Roll Call**

ROLL CALL OF STANDING COMMITTEES

PUBLIC WORKS – Chairman Thomas Oldham; Vice Chairman Chris Marshall

1. License Authorization – Completion of grading work on City-owned property

Council Discussion led by Chairman Oldham

R Call for Resolution of the City Council of the City of Sedalia, Missouri granting Nucor a license to perform grading in anticipation of a rail spur expansion – Mayor Dawson

ADJOURN MEETING

A. Motion and second to adjourn meeting

The City Council reserves the right to discuss any other topics that are broached during the course of this meeting.

Please join the meeting by clicking or touching this link from your smartphone, computer, tablet, or iPad:

<https://global.gotomeeting.com/join/578973061>

If this is the **first time** you have joined a GoToMeeting you will be asked to identify yourself. Please fill in this information. If you would like, and we suggest you do, go ahead and set your preferences to make it easier to join next time. If you are new to GoToMeeting, we suggest to get the app through the following link: <https://global.gotomeeting.com/install/578973061> This will make joining these meetings quick and easy. Once you have followed the link above and identified yourself you will be given options for how you want to join in with **audio**. For **smartphones**: tap on one of the phone numbers and it will dial the phone and the meeting numbers. For **other devices**: use the feature of call me. The phone audio will be much better than through your computer. This should come up if you have your preferences set up to show it. If it does not, in the upper right-hand corner of the GoToMeeting screen you will see an icon that looks like a gear. Click on the gear and then look for "Phone" and if it is not highlighted click on it. One of the options should be to call me. Put the phone number you want to be called on (direct dial) into the box provided and then click the "Call Me" button. Once the system calls you, you will be asked to hit pound. Please be mindful of others on the call by eliminating as much background noise as you can. Mute yourself until you are ready to speak. Do not put the call on hold, if you need to leave even for a short time, hang up as you can always dial back in after your other call. If you hear an echo or squeal, you may have your computer speakers on as well as the phone, mute your computer speakers to eliminate this.

If you want to join in **listen only** mode you can dial the following number and enter the access code.

(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 866 899 4679 Access Code: 578-973-061

- One-touch: <tel:+18668994679,578973061#>

United States: +1 (669) 224-3318

- One-touch: [tel:+16692243318,,578973061#](tel:+16692243318,578973061#)

IF YOU HAVE SPECIAL NEEDS, WHICH REQUIRE ACCOMMODATION, PLEASE NOTIFY THE CITY CLERK'S OFFICE AT 827-3000. ACCOMMODATIONS WILL BE MADE FOR YOUR NEEDS.

POSTED ON APRIL 4, 2024 AT NOON AT THE SEDALIA MUNICIPAL BUILDING, BOONSLICK REGIONAL LIBRARY, SEDALIA PUBLIC LIBRARY AND ON THE CITY'S WEBSITE AT WWW.SEDALIA.COM.

RESOLUTION No.: _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI GRANTING NUCOR A LICENSE TO PERFORM GRADING IN ANTICIPATION OF A RAIL SPUR EXPANSION.

WHEREAS, the City owns certain land, described in Exhibit A, subject to a Chapter 100 project; and,

WHEREAS, pursuant to financing through Chapter 100, RSMo., economic development incentives, Nucor Sedalia, LLC, (“Nucor”) operates a rail spur on the described City property and wishes to expand the rail spur; and,

WHEREAS, the City desires to grant Nucor a license to complete grading work associated with the rail spur expansion; and,

WHEREAS, the license is intended to be effective for 60 days and authorize grading work, but not construction of the rail spur.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. The City Council of the City of Sedalia, Missouri hereby grants Nucor a license for a period of 60 days to complete grading work associated with the rail spur expansion on the property described in Exhibit A, on the terms more fully described therein.

Section 2. This resolution shall be in full force and effect from and after its passage and approval.

PASSED by the Council of the City of Sedalia, Missouri, this 5th day of April 2024.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

EXHIBIT A

LICENSE AND RELEASE FOR GRADING WORK

This Agreement made this ____ Day of _____ 2024, by and between Nucor Steel Sedalia, LLC, a Missouri limited liability company, hereinafter referred to as “Licensee” and the City of Sedalia, Missouri, a municipal corporation, hereinafter referred to as “City.”

WHEREAS, Licensee and the City are parties to various agreements related to the financing of Licensee’s manufacturing plant and related infrastructure through Chapter 100, RSMo., economic development incentives; and

WHEREAS, City owns property located generally east of N. Ohio Street, north of a line that would extend west from the westernmost portion of Reine Avenue, west of Cedar Drive, and south of the existing Nucor facilities in Sedalia, Missouri, legally described as attached at Exhibit 1 hereto (the “Property”); and

WHEREAS, Licensee, as a component of the economic development incentives, has constructed and operates a rail spur on the Property; and

WHEREAS, Licensee desires to expand the rail spur to accommodate growth and success of Licensee; and

WHEREAS, the City Council desires to grant permission to the Licensee to conduct and complete grading work necessary for the expansion of the rail spur, provided that the City is protected from liability, and subject to the terms included herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

1. The City of Sedalia hereby grants to the Licensee and to its contractors, its agents, its invitees, and the invitees of its contractors’, agents’, and invitees, a license to enter upon the property of the City to conduct and complete grading work on the Property necessary for the proposed expansion of the rail spur (such license specifically excludes actual construction of the rail spur), subject to the conditions herein.
2. The Licensee, on behalf of himself and his agents and tenants, and their invitees does hereby release the City of Sedalia, from any claim of injury resulting from Licensee’s, its contractors, its agents, its invitees, and the invitees of its contractors’, agents’, and invitees to conduct and complete the grading work on the Property for the proposed expansion of the rail spur.
3. Licensee hereby agrees to indemnify and hold harmless the City of Sedalia as well as its agents and employees, from any claim arising out of the use of said Property by the

EXHIBIT A

Licensee, its contractors, its agents, its invitees, and the invitees of its contractors', agents', and invitees, including the costs of any defense of such claims.

4. Licensee will at all times maintain adequate insurance which shall cover such claims in an amount of not less than one million dollars. The City of Sedalia shall be named as an additional insured on such coverage. Licensee shall provide proof of such coverage at upon the execution of this agreement.
5. This license shall terminate upon the end of the sixtieth (60th) after it has been signed by both parties.
6. Nothing in this Agreement shall give any person any interest in the property of the Parties other than what is expressly provided herein.

City of Sedalia, Missouri

Licensee

By:

Andrew Dawson, Mayor
City of Sedalia, Missouri

Nucor Steel Sedalia, LLC, a Missouri
limited liability company

Date: _____

Date: _____

Attest:

Jason Myers, City Clerk