

INTRODUCED BY ALDERMAN OTTENAD

BILL NO. 23-2510

ORDINANCE NO. 23-2394

AN ORDINANCE OF THE CITY OF MANCHESTER, MISSOURI, PROVIDING FOR THE APPOINTMENT OF AN INTERIM PROSECTUING ATTORNEY AND ESTABLISHING COMPENSATION THEREFOR.

WHEREAS, due to the resignation of the current Manchester Prosecuting Attorney effective August 18, 2023, the office of Prosecuting Attorney in the City became vacant; and,

WHEREAS, pursuant to §79.280, if a vacancy occurs in a non-elected office, the Mayor shall appoint a suitable person to discharge the duties of such office until the first regular meeting of the Board of Aldermen thereafter, at which time such vacancy shall be permanently filled; and,

WHEREAS, finding it in the best interest of the City that an Interim Prosecuting Attorney be immediately appointed to serve during the time of the search for a permanent replacement for the office of Prosecuting Attorney to ensure continued access to the courts and that no backlog develops in cases under the supervision of the Prosecuting Attorney, the Mayor has appointed Manchester resident Keith K. Cheung ("Mr. Cheung") as Interim Prosecuting Attorney; and,

WHEREAS, the Board of Aldermen desires to approve the Mayor's interim appointment of Mr. Cheung as the Interim Prosecuting Attorney consistent with the terms and conditions set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI, AS FOLLOWS:

Section One: The Board of Aldermen, does hereby approve the Mayor's appointment of Keith K. Cheung as Interim Prosecuting Attorney for the City of Manchester, Missouri and who shall serve at the pleasure of the Mayor and Board of Aldermen until terminated by the City or by Mr. Cheung and pursuant to the terms and conditions set forth herein. The powers and duties of such office shall be as established by Section 115.110 of the Municipal Code and the compensation shall be as set forth in the engagement letter, Exhibit A, attached hereto, which is hereby approved and incorporated herein by reference.

Section Two: The Interim Prosecuting Attorney shall have all powers and duties of the City Administrator set forth in the Code of Ordinances of the City of Manchester and as otherwise provided by the Mayor and Board of Aldermen.

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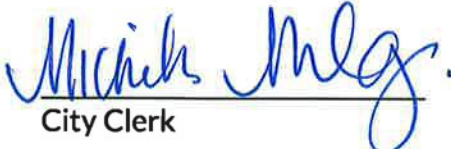
Section Three: This ordinance, having been read in full or by title two times prior to passage, shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AND APPROVED THIS 5TH DAY OF SEPTEMBER 2023.

CITY OF MANCHESTER, MISSOURI

By: 
Mayor

ATTEST:


City Clerk

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EXHIBIT A



Keith K. Cheung
Principal
kcheung@chgolaw.com

August 23, 2023

Hon. Mike Clement, Mayor
Mr. Justin Klocke, City Administrator
City of Manchester
14318 Manchester Road
Manchester, Missouri 63011

RE: Interim Prosecuting Attorney's Position

Dear Mayor Clement and Mr. Klocke:

This letter will confirm my agreement to serve as Interim Prosecuting Attorney for the City of Manchester, while the City searches for a permanent replacement for the position. I am truly honored and flattered for the opportunity as the City of Manchester has been my home for the last thirty years.

I am proposing to serve in this capacity for a monthly retainer of \$2,500, effective September 1, 2023. Any work that may be required for the remainder of August I will include in my retainer for September. The retainer will cover attendance at all municipal court sessions, reviewing and issuing charges, preparing recommendations and meetings with staff and the police department. For cases that are certified to St. Louis County Circuit Court for jury trial, I am proposing an hourly rate of \$175.

If the foregoing is acceptable, I would appreciate you signing a copy of this engagement letter. Thank you again for the opportunity to serve the City of Manchester.

Very truly yours,

A handwritten signature in black ink, appearing to read "Keith K. Cheung".

Keith K. Cheung

A handwritten signature in blue ink, appearing to read "Mike Clement".

Hon. Mike Clement, Mayor
City of Manchester

Dated: 08/23/2023

A handwritten signature in blue ink, appearing to read "Justin Klocke".

Mr. Justin Klocke, City Administrator
City of Manchester

Dated: 08-23-2023