

AN ORDINANCE RE-ESTABLISHING THE CRYSTAL LAKE PARK DIVISION OF THE ST. LOUIS COUNTY CIRCUIT COURT AND ELECTING THE CITY OF FRONTENAC AS THE PROVIDER OF MUNICIPAL COURT PERSONNEL, SERVICES, AND FACILITIES.

WHEREAS, through Chapter 125 of the Municipal Code of the City of Crystal Lake Park and Chapter 479 of the Revised Statutes of Missouri, the City had once established and operated the Crystal Lake Park Municipal Court through the City of Frontenac and its municipal court;

WHEREAS, to avoid certain onerous ordinance violation reporting requirements imposed by Missouri statutes and effective in 2015, and the political and legal risks accompanying any reporting failure, the City elected, through City Ordinance No. 536, to have the St. Louis County Associate Circuit Court hear and determine charged violations of the City's Municipal Code, as allowed by Chapter 479 of the Revised Statutes of Missouri; and

WHEREAS, the onerous reporting requirements established by Missouri statute no longer pertain, and such reporting requirements that remain can be satisfied by competent municipal court administration; and

WHEREAS, the City currently contracts with the City of Frontenac for its police services, and to increase the efficient delivery of such services, the City of Frontenac has requested that the City re-establish its municipal court and contract with the City of Frontenac for municipal court services, as allowed by Chapter 479 of the Revised Statutes of Missouri and as provided in the attached Exhibit A; and

WHEREAS, the Board of Alderpersons desires to take all steps necessary or convenient to do so, all as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF CRYSTAL LAKE PARK, MISSOURI, AS FOLLOWS:

Section One.

Chapter 125 of the Crystal Lake Park Municipal Code relating to the City's Municipal Court is hereby repealed, and a new Chapter 125 is enacted in lieu thereof, to read as follows:

Chapter 125

Municipal Court

Section 125.010

Court Established; Jurisdiction

- A. There is hereby established in the City of Crystal Lake Park a Municipal Court, to be known as the Crystal Lake Park Municipal Division of the Circuit Court for St. Louis County, Missouri.
- B. The municipal court shall have jurisdiction to hear and determine all cases arising under the ordinances of the City and shall have such

powers, duties, and privileges as are or may hereafter be authorized by law, including:

1. Establishing a Traffic Violations Bureau as provided for in the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and Section 479.050, RSMo.;
2. Administering oaths and enforcing due obedience to all orders, rules and judgments made, and may fine or imprison for contempt in the same manner and to the same extent as a circuit court judge;
3. Commuting the term of any sentence, staying execution of any fine or sentence, suspending any fine or sentence and making such other orders relative to any matter pending in the municipal court;
4. Making and adopting such rules of practice and procedure as are necessary to carry out the provisions of this Chapter, Chapter 479 RSMo., and any applicable rule or order of any superior court; and
5. Issuing administrative warrants as provided in this Code.

Section 125.020

Judges of the Municipal Court

- A. The court shall be presided over by a municipal judge who shall be appointed by the Crystal Lake Park Board of Alderpersons. The Board of Alderpersons shall also appoint a provisional judge, who shall preside over the court if the municipal judge is absent or is unable to act or if the office is vacant. If both the municipal judge and the provisional judge are absent or unable to act, or if both offices are vacant, the Presiding Judge of the St. Louis County Circuit Court shall appoint an eligible and duly qualified person to act as judge of the municipal court until such time as the absence, unavailability, or vacancy is resolved.
- B. The municipal judge and the provisional judge: (i) shall be appointed for terms of two years; (ii) shall be residents of Missouri and licensed members of the Missouri Bar for at least five years prior to appointment; (iii) shall be at least 25, but not more than 75, years in age; and (iv) shall hold no other office in the City of Crystal Lake Park.
- C. The municipal judge and provisional judge shall be part-time positions, and they shall receive compensation as determined by the Board of Alderpersons. The municipal judge and the provisional judge may, within the requirements of the Missouri Supreme Court's Code of Judicial Conduct and any other applicable rule, hold other employment.

- D. The judges of the municipal court shall be subject to the rules of the St. Louis County Circuit Court and the rules of the Missouri Supreme Court. The Presiding Judge of the St. Louis County Circuit Court shall have general administrative authority over the municipal court and its personnel and operations.

Section 125.030 Personnel of the Municipal Court

The Board of Alderpersons shall select and employ a municipal court clerk, and such assistant clerks as may be necessary or desirable, whose duties shall be as follows:

1. To take oaths and affirmations and to accept signed complaints and allow the same to be signed and sworn to or affirmed;
2. To sign and issue subpoenas and subpoenas duces tecum;
3. To accept the appearance, waiver of trial, plea of guilty, and payment of fine and costs in the Traffic Violations Bureau and to generally act as Violations Clerk of the Traffic Violations Bureau;
4. To collect fines and court costs; and
5. To perform all other duties as may be provided by applicable court rule, statute or ordinance.

Section 125.040 Municipal Prosecutor

There is hereby created the office of prosecuting attorney, who shall be appointed by the Board of Alderpersons and whose compensation, terms, and conditions of service shall be fixed by contract. The prosecuting attorney shall be licensed to practice law in the State of Missouri and shall, on behalf of the City, prosecute the violation of the ordinances of the City before the municipal court and the St. Louis County Circuit Court.

Section 125.050 Court Costs

- A. Court costs for each municipal ordinance violation case filed in the municipal court shall be twelve dollars (\$12.00). The costs authorized herein are in addition to service costs, witness fees and jail costs otherwise authorized. No fees for the judge or the prosecutor shall be assessed as costs. For those cases where there is an application for a trial de novo, there shall be an additional fee of thirty dollars (\$30.00) that shall be assessed as costs in the same manner as provided above. The municipal judge shall have the authority and discretion to waive the assessment of these costs.

B. *Alcohol or Drug Test Recoupment.* In addition to any other penalties and costs provided by law or ordinance, the court may order any person convicted of an alcohol or drug-related traffic offense to reimburse the City for the costs associated with the arrest of such person. Such costs shall include the reasonable cost of making the arrest, including the cost of any chemical test made to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking and holding such person in custody. A schedule of such costs shall be established by the police department and filed with the municipal court clerk, and the court may impose costs in accordance with the schedule or may order the costs reduced if the court determines the costs are excessive.

C. *Crime Victim's Compensation Fund.* An additional sum of seven dollars fifty cents (\$7.50) shall be assessed and added to the basic costs in Subsection A hereof for the Crime Victim's Compensation Fund, provided that no such cost shall be collected in any proceeding when the proceeding or the defendant has been dismissed by the court. All sums collected pursuant to this Subsection shall be paid at least monthly as follows:

1. Ninety-five percent (95%) of such fees shall be paid to the Director of Revenue of the State of Missouri for deposit as provided in Section 595.045.6, RSMo.
2. Five percent (5%) shall be paid to the City Treasury.

D. *Peace Officer Training.*

1. In addition to any fine or other costs that may be imposed by the municipal judge, there shall be assessed as costs in all cases, except those that have been dismissed by the court, the sum of two dollars (\$2.00) for the training of peace officers. This fee shall be transmitted monthly to the City Treasury.
2. An additional one dollar (\$1.00) shall be assessed as costs in all cases, except those that have been dismissed by the court, to be deposited with the State Treasurer in the Peace Officer Standards and Training Commission Fund, to be used statewide for training of Peace Officers.

E. *Inmate Security Fund.* In addition to any other fines or court costs, an additional surcharge in the sum of two dollars (\$2.00) shall be assessed in each ordinance violation case, except those in which the proceeding or defendant has been dismissed by the court or the costs are to be paid by the City, to be collected and disbursed for any costs related to

biometric verification, custody and housing of prisoners as defined in Section 488.5026, RSMo.

- F. The municipal court may take the costs of incarceration into account when imposing sentence, however, no fine which includes costs of incarceration may exceed the maximum fine which a municipal court may lawfully impose under State law.
- G. As provided in Section 488.014, RSMo., no refund shall be required for overpayment of court costs of five dollars (\$5.00) or less, nor shall the clerk be required to pursue unpaid amounts less than five dollars (\$5.00).

Section 125.060

Failure To Appear

- A. Any person having been released from arrest, with or without a warrant, who shall breach any condition set for the release may be rearrested on order of the court. In addition, any person who willfully fails to appear before any court or judicial officer, as required by the terms of any conditional release for a court appearance or by any recognizance or other bond, shall upon conviction be guilty of violating this Section and may be punished as provided in Section 100.220 of this Code.
- B. If there is a breach of any condition of any bond submitted to the court, the judge may declare a forfeiture of that bond. The court shall have the further authority to effect justice in such matters including, but not limited to, those authorities set forth in Rule 37.26 of the Supreme Court of the State of Missouri. When a forfeiture has not been set aside, the judge, on the motion of the prosecutor, may enter a judgment of default and execution may issue thereon. By entering into a bond, the obligors submit to the jurisdiction of the Crystal Lake Park Municipal Division of the Circuit Court for St. Louis County, Missouri, and irrevocably appoint the Clerk of that Division Court as their agent upon whom any papers affecting their liability may be served. Their liability may be enforced on the Prosecutor's motion without the necessity of an independent action. The motion and such notice of the hearing as the Judge prescribes shall be delivered to the Clerk of the Division Court and the Clerk shall forthwith mail a copy to each of the obligors.
- C. This Section shall not apply to any "minor traffic violation," as defined by Section 300.010 of this Code.

Section 125.070

Administrative Search Warrants

- A. *Search Warrant Defined — Who May Issue, Execute.*

1. An "*administrative search warrant*" is a written order of the municipal judge permitting the entry of city officials on or into a private property, structure or improvement to enforce the City's housing, zoning, health and safety regulations when government entry on or into such property is otherwise authorized by Missouri law. A warrant may issue only in conformance with this section and only for the enforcement of the City's housing, zoning, health and safety regulations, specifically:
 - a. To inspect private property to determine or prove the existence of physical conditions in violation of the City's housing, zoning, health, or safety regulations;
 - b. To seize or to photograph, video, copy, or record property or evidence of property or physical conditions found thereon or therein relating to such violations; and
 - c. To abate physical conditions in violation of the City's housing, zoning, health, or safety regulations.
2. The municipal judge may issue an administrative warrant consistent with the requirements of this Section when:
 - a. The property to be entered is located within the City, and
 - b. The owner or occupant of the property or place to be entered:
 - (1) Has refused to allow same after official request by the City, or
 - (2) Is not available, after reasonable investigation and effort, to consent to such search or inspection.
3. Any such warrant shall be directed to and shall be executed by the chief of police or any other police officer of the City in conjunction with the City's code enforcement officer or other appropriate official.

B. *Who May Apply For Warrant — Contents Of Application.*

1. Any code enforcement officer, police officer, or attorney of the City may make application to the municipal judge for the issuance of an administrative warrant.
2. The application shall:

- a. Be in writing;
 - b. State the time and date of the making of the application;
 - c. Identify the property or places to be entered, searched, inspected or seized in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
 - d. State that the owner or occupant of the property or places to be entered, searched, inspected or seized:
 - (1) Has been requested by the City to allow such action and has refused to allow such action; or
 - (2) Is not available, after reasonable investigation and effort, to consent to such search or inspection.
 - e. State facts sufficient to show probable cause for the issuance of a search warrant, as provided in Subsection C hereof, to:
 - (1) Search or inspect for violations of an ordinance or code section specified in the application, or
 - (2) Show that entry or seizure is authorized and necessary to enforce an ordinance or code section specified in the application or to abate an ordinance violation and that due process has been afforded prior to the entry or seizure;
 - f. Be verified by the oath or affirmation of the applicant; and
 - g. Be signed by the applicant and filed in the municipal court.
3. The application may be supplemented by a written affidavit verified by oath or affirmation. Such affidavit shall be considered in determining whether there is probable cause for the issuance of a search warrant and in filling out any deficiencies in the description of the property or place to be searched or inspected. Oral testimony need not be considered.
 4. The application may be submitted by hand delivery, mail or facsimile or other electronic means.

C. Determination Of Probable Cause — Issuance — Contents Of Warrant — Execution And Return.

1. *Determination of probable cause/issuance.*

- a. The municipal judge shall determine whether probable cause exists to inspect or search for the purposes noted herein.
 - b. In doing so the municipal judge shall determine whether the action to be taken by the City is reasonable in light of the facts stated. The municipal judge shall consider the goals of the ordinance or code section sought to be enforced and such other factors as may be appropriate including, but not limited to, the physical condition of the specified property, the age and nature of the property, the condition of the area in which the property is located, the known violation of any relevant City ordinance or code section, the passage of time since the property's last inspection and the authority authorizing government entry onto private property. The standard for issuing a warrant need not be limited to actual knowledge of an existing violation of a City ordinance or code section.
 - c. If it appears from the application and any supporting affidavit that there is probable cause to inspect or search the private property for the enforcement of the City's housing, zoning, health, or safety regulations, a search warrant shall be issued.
 - d. The warrant shall issue in the form of an original and two copies and the application, any supporting affidavit, and one copy of the warrant as issued shall be retained in the records of the municipal court.
 - e. A search warrant shall expire if it is not executed within ten days after the date of the making of the application.
2. *Contents of search warrant.* The search warrant shall:
- a. Be in writing and in the name of the City;
 - b. Be directed to any police officer in the City;
 - c. State the time and date the warrant was issued;
 - d. Identify the property or places to be searched, inspected or entered upon in sufficient detail and particularity so that the officer executing the warrant can readily ascertain it;
 - e. Identify the regulation sought to be enforced;

- f. Command that the described property or places be entered upon for one or more specified enforcement purposes as provided herein, including inspection or abatement;
 - g. Direct that any evidence of any suspected ordinance violations be seized, recorded, or photographed and a description of such property be returned within ten days after issuance of the warrant to the municipal court clerk to be dealt with according to law; and
 - h. Be signed by the judge, with his or her title of office indicated.
3. *Execution.* A search warrant issued under this Section shall be executed only by a City police officer, provided however, that one or more designated City officials may accompany the officer, and the warrant shall be executed in the following manner:
- a. Copies of the warrant shall be given to the officer executing the warrant. Copies may be transmitted by hand delivery, mail, facsimile, or other electronic means;
 - b. The warrant shall be executed by conducting the search, inspection, entry, abatement or seizure as commanded and shall be executed as soon as practicable and in a reasonable manner but in no less than ten days after issuance of the warrant;
 - c. The officer may summon as many persons as he deems necessary to assist him in executing the warrant, and such persons shall not be held liable as a result of any illegality of the search and seizure;
 - d. The officer shall give the owner or occupant of the property searched, inspected, or entered upon a copy of the warrant or shall leave a copy of the warrant at the property if the owner or occupant is not available;
 - e. If a warrant authorizes abatement of a nuisance or other physical conditions, the police officer shall not be required to stay on the property during the entire length of time that it takes for the abatement to be completed.
4. *Itemized receipt/disposition of seized property.*
- a. If any property is seized incident to the search or abatement, the officer shall give the person from whose possession it was taken, if the person is present, an itemized receipt for the property

taken. If no such person is present, the officer shall leave the receipt at the site of the search or abatement in a conspicuous place.

- b. A copy of the itemized receipt of any property taken shall be delivered to an attorney for the City within two (2) working days of the search.
- c. The disposition of property seized pursuant to a warrant under this Section shall be in accordance with an applicable City ordinance or Code Section, but in the absence of same, then with Section 542.301, RSMo.

5. *Return required after execution of search warrant.*

- a. After execution of the search warrant, the warrant, with a return thereon signed by the officer making the search, shall be delivered to the Municipal Court.
- b. The return shall show the date and manner of execution and the name of the possessor and of the owner, when not the same person, if known, of the property or places searched or seized.
- c. The return shall be accompanied by any photographs, copies or recordings made and by any property seized, along with a copy of the itemized receipt of such property required by this Section; provided however, that seized property may be disposed of as provided herein and in such a case a description of the property seized shall accompany the return.
- d. The Court Clerk, upon request, shall deliver a copy of the return to the possessor and the owner, when not the same person, of the property searched or seized.

D. *Warrant Invalid, When.*

- 1. A search warrant shall be deemed invalid:
 - a. If it was not issued by the Municipal Judge;
 - b. If it was issued without a written application having been filed and verified;
 - c. If it was issued without sufficient probable cause in light of the goals of the Section to be enforced and such other factors as provided in Subsection C hereof;

- d. If it was not issued with respect to property or places in the City;
 - e. If it does not describe the property or places to be searched, inspected, entered upon or seized with sufficient certainty;
 - f. If it is not signed by the Judge who issued it; or
 - g. If it was not executed within ten (10) days after the date of the issuance of the warrant.
2. An officer making a search pursuant to an invalid warrant, the invalidity of which is not apparent on its face, may use such force as he would be justified in using if the warrant were valid.

Section 125.080

**Authority To Contract For Court Services
And To Appoint Contracting Authority's
Court Personnel**

Notwithstanding anything herein to the contrary, and to the extent allowed by Chapter 479 of the Revised Statutes of Missouri, the Board of Alderpersons of the City of Crystal Lake Park may contract for comprehensive municipal court services with any other St. Louis County jurisdiction that has established in compliance with Chapter 479 its own municipal court, and pursuant to such a contract, the Board of Alderpersons may appoint as its municipal court judges and clerks the same judges and clerks appointed such contracting jurisdiction.

Section Two.

The Mayor of the City of Crystal Lake Park is hereby authorized and directed to execute and enter into an agreement with the City of Frontenac for the provision of municipal court services, and the Mayor and Board of Alderpersons further appoint the judges and court clerks of the City of Frontenac as the judges and court clerks for the City of Crystal Lake Park Municipal Court, all as provided and in substantial conformity with the attached Exhibit A, incorporated by reference.

Section Three.

The Board of Alderpersons of the City of Crystal Lake Park further reappoints the Crystal Lake Park City Attorney as the City's prosecuting attorney, under such terms and conditions as are provided in the city attorney's contract for services; provided, however, that the Board of Alderpersons may appoint and contract with any other qualified attorney as the City's prosecuting attorney at any time, at its discretion.

Section Four.

This Ordinance shall be in full force and effect from and after its passage and approval, after which the City Attorney shall immediately notify the presiding judge and the clerk of the St. Louis County Circuit Court of the City's election to transfer municipal court responsibilities from the St. Louis County Associate Circuit Court to the Frontenac Municipal Court.

Passed this 22nd day of October, 2018.

Phillip Bryant
Presiding Officer

Attest:

Angela McCormick
Angela McCormick, City Clerk

Approved this 22nd day of October, 2018.

Phillip Bryant
Phillip Bryant, Mayor

Attest:

Angela McCormick
Angela McCormick, City Clerk

First Reading 10-22-18
Second Reading 10-22-18

MUNICIPAL COURT SERVICES AGREEMENT

This Municipal Court Services Agreement (the "Agreement") is entered into between the City of Frontenac, Missouri ("Frontenac") and the City of Crystal Lake Park, Missouri ("Crystal Lake Park"), collectively referred to herein as the "Parties", as of the date last executed below.

Recitals

Whereas, Frontenac provides police services to Crystal Lake Park, and to improve the efficient delivery of those services the Parties desire to transfer Crystal Lake Park's municipal court services (the "Crystal Lake Park Municipal Court") from the St. Louis County Associate Circuit Court to the Frontenac Municipal Division of the St. Louis County Circuit Court (the "Frontenac Municipal Court"); and

Whereas, Crystal Lake Park desires to have Frontenac provide all court clerk and judicial functions required by Missouri law and Missouri Supreme Court rules for the Crystal Lake Park Municipal Court; and

Whereas, Frontenac desires to provide such court clerk and judicial services on those terms and conditions set forth below; and

Whereas, Crystal Lake Park also desires to have Frontenac provide its aldermanic chambers for Aldermanic meetings on a monthly basis for the conduct of court proceedings for the Crystal Lake Park Municipal Court; and

Whereas, Frontenac desires to provide its chambers for such municipal court proceedings on those terms and conditions set forth below; and

Whereas, Crystal Lake Park desires to have Frontenac collect fines and costs associated with the operation of the Crystal Lake Park Municipal Court; and

Whereas, Frontenac desires to provide such collection services; and

Whereas, to effect such transfer the Crystal Lake Park Board of Alderpersons has re-established its municipal court and has authorized the execution of this Agreement through City Ordinance No. 516; and

Whereas, Article VI, Section 16 of the Missouri Constitution, Sections 70.815 and 71.370 of the Revised Statutes of Missouri, and Chapter 479 of the Revised Statutes of Missouri authorize Frontenac to provide municipal court services to Crystal Lake Park through this Agreement; and

Whereas, the Frontenac Board of Aldermen has duly enacted and approved its Ordinance No. 2018-1868 authorizing this Agreement;

Now, therefore, for the consideration noted herein the parties agree as follows:

Section 1. Court Clerk Services, Judicial Services, Court Space and Collection Services.

- 1.1. Frontenac shall provide a properly certified municipal court clerk or clerks to conduct all court clerk functions required by Missouri law, Missouri Supreme Court operating rules for the Crystal Lake Park Court, and local rules for the St. Louis County Circuit Court.
- 1.2. The court clerk services provided by Frontenac shall include, but not be limited to, all interactions with the public involving court records, collection of fines and costs and other fees that are legally allowed, such appropriate means of accounting for the sums collected as may be required by law or Court rules and regulations properly promulgated by the office of the Missouri Auditor.
- 1.3. Frontenac shall provide its Aldermanic chambers once per month for Crystal Lake Park to conduct its municipal court proceedings on the same date(s) and time(s) at which Frontenac conducts its municipal court.
- 1.4. In exchange for these services in Paragraph 1.1 to 1.3, Crystal Lake Park assigns to Frontenac all fines and municipal court costs collected as a result of the adjudication of those Crystal Lake Park municipal ordinance violations processed by Frontenac.
- 1.5. The Mayor and Board of Alderpersons of the City of Crystal Lake Park hereby appoint the municipal judges and clerks of the Frontenac Municipal Court as the municipal judges and clerks of the Crystal Lake Park Municipal Court.
- 1.6. Crystal Lake Park shall continue to employ their own Prosecuting Attorney who shall be responsible for prosecuting any and all violations of the ordinances of Crystal Lake Park before the municipal court and the St. Louis County Circuit Court.
- 1.7. Crystal Lake Park shall not be obligated to collect any outstanding fines or costs assessed for the violation of its ordinances. Crystal Lake Park shall in good faith review and consider the enactment of any ordinances relating to its municipal code violations or the administration of the municipal court as requested by Frontenac and will cooperate with an assist Frontenac with any reasonable collection efforts undertaken by the City.

Section 2. Notice to Parties.

2.1. When notice is required from one party to another, notice shall be deemed adequate if made in writing and mailed or faxed as follows:

To Frontenac:

Mr. Jaysen Christensen
City Administrator
City of Frontenac
10555 Clayton Road

Frontenac, Missouri 63131
To Crystal Lake Park:
Ms. Angela McCormick
City Clerk
City of Crystal Lake Park
10555 Clayton Road
Frontenac, Missouri 63131

Section 3. General Provisions.

3.1. All Frontenac municipal court employees, without detracting from their power and authority as employees of Frontenac, shall serve as official personnel of Crystal Lake Park, but the authorized employees of Frontenac shall have exclusive control and command of all such personnel and all equipment provided by Frontenac while such personnel and equipment are being used to hear and determine all Crystal Lake Park municipal code violations (the "Services").

3.2. While performing the Services, all employees of Frontenac shall have all the authority authorized by Missouri statutes and Crystal Lake Park ordinances for employees performing such Services.

3.3. Frontenac shall not be liable to Crystal Lake Park for delay, negligence or mistake in receiving, responding to, or performing the Services, nor shall this Agreement be interpreted as being an Agreement for the benefit of any third person.

3.4. In no event shall Frontenac be liable to Crystal Lake Park for special, indirect, or consequential damages, except those caused by Frontenac's own negligence or willful or wanton misconduct arising out of or in any way connected with a breach of this Agreement. In the event of a breach of this Agreement, the maximum liability of Frontenac shall be limited to the amount of money Frontenac should have, by law, collected for Crystal Lake Park under this Agreement.

3.5. This Agreement shall be effective for a period of five years, from November 1, 2018 through October 31, 2023. Either party may cancel this Agreement on ninety (90) days written notice to the other party.

3.6. Frontenac and Crystal Lake Park shall have the right to amend this Agreement by mutual agreement. Any such amendment shall be authorized by ordinance or resolution of each governing body, duly and legally adopted, and shall be executed by both parties. Any such amendment shall be attached hereto and made part hereof.

3.7. If any provision contained in this Agreement shall be held or declared to be invalid, unlawful or unconstitutional for any cause by a court of competent jurisdiction, the remaining portions and provisions of this Agreement shall be and remain unaffected thereby and shall remain in full force and effect.

3.8. This Agreement shall be governed by Missouri law.

3.9. Nothing in this Agreement is intended to waive and shall not waive the doctrines of sovereign immunity or official immunity as would otherwise be available to Frontenac or Crystal Lake Park with regard to any claim made by any person or entity that is not a party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officials.

Executed by the City of Frontenac this 19th day of October 2018.

Executed by the City of Crystal Lake Park this 22nd day of October 2018.

CITY OF FRONTENAC

Margot Martin

Margot Martin, Mayor

CITY OF CRYSTAL LAKE PARK

Phillip Bryant

Phillip Bryant, Mayor

Attest:

Leesa Ross

Leesa Ross, City Clerk

Attest:

Angela McCormick

Angela McCormick, City Clerk

BILL NO. 2018-1913

ORDINANCE NO. 2018-1868

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF FRONTENAC, MISSOURI, TO PROVIDE MUNICIPAL COURT SERVICES TO THE CITY OF CRYSTAL LAKE PARK, MISSOURI.

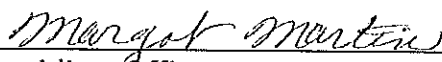
WHEREAS, the City of Frontenac provides complete police services for the City of Crystal Lake Park including traffic enforcement per an agreement dated November 27, 2017; and

WHEREAS, the Mayor and Board of Alder persons of the City of Crystal Lake Park desire to enter into a formal agreement with the City of Frontenac to provide municipal court services to the City.

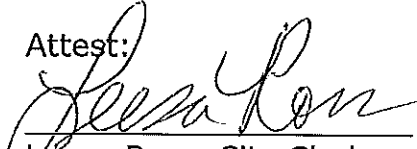
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FRONTENAC, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

The City of Frontenac, hereby authorizes the Mayor, on behalf of the City, to enter into an agreement, attached hereto as Exhibit "A" and made a part hereof by this reference, to provide municipal court services to the City of Crystal Lake Park, all within the municipal limits of the City of Crystal Lake Park, for a term of five (5) years commencing November 1, 2018, and for compensation to the City of Frontenac, all municipal fines will be deposited into the city's general funds.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF FRONTENAC, MISSOURI, THIS 16TH DAY OF OCTOBER 2018.



Presiding Officer

Attest:


Leesa Ross, City Clerk

APPROVED THIS 16TH DAY OF OCTOBER 2018.

Margot Martin

Margot Martin, Mayor

Attest:
Leesa Ross

Leesa Ross, City Clerk