

Court Document Not an Official Court Document Not an Official Court Document Not an Official Court Document IN THE CIRCUIT COURT OF PIKE COUNTY, MISSOURI

Circuit Court Judge Division

Official Court Document Not an Official Court Document Not an Official Court Document

t Not an Official Court Document Not an Official Court Document Not an Official Court Document HEATHER WERNOWSKY Petitioner)

Document Not an Official Court Document Not an Official Court Document Not an Official Petitioner)

v.) Cause No. 26PI-CC00008
al Court Document Not an Official Court Document Not an Official Court Document Not an v.)

CITY OF LOUISIANA, MO Respondent)

nt Not an Official Court Document Not an Official Court Document Not an Official Court Document

TEMPORARY RESTRAINING ORDER

The Court, being duly advised in the premises, and understanding the urgent need for decision on this matter and the unavailability of counsel for the City on this matter before

6:00pm on January 22, 2026, hereby GRANTS the temporary restraining order prohibiting the City of Louisiana from proceeding on the appointment of a Councilmember to the seat sought to be vacated by the vote for removal of November 20, 2026, or taking any further action

pursuant to that vote of removal until the requirements of Mo. Rev. Stat. § 536.090 are complied with and review may be sought.

In Support of this ruling the Court finds as follows, in accordance with the evidence in the verified petition, under Sup. Ct. R. 92.02(a)(4):

1. During the Council Meeting of November 24, 2025, Councilmember Heather Wernowsky questioned the Chief regarding the Department's policy on gaining such entry and the details of that incident.
2. On November 25, 2025, Chief Baker filed a complaint against Councilmember Wernowsky requesting review of her actions.
3. On or about the 8th of December, 2025 the Council considered and adopted Articles of Impeachment by Resolution 10-2025.
4. The hearing on those Articles occurred on the evening of January 20, 2026.
5. During that hearing the Transcript of the meeting, the Articles of Impeachment, Resolution 10-2025, and Chief Baker's Complaint were all admitted without objection, and also took judicial notice of Mo. Rev. Stat. § 536.090.
6. The Council voted 5-1 to remove of Ms. Wernowsky from office in a roll call voice vote, with five votes for removal and one vote for censure (impeachment without removal).
7. The Council has not yet issued written notice of its decision or the decision, order, findings of fact, and conclusions of law itself.

8. Counsel for the City, Mary Weston, has indicated by email that she is traveling out of the country and is unavailable to have a hearing on the matter before 6:00 pm on January 22, 2026.

Not an Official Court Document Not an Official Court Document Not an Official Court Document
Conclusions of Law:

9. The Complaint, Resolution, and Articles of Impeachment contain four cases as cited legal authorities for removal, none of which provide a legal basis for removal of a Councilmember for the actions alleged.
10. The City has not yet completed the requirements of the statute for issuing a decision in a contested case under Mo. Rev. Stat. § 536.090 which would subject that decision to judicial review under 536.110.
11. Accordingly, the appointment of a new member to that seat before the completion of those requirements would be premature and would potentially create problems with judicial review.
12. On the other hand, the Council will not be prejudiced by a short delay in its ability to appoint a new person.
13. The rights to free speech and to maintain a position to which one has been duly elected are Constitutionally protected interests. See, e.g. Mo. Rev. Stat. § 77.340 and *Fitzgerald v. City of Maryland Heights*, 796 SW 2d 52, 56 (Mo. App. ED 1990).
14. The violation of those rights would therefore constitute "immediate and irreparable injury, loss, or damage" under Sup. Ct. R. 92.02(a)(1).
15. Violations of these rights are not compensable at law.
16. It is therefore in the interests of justice to temporarily enjoin any actions premised upon that removal until such time as full review may be had on the removal decision.
17. As counsel for the City is unavailable and the need is urgent, this order is granted under 92.02(b)(4) for ten days, or until further order of this Court.
18. As no possibility of monetary harm is presented by the facts of this case, no bond shall be required to be posted in connection with this order.

Not an Official Court Document Not an Official Court Document

James D Beck

The Honorable Judge