

BILL NO.: 24-0815

ORDINANCE NO.: 24-0315

INTRODUCED BY COUNCIL MEMBER(S) Groeteke

AN ORDINANCE AUTHORIZING THE JEFFERSON COUNTY, MISSOURI, COUNTY EXECUTIVE TO EXECUTE AND ENTER INTO AN AGREEMENT WITH MODOT RELATING TO PLACING PURPLE HEART SIGNAGE ALONG MODOT RIGHT OF WAYS.

WHEREAS, at the July 8, 2024 County Council Meeting, a proclamation was read by County Executive Dennis Gannon proclaiming Jefferson County as A Purple Heart County; and,

WHEREAS, the proclamation was signed by the County Executive and members of the County Council; and,

WHEREAS, in addition to the proclamation, road signs will be placed along roadways throughout Jefferson County denoting Jefferson County as A Purple Heart County; and,

WHEREAS, a Jefferson County, Missouri, designee must be identified as the signer of an agreement on behalf of the County; and,

WHEREAS, the agreement acknowledges the County's understanding of the terms it is agreeing to with respect to the installation. All work done shall be in accordance with the latest editions of the Missouri Highways and Transportation Commission's Standard Specifications for highway Construction and the Standard Plan

for Highway Construction and MoDOT's Engineering Policy Guide (EPG) with respect to reflectivity, alignment and placement; and,

WHEREAS, the Jefferson County Council determines that it is in the best interest of the County to enter into the attached agreement, Exhibit A, to install signage, denoting the County as a Purple Heart County, in MoDOT's right of ways.

**BE IT ENACTED BY THE JEFFERSON COUNTY, MISSOURI,
COUNCIL, AS FOLLOWS:**

Section 1. The Jefferson County, Missouri, Council hereby authorizes the County Executive to execute the agreement, incorporated herein by reference and attached as Exhibit A.

Section 2. The County Executive is further authorized to take any and all actions necessary to carry out the intent of this Ordinance.

Section 3. Copies of the Memorandum of Understanding and any other contracts or agreements associated therewith shall be maintained by the Department of the County Clerk consistent with the rules and procedures for the maintenance and retention of records as promulgated by the Secretary of State.

Section 4. This Ordinance shall be in full effect from and after the date of its enactment and passage. If any part of this Ordinance is invalid for any reason, such invalidity shall not affect the remainder of this Ordinance.

**THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE
JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**

Council Member District 1, Brian Haskins	<u>absent</u> yes
Council Member District 2, Gene F. Barbagallo	<u>yes</u>
Council Member District 3, Lori Arons	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>absent</u>
Council Member District 6, Daniel Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

THE ABOVE BILL ON AUGUST 12, 2024:

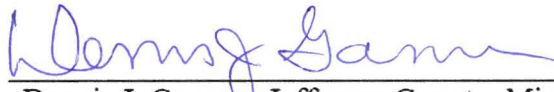
PASSED **FAILED**

Charles Groeteke
Charles Groeteke, County Council Chair

Cherlynn Boyer
Cherlynn Boyer, Council Executive Assistant

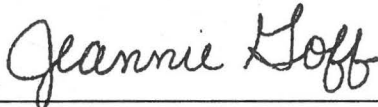
THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND ENACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, ON AUGUST 12, 2024.

THIS BILL WAS 15 VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, ON _____.



Dennis J. Gannon, Jefferson County, Missouri, Executive

ATTEST:



Jeannie Goff, County Clerk

BY: 

First Reading: 8/12/2024

Approved: 10/21 (GH)
Revised:
Modified:

MoDOT District:
MoDOT Document Administrator:

(insert District)
(insert name)

ROLES AND RESPONSIBILITIES FOR SIGNING INSTALLED AND MAINTAINED BY APPLICANT



The ROLES AND RESPONSIBILITIES document is considered a supplement to the permit issued by Commission's District Engineer and will be kept by Commission as a record of approval for the sign(s) installation and Applicant's understanding and acceptance of the terms for the installation.

The [city name / county name] making this request is hereafter referred to as "Applicant".

The applicant requests approval from the Commission to install and maintain certain signs further described below in _____ County, Missouri on route(s) _____ in the general vicinity of [Route(s) / Cross Road(s)]

(1) LOCATION AND DISPLAY: Commission hereby authorizes Applicant to install and maintain the following sign(s):

Community Awareness Sign(s)

- Storm Ready Community Sign(s)
- Disaster Resistant Community Sign(s)
- Missouri Community Betterment Sign(s)
- Tree City USA Sign(s)
- National Neighborhood Watch Sign(s)
- M.A.D.D. Program Sign(s)
- D.A.R.E. Program Sign(s)
- Purple Heart City/County Sign(s)
- POW-MIA City/County Sign(s)
- Agri-Ready County Sign(s)
- Firewise USA Program Sign(s)
- Missouri Main Street Program Sign(s)



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Local Reference Signs (select appropriate category, MoDOT approved sign legend will be displayed on Exhibit A):

- City/County administrative buildings
- City/County emergency services
- City/County parks and rec
- City/County library / museum
- City/County recycling / compost sites
- Post office
- Other sign(s) approved by the Commission's State Highway Safety and Traffic Engineer

(A) The sign(s) design will follow the guidelines and regulations of the Federal *Manual on Uniform Traffic Control Devices* (MUTCD) and Commission's *Signing Manual* for size, color and retroreflectivity. The sign(s) shall read as displayed in Exhibit A.

(B) The sign(s) will be generally located as illustrated in Exhibit B. Commission will approve final location prior to installation.

(2) INSTALLATION: The signs installed per this document shall not be installed on interstate routes and shall not be installed on freeway or expressway segments with a posted speed limit 50 mph or greater. The signs shall be installed on the signposts in accordance with the requirements illustrated in Exhibit C and D. The sign shall be installed on a signpost supplied by Applicant and shall not be attached to Commission's signpost or traffic control devices. The signpost shall be installed in accordance with the requirements for design and installation as illustrated in Exhibit D. Applicant shall provide plans with the specific location details of the sign installation for approval by Commission prior to installation. All costs associated with this installation shall be borne by Applicant.

(3) TRAFFIC CONTROL: All work zone signs and traffic control devices to be used during installation and maintenance shall be in accordance and comply with the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways or as directed by the District Engineer or his authorized representative

(4) COSTS: If this request is approved, all costs associated with the construction, installation, maintenance, or relocation of the sign(s), including, but not limited to work zone signing and traffic control during construction will be borne entirely by Applicant, with no cost incurred by Commission. In the event Commission incurs any costs in association with the performance of this Document, Applicant shall reimburse Commission for those costs.

(5) MAINTENANCE: Applicant shall maintain signs following the guidelines of the *Federal Manual on Uniform Traffic Control Devices* (MUTCD) and Commission's *Engineering Policy Guide* (EPG) for reflectivity, alignment, and placement. Commission may request maintenance of the signs by Applicant, at Applicant's expense, and Applicant shall promptly comply with Commission's request for maintenance of the signs. Failure by Applicant to complete requested maintenance within 14 calendar days from Commission's request shall be grounds for removal of all signs installed by Applicant. Commission may request Applicant to modify the sign(s) when necessary to comply with changed standards that might be promulgated or adopted at Applicant's cost and Commission may request Applicant to relocate the signs to accommodate the need to install signs Commission, in its sole discretion, deems more appropriate at Applicant's cost. Should Commission make either request, Applicant shall comply with Commission's request within 14 calendar days.

(6) PERMIT FOR INSTALLATION AND MAINTENANCE: Applicant shall secure a permit from Commission's District Engineer for the installation and maintenance of the proposed sign(s) prior to performing any work on Commission Right of Way. Applicant shall comply with any additional requirements placed on the issuance of the permit by the District Engineer.

(7) REMOVAL: Commission may remove the sign(s) without reimbursement for prior costs (installation or maintenance) or its value, if Applicant fails to comply with the provisions stated herein regarding maintenance responsibilities and/or if Commission, in its sole discretion, determines that the removal of the sign(s) is in the best interests of the state highway system. For example, the Commission may determine that a sign is no longer justified under the circumstances present or that a sign must be removed or eliminated as part of a highway or transportation project.

(8) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, Applicant shall defend, indemnify and hold harmless Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person

for any matter relating to or arising out of Applicant's wrongful or negligent performance of its obligations under this Document.

(B) Applicant is required or will require any contractor procured by Applicant to work under this Document:

(1) To obtain a no cost permit from Commission's district engineer prior to working on Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from Commission's district engineer will not be required for work outside of Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,000,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Document constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(9) NO INTEREST: By placing and maintaining signs on Commission's right of way, Applicant gains no property interest in Commission's right of way. Commission shall not be obligated to keep the sign(s) in place if Commission, in its sole discretion, determines removal or modification of the sign(s) is in the best interests of the state highway system or Commission.

(10) ATTACHMENTS: The following Exhibits and other documents are attached to and made a part of this Document:

- (A) Exhibit A: Sign Display Detail
- (B) Exhibit B: Sign Location Layout
- (C) Exhibit C: Sign Installation Requirements
- (D) Exhibit D: Signpost Installation Requirements

[Insert Name of Entity]

By: _____

Title: _____

Date: _____

Copies: Applicant
 District
 Highway Safety and Traffic Division

EXHIBIT A
Sign Display Detail
Attach and Number Additional Sheets if Necessary

Sign No:	1	Size:	Quantity:	Sign No:	2	Size:	Quantity:
Sign No:	3	Size:	Quantity:	Sign No:	4	Size:	Quantity:
Sign No:	5	Size:	Quantity:	Sign No:	6	Size:	Quantity:

EXHIBIT B
Sign Location Layout Map

EXHIBIT C Sign Installation Requirements

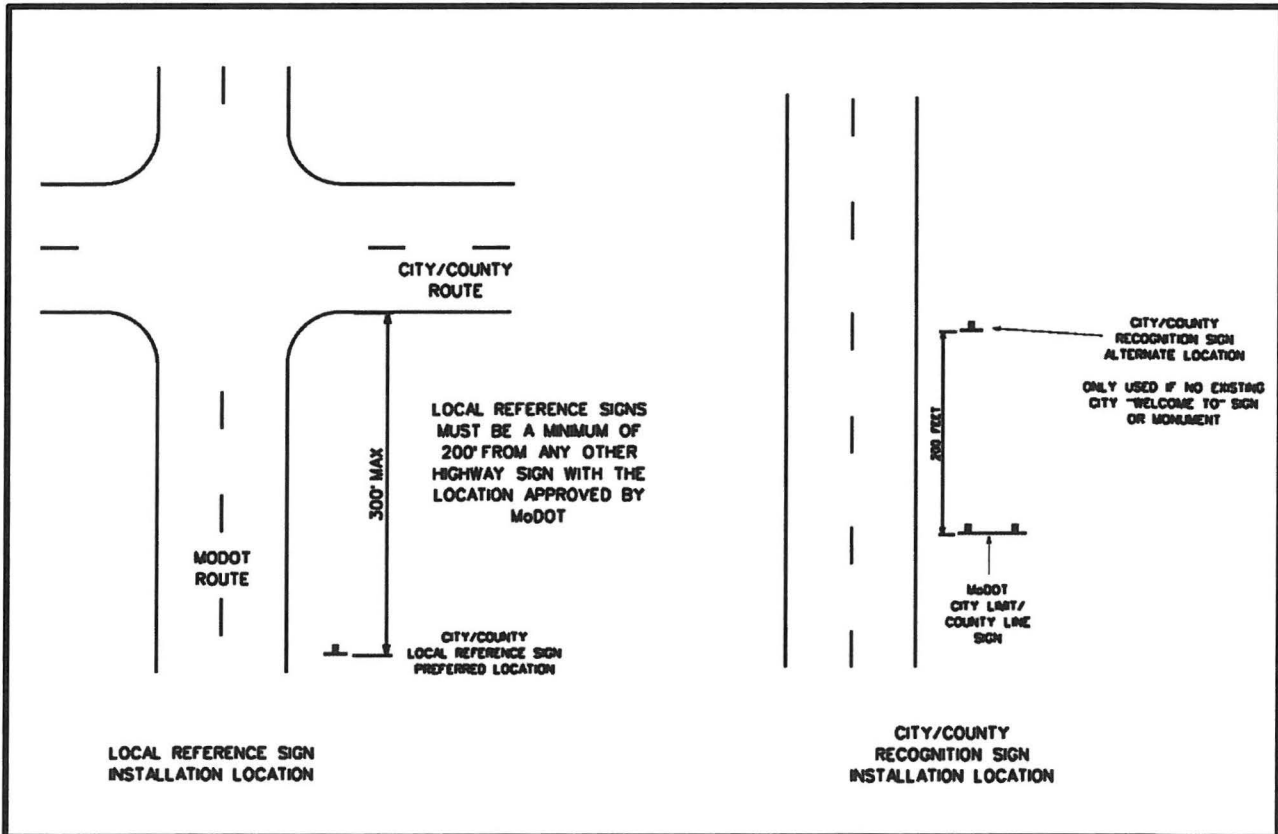
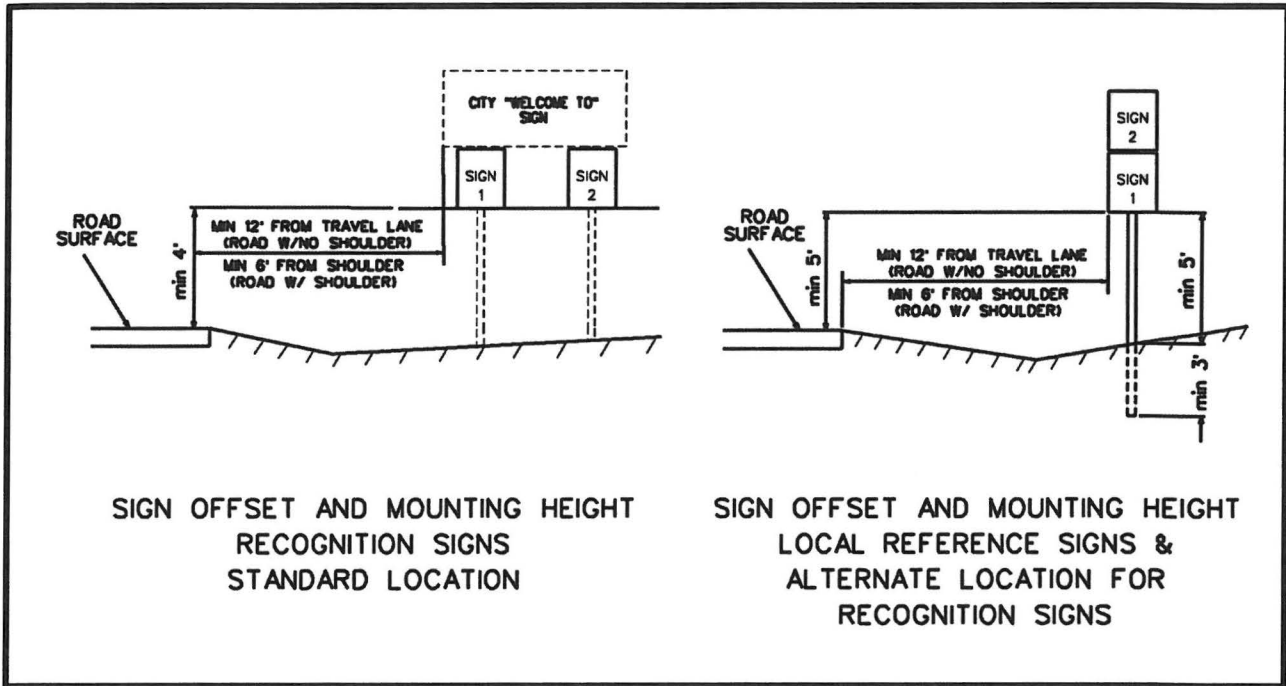


EXHIBIT D Signpost Installation Requirements

Post Type Options:

- One – 3 lb/ft U-Channel Post
- One – 4"x4" Treated Wood Post
- One – 2"x2" Perforated Square Steel Tube (PSST) Post

