

**AN ORDINANCE OF THE CITY OF TWIN OAKS ESTABLISHING  
THE OFFICES OF CHIEF OF POLICE AND COLLECTOR AS  
APPOINTED OFFICES**

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**WHEREAS**, at a general election held on November 8, 2016 (the "Election"), the voters of Twin Oaks voted in favor of the Village of Twin Oaks becoming a city of the fourth class; and,

**WHEREAS**, prior to the Election, in Twin Oaks the offices of Police Chief and Collector were appointed offices (as opposed to elected) which offices the Village had filled through separate intergovernmental cooperation agreements with the St. Louis County; and,

**WHEREAS**, Section 79.050 of the Revised Statutes of Missouri, specifies that the board of aldermen of a city of the 4<sup>th</sup> class "may provide by ordinance, after the approval of a majority of the voters voting at an election at which the issue is submitted, for the appointment of a collector and for the appointment of a chief of police, who shall perform all duties required of the marshal by law, and any other police officers found by the board of aldermen to be necessary for the good government of the city" but "[i]f the board of aldermen does not provide for the appointment of a chief of police and collector ..., a city marshal ... and collector shall be elected"; and,

**WHEREAS**, to avoid triggering the default requirement for fourth class cities of electing a police chief and collector by operation of law upon the transition from village to city of the fourth class, at a general election held on November 8, 2016 (the "Election") the voters of Twin Oaks were asked to decide the questions of whether the Board of Aldermen shall provide by ordinance for the appointment of a police chief ("Proposition 2") and collector ("Proposition 3"); and,

**WHEREAS**, the voters at the Election approved Propositions 2 and 3 authorizing the Board of Aldermen to provide for the appointment of the police chief and collector; and,

**WHEREAS**, the Board of Aldermen wishes to maintain the status quo by establishing by ordinance that the offices of Police Chief and Collector are appointed offices and continue to utilize the services of the St. Louis County Police Department as the Twin Oaks' police department and the St. Louis County Department of Revenue to collect Twin Oaks' taxes under the existing contracts with St. Louis County;

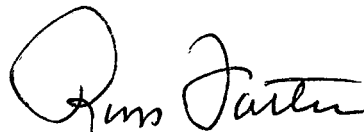
**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:**

**Section 1.** The Board of Aldermen, having received the approval of a majority of the voters voting at the Election at which the issue was submitted, hereby establishes the office of Collector as an appointed office.

**Section 2.** The Board of Aldermen, having received the approval of a majority of the voters voting at the Election at which the issue was submitted, hereby establishes the office of Police Chief as an appointed office.

**Section 3.** This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

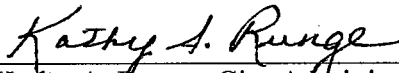
PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 7<sup>th</sup> DAY OF DECEMBER, 2016.



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Russ Fortune, Mayor

Attest:



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Kathy A. Runge, City Administrator/Clerk