



Public Information Office

602 S Main Street
Joplin, Missouri 64801
417-624-0820, ext. 1204
CFaucett@joplinmo.org

NEWS RELEASE

FOR IMMEDIATE RELEASE

May 13, 2026

SUBJECT: Investigation Completed Regarding City Council Events on April 13

CONTACT: Cassie Faucett, Public Information Officer
417-624-0820, ext. 1204

The City Attorney's Office has completed its investigation of the events that took place after the April 13th council meeting involving Councilman Ryan Jackson. The investigation was forwarded to Kevin O'Keefe, a well-established municipal law attorney in St. Louis, for review and evaluation. The City received Mr. O'Keefe's report today. Mr. O'Keefe was chosen to undertake this evaluation because of his expertise in municipal law and because he had no prior connection to the City of Joplin.

Mayor Rob O'Brian has provided the following statement: "I have reviewed the investigation and evaluation provided by attorney Kevin O'Keefe, outside counsel hired specifically for this investigation, related to the events which took place after the April 13th council meeting involving Ryan Jackson. I am satisfied with the investigation which was completed and the conclusions he reached and am pleased there were no findings of any ethical or sunshine law violations by any of the parties involved."

Mayor O'Brian also stated, "With the investigation now complete, I am looking forward to building on the very positive work session we had on Monday night, where all of the city departments highlighted their achievements for the last year, the progress they've been making on their key initiatives for this year, and their goals and priorities for the upcoming year."

www.joplinmo.org



TO: Mr. Peter Edwards, City Attorney, City of Joplin, MO.
FROM: Kevin M. O'Keefe, Curtis, Heinz, Garrett & O'Keefe, Clayton MO.
DATE: May 13, 2026.

Mr. Edwards, at your request I have reviewed the information developed during your investigation into events occurring at Joplin City Hall on the evening of April 13, 2026, among members of the Joplin City Council. I found your inquiry to be thorough, and that all relevant facts pertaining to the events in question have been fully vetted.

For the reasons which follow, I do not believe any additional inquiry is necessary, and that no action against any member of the City Council is warranted.

FACTS

The evidence gathered by the investigation establishes the following factual summary of the events at issue:

Following adjournment of the Joplin City Council meeting on the evening of April 13, 2026, two Joplin police officers informed Councilmember Ryan Jackson that they had concerns for his safety and they wanted to escort him out of the building when he wanted to leave. Mr. Jackson accepted the officers' offer. Thereafter, Councilmember Kennan Cortez asked Councilmember Jackson to meet with him in the mayor's office. After arranging a ride from city hall, Mr. Jackson and his escorting officers went to the mayor's office. The police officers stayed outside the office until Mr. Jackson was ready to leave the building.

In the Mayor's office, four members of the Council were present. They discussed statements and social media posts made by Councilmember Jackson, and community reaction to Councilmember Mr. Jackson's actions, including the opinions of some of those present that Councilmember Jackson should resign from office. The previous day, Sunday, April 12, Councilmember Cortez and Councilmember Jackson had a similar conversation.

Page 1 of 5

I

DID THAT GATHERING VIOLATE THE MISSOURI SUNSHINE LAW REQUIREMENTS FOR PUBLIC NOTICE AND PUBLIC ACCESS TO MEETINGS OF PUBLIC GOVERNMENTAL BODIES?

I believe the relevant statutory and decisional law which governs analysis of this question is as follows:

- “The council shall consist of nine members”
Joplin City Charter, Sec. 2.01.
- “A majority [of the City Council] shall constitute a quorum to do business”
Joplin City Charter, Sec. 2.04.
- “... we find that it was the intent of the legislature not to include within the definition of “public governmental body” a group of the body's members comprising less than a quorum. In other words, a meeting of less than a quorum does not constitute a meeting of a “public governmental body” when there is no intent to avoid the purposes of Chapter 610.

Colombo v. Buford, 935 S.W.2d 690, 699 (Mo.App. W.D. 1996). See also: *Hanten v. Sch. Dist. of Riverview Gardens*, 183 F.3d 799, 810 (8th Cir. 1999)

The gathering in the Mayor’s office on the evening of April 13, 2026, included four Councilmembers. Since the Joplin City Charter provides that five out of the nine Councilmembers must be present for there to be a quorum of the Council, that gathering did not constitute a “meeting” of a “public governmental body” as those terms are used in the Missouri Open Records and Meetings Law (“Sunshine Law”). Therefore, no prior notice of the gathering was required, and the public had no right to attend. Thus, the meeting in the Mayor’s office on the evening of April 13 did not violate the Missouri Sunshine Law.

For the same reason, the discussion between Councilmembers Cortez and Jackson on Sunday, April 12, also did not constitute a “meeting” or a “public governmental body” and did not violate the Missouri Sunshine Law.

It may also be worth noting that there is a second and entirely separate reason why discussions among Councilmembers of Councilmember Jackson's conduct and he should resign from office was not a violation of the Sunshine Law.

Under the Sunshine Law a "meeting" of a "public governmental body" occurs when "any public business is discussed, decided, or public policy formulated." Sec. 610.010(5), RSMo. "Public business" as used in that statute is defined to mean "matters which relate in any way to the performance of the public governmental body's functions or the conduct of its business."

As the Missouri Court of Appeals observed: "Matters of public business are not synonymous with matters of public interest." *Kansas City Star Co. v. Fulson*, 859 S.W.2d 934, 940 (Mo.App. W.D. 1993). In the *Kansas City Star* case, the court found that discussion by school board members about "personal relations and not on business which would come before the Board" was not "public business" so as to bring that discussion within the scope of the Sunshine Law. *Id.*, at 941.

Here, the opinions of Councilmembers as to whether Councilmember Jackson should resign are not the "business" of the Council. Therefore, the Missouri Sunshine Law was not applicable to gatherings dealing with those opinions.

II

DID ANY MEMBER OF THE CITY COUNCIL VIOLATE THE STANDARDS OF THE JOPLIN CODE OF ETHICS BY GIVING ORDERS TO JOPLIN POLICE OFFICERS WITH RESPECT TO ESCORTING COUNCILMEMBER RYAN TO THE MAYOR'S OFFICE ON APRIL 13

The Joplin City Code establishes standards of ethical conduct for members of the City Council. The portion relevant to this inquiry is as follows:

- Interference with administrative officers. Neither the council nor any of its members shall direct or request the appointment of any person to, or his removal from, office by the city manager or by any of his subordinates, or in any way interfere with the appointment or removal of officers and employees in the administrative service of the city. Except for the purpose of inquiry, unless specifically otherwise provided in the Charter, the council and its members shall deal with the administrative officers and services solely through the city manager, and neither the council nor any member thereof shall give orders to the subordinates of the city manager, either publicly or privately.

Section 2-150(i), Joplin City Code (emphasis added).

- Sanctions. Violation of any provision of this section should raise conscientious questions for the councilmember concerned as to whether voluntary resignation or other action is indicated to promote the best interest of the city. Violation may constitute a cause for censure, suspension, removal from office or other disciplinary action pursuant to the Charter; provided, however, the council shall not impose sanctions upon a member unless such sanctions receive an affirmative vote of three-fourths of the members of the entire council.

Section 2-150(m), Joplin City Code (emphasis added).

Councilmember Jackson stated that after the police officers offered to escort him from the building he was asked to delay his departure and come to the Mayor's office by Councilmember Cortez. Councilmember Cortez also says he was the person who asked Councilmember Jackson to come to the Mayor's office. The officers then accompanied Councilmember Jackson to the Mayor's office and, thereafter, out of the building.

Chief Pearson and the two officers involved have stated that no Councilmember asked either officer to escort Mr. Jackson to the Mayor's office.

While Councilmember Price stated she heard Councilmember Cortez ask Officer Dunning to escort Councilmember Jackson to the Mayor's office, both officers deny being asked to do so by any Councilmember. And Councilmember Jackson himself stated the officers offered to escort him from the building before Councilmember Cortez asked him to detour to the Mayor's office.

Given that Section 2-50 of the City Code provides for punishment of those who violate its restrictions, the Section must be strictly construed ("municipal ordinance provisions imposing penalties are strictly construed against the municipality and will not be extended by implication." *City of Kansas City v. McGary*, 218 S.W.3d 449, 452 (Mo.App. W.D. 2006), internal citations omitted).

The weight of the evidence clearly favors the conclusion that there are no actionable grounds for disciplinary action against any member of the City Council for allegedly giving orders to the officers who escorted Councilmember

Jackson after the Council meeting on April 13 in violation of the provisions of Section 2-50(i) of the City Code.

If you have any questions about any of the matters addressed in this memo, or if I can be of any further service, please contact me at your request.

A handwritten signature in black ink, appearing to read "Kevin M. O'Keefe". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin M. O'Keefe

Kevin M. O'Keefe, Principal
Curtis, Heinz, Garrett & O'Keefe, P.C.
130 South Bemiston, 2nd Floor
Clayton, MO. 63105



Contact: kokeefe@chgolaw.com
Office: (314) 725-8788
Mobile: (314) 973-1256

Kevin concentrates his practice in municipal law, which includes zoning, administrative actions, drafting and enforcing legislation, interpretation and application of state and federal laws and regulations, and trials and appeals.

Kevin has appeared in and argued trial and appellate cases in state and federal courts in Missouri and the United States Supreme Court (*Quinn v. Millsap*, 1989). He has presented seminars as a lecturer for the University of Wisconsin's national zoning seminars; University of Missouri, Governmental Affairs Program; University of Missouri-St. Louis graduate program in Public Administration; St. Louis University graduate program in Public Administration; Missouri Municipal League; St. Louis County Municipal League, Missouri City Management Association, and the American Planning Association. He has also lectured at legal seminars for the Missouri Bar Association, Bar Association of Metropolitan St. Louis, Missouri Association of Trial Attorneys, International Municipal Lawyers Association, and the Missouri Municipal Attorneys Association, and he authored a chapter for a Missouri Bar continuing legal education publication.

Kevin's service as municipal attorney includes consultation with executive and legislative officials on the full range of local government activity; drafting legislation and regulations; consultation and litigation concerning employment matters; review and enforcement supervision in administrative matters; coordination with consultants in other disciplines to write and implement technical codes; and responsibility for all types of local government litigation, particularly matters involving damage claims, contracts, civil rights, land use issues and judicial review of administrative actions.

BAR ADMISSIONS

Missouri
U.S. District Court, Eastern District of Missouri
U.S. Court of Appeals for the Eighth Circuit
U.S. Supreme Court

EDUCATION

J.D., St. Louis University School of Law
B.A., University of Scranton

AWARDS & RECOGNITION

“Lawyer of the Year”, Municipal Law, 2012, 2015, 2019 and 2021
Best Lawyers in America, Municipal Law, 2008 - Present
Super Lawyers of Kansas and Missouri, Municipal Law, 2010 – Present
Distinguished Service Award, Missouri Municipal League, 2003
Lou Czech Award of the Missouri Municipal Attorneys Association, 1999
East-West Gateway Lifetime Public Service Award, 2020
“AV” Rating (highest) “Preeminent” (Municipal Law) from Martindale Hubbell

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

The Missouri Bar
Bar Association of Metropolitan St. Louis
Missouri Municipal Attorneys Association
International Municipal Lawyers Association

CITY ATTORNEY for:

City of Black Jack, Missouri
City of Clayton, Missouri
City of Frontenac, Missouri
City of Hazelwood, Missouri
City of O’Fallon, Missouri
City of Town & Country, Missouri

OTHER:

Kevin has previously served as the general counsel to the St. Louis County Board of Election Commissioners and the Maryland Heights Fire Protection District, and as special counsel for specific assignments for Kansas City, Springfield, Chesterfield, St. Charles and numerous other communities across the State of Missouri.

