IN THE CIRCUIT COURT OF THE TWENTY-THIRD JUDICIAL CIRCUIT
STATE OF MISSOURI – JEFFERSON COUNTY

DIVISION 5
DON MENKHUS,
Plaintiff,
v. Case No. 26JE-CC01133
CITY OF PEVELY, MISSOURI,
Defendant.

FILED
NOV 12 2026
MICHAEL E. REUTER
CIRCUIT CLERK

MOTION FOR LEAVE TO INTERVENE AS A PARTY, TO AMEND OR RECONSIDER JUDGMENT, TO PRESERVE THE STATUS QUO, AND FOR STAY OF JUDGMENT PENDING APPELLATE REVIEW

COMES NOW LARRY WOMACK, a resident, registered voter, and municipal taxpayer of the City of Pevely, Missouri (hereinafter "Movant"), appearing pro se, and respectfully requests leave to intervene in this action pursuant to Missouri Supreme Court Rule 52.12(a)(2), alternatively Rule 52.12(b)(2), and upon granting intervention, requests that the Court consider the accompanying Proposed Petition in Intervention and the requested relief concerning the Court's November 10, 2026 Judgment.

Movant further requests that the Court exercise its authority under Missouri Supreme Court Rule 75.01, while the Court retains control over the Judgment, to consider the legal and factual issues raised herein, amend or reconsider the Judgment as appropriate, and preserve the status quo pending appellate review.

In support of this Motion, Movant states:

I. MOVANT'S PERSONAL INTEREST AND BASIS FOR INTERVENTION

1. Movant is a current resident of the incorporated municipal boundaries of the City of Pevely, Missouri.
2. Movant is a registered voter within the City of Pevely and is directly subject to the City's municipal government, ordinances, elected leadership, and electoral processes.
3. Movant is also a municipal taxpayer and contributes to the City's tax base through the payment of property and/or municipal taxes.
4. Movant therefore has a direct personal interest in the lawful administration of Pevely's municipal government and in ensuring that municipal elections are conducted in accordance with Missouri law.
5. This litigation concerns more than a disagreement between two named parties. It concerns the legal duration of the office of Mayor of Pevely, the legal effect of a voter-approved 2014 election measure, the authority of municipal officials to administer elections, and the rights and interests of the City's electorate.

6. The November 10, 2026 Judgment determines that the current Mayor's term extends through April 2029. This determination has continuing consequences for the municipal government under which Movant resides and participates as a registered voter.
7. Movant's interest includes ensuring that the April 2014 decision of Pevely voters is given its lawful effect and that municipal officials cannot disregard an election result through administrative failures, outdated ordinances, or inaccurate representations to election authorities.
8. Movant does not represent that he personally voted in April 2014 because he cannot presently confirm his participation in that particular election. His request for intervention is based upon his current residency, registered voter status, taxpayer interests, and the direct effect of the challenged municipal action upon his interests.
9. Movant's interest is independent of the personal or political interests of the existing Plaintiff and Defendant.
10. The existing parties submitted stipulated facts to the Court. Their stipulated presentation did not necessarily address or adequately represent the independent interests of Pevely residents and voters who are affected by the legal determination of the mayoral term.
11. Movant seeks intervention to present relevant evidence and legal arguments concerning the 2014 election, the applicable municipal ordinances, the City's historical administration of mayoral elections, and the legal requirements of Section 79.050, RSMo.

II. LEGAL BASIS FOR INTERVENTION

12. Missouri Supreme Court Rule 52.12(a)(2) permits intervention as a matter of right when an applicant demonstrates an interest relating to the property or transaction that is the subject of the action, that disposition of the action may impair or impede the applicant's ability to protect that interest, and that the existing parties do not adequately represent the applicant's interest.
13. Movant asserts an interest relating directly to the subject matter of this action because the Judgment determines the legal duration of Pevely's mayoral office and the treatment of a voter-approved municipal election measure.
14. The Judgment may impair Movant's ability to protect that interest by establishing a four-year mayoral term through April 2029 without Movant having had an opportunity to present evidence or legal arguments concerning the legal effect of the April 2014 election.
15. The existing parties' stipulated presentation does not necessarily represent the independent interests of the City's electorate, particularly where the legal and historical effect of the 2014 voter decision is central to the controversy.
16. Movant therefore requests intervention as a matter of right under Rule 52.12(a)(2).
17. Alternatively, Movant requests permissive intervention under Rule 52.12(b)(2), because Movant's proposed claims and defenses involve common questions of

law and fact concerning Section 79.050, RSMo, the April 2014 election, the City's ordinances, and the 2025 mayoral election.

18. Movant requests that intervention be permitted for the limited purpose of protecting his legally cognizable interests and presenting the issues that were not fully addressed in the stipulated submission.
19. Movant further requests that the Court consider the principles established in *Robinson v. Missouri Department of Health and Senior Services*, 2023, concerning post-judgment intervention, the requirement of an accompanying pleading, and the reviewability of an order denying intervention.
20. Movant acknowledges that post-judgment intervention is unusual and that the Court must consider timeliness, substantial justice, and potential prejudice to the existing parties. Movant submits that intervention at this stage will not unfairly prejudice either party because the requested intervention concerns the same legal and factual questions already presented to the Court.

III. THE APRIL 2014 VOTER-APPROVED MAYORAL TERM CHANGE

21. In April 2014, the qualified voters of the City of Pevely approved a ballot measure changing the mayoral term from four (4) years to two (2) years.
22. The November 10, 2026 Judgment itself acknowledges that the voters approved changing the Mayor's term from four years to two years in April 2014.
23. The expressed decision of the electorate is a central fact that must be given its proper legal consideration.
24. Section 79.050, RSMo, establishes a two-year mayoral term as the statutory default, subject to the alternative-term procedure provided in subsection 2.
25. Section 79.050(2) addresses the authority of a city's board of aldermen to establish an alternative mayoral term by ordinance, subject to voter approval.
26. The legal question is whether the April 2014 ballot measure, considered together with the City's governing ordinance, the certified election results, and the applicable municipal election procedures, legally established or restored the two-year mayoral term.
27. If the April 2014 measure satisfied the applicable statutory and municipal requirements, the City cannot disregard that result merely because subsequent officials failed to properly update, document, or communicate the City's ordinances.
28. If an implementing ordinance was legally required, the Court must determine the legal consequences of the City's failure to adopt, preserve, or properly communicate that ordinance. That failure should not automatically be treated as proof that the electorate's decision was legally meaningless.
29. Movant requests that the Court examine the actual April 2014 ballot language, certified election results, municipal ordinances in effect at that time, and the City's subsequent records before determining the legal effect of the election.

IV. THE COURT'S OWN FINDINGS AND THE CITY'S SUBSEQUENT ELECTION HISTORY

30. The November 10, 2026 Judgment acknowledges that Pevely voters approved changing the mayoral term from four years to two years in April 2014.
31. The Judgment further acknowledges that the City has no record of a subsequent ordinance implementing the change and no record that such an ordinance was provided to the Jefferson County Election Authority.
32. The Judgment also acknowledges that mayoral elections from 2015 through 2024 were conducted for two-year terms.
33. The City apparently cannot explain how those two-year terms were communicated to the Election Authority.
34. These findings raise substantial questions concerning the City's historical recognition and administration of the April 2014 voter decision.
35. The City's discovery during its ordinance codification process that an older ordinance still referenced a four-year term does not, standing alone, establish that the voters' decision was rescinded, repealed, or lawfully reversed.
36. There is no identified subsequent voter approval reversing the April 2014 decision.
37. The City should not be permitted to rely upon its own failure to properly maintain, update, or communicate its ordinances as the sole basis for disregarding the electorate's prior decision.
38. The Court should determine whether the City's administration of two-year mayoral elections for approximately a decade following the 2014 election is consistent with the legal effect of the voters' decision and the requirements of Section 79.050.

V. THE 2025 ELECTION AND THE FOUR-YEAR TERM DESIGNATION

39. The 2025 mayoral election was advertised and conducted as an election for a four-year mayoral term.
40. Both candidates, Steve Markus and former Mayor Stephanie Haas, participated in an election presented by the City as establishing a four-year term.
41. However, the City's representation of a four-year term on the 2025 ballot does not independently establish that the City had lawful authority to disregard the April 2014 voter-approved measure.
42. The failure to update the City's ordinances and properly communicate the applicable mayoral term to the Election Authority cannot, by itself, amend or reverse a legally effective voter-approved measure.
43. A candidate's willingness to run for an advertised four-year term and the electorate's participation in an election presented on that basis do not necessarily cure an underlying legal defect in the term designation.
44. The central legal issue is not simply how the City advertised the 2025 election. It is whether the four-year term was legally authorized under Section 79.050 and

the applicable municipal law, considering the April 2014 election and subsequent municipal actions.

45. The Court's determination that the current Mayor may remain in office through April 2029 should therefore be reconsidered in light of the unresolved legal and factual issues.

VI. CONCERNS REGARDING THE STIPULATED NATURE OF THE LITIGATION AND CAMPAIGN-FINANCE CONTRIBUTIONS

46. The November 10, 2026 Judgment reflects that this matter was submitted to the Court through stipulated facts presented by the Plaintiff and Defendant.
47. The stipulated nature of the proceeding raises legitimate questions concerning whether all material legal and factual issues surrounding the April 2014 voter decision were fully presented and adversarially examined.
48. The circumstances surrounding the litigation also warrant examination in light of campaign-finance records showing contributions made by individuals or entities associated with the parties to this litigation to the campaign of current Mayor Steve Markus.
49. Movant intends to submit official campaign-finance filings identifying the contributors, recipients, contribution dates, and amounts, as applicable.
50. Those records are relevant to understanding the relationships and interests of individuals associated with the parties and the circumstances surrounding the litigation.
51. When considered together with the stipulated nature of the proceeding and the practical effect of the resulting Judgment, the contributions raise legitimate questions warranting disclosure and scrutiny.
52. Movant does not ask the Court to presume that a campaign contribution alone establishes collusion, an improper agreement, or judicial misconduct.
53. Rather, Movant requests that the Court consider the documented relationships and the circumstances surrounding the litigation when determining whether additional proceedings and a complete evidentiary record are necessary.
54. The practical result of the Judgment is that the current Mayor is permitted to remain in office through April 2029 notwithstanding the Court's acknowledgment of the April 2014 voter-approved change.
55. The interests of Pevely residents and voters should not be conclusively determined through a stipulated proceeding without consideration of the governing statute, the actual ballot measure, the City's election history, and the relevant campaign-finance evidence.

VII. MOTION TO AMEND OR RECONSIDER JUDGMENT

56. Movant requests that, upon granting intervention, the Court consider the legal and factual grounds presented herein and exercise its authority under Missouri Supreme Court Rule 75.01 to amend, modify, reopen, or reconsider the November 10, 2026 Judgment as appropriate.

57. The Judgment acknowledges the April 2014 voter-approved change but nevertheless establishes a four-year mayoral term through April 2029.
58. The Court should determine whether the 2014 ballot measure legally satisfied the applicable requirements for establishing a two-year mayoral term and whether the City's subsequent administrative or legislative failures can lawfully override that result.
59. The Court should also determine whether the City's historical administration of two-year mayoral elections from 2015 through 2024 supports the interpretation that the City recognized the two-year term.
60. Movant requests an opportunity to present the actual ballot language, certified election results, ordinances, historical election records, and relevant campaign-finance filings.
61. At a minimum, the Court should address the unresolved statutory and municipal-law questions before allowing the Judgment to establish the Mayor's term through April 2029.

VIII. REQUEST FOR STAY AND PRESERVATION OF THE STATUS QUO

62. Movant requests that the Court preserve the status quo while the intervention request and substantive legal issues are considered.
63. The issues presented involve the interpretation of Section 79.050, RSMo, the legal effect of a voter-approved municipal election measure, and the City's authority to determine the duration of its highest elected municipal office.
64. These questions are of substantial public importance and affect the electoral rights and expectations of Pevely residents.
65. Movant requests appropriate stay relief under applicable Missouri procedural rules, including Rule 81.09 where applicable, and requests that the Court consider any necessary security or supersedeas requirements.
66. Movant recognizes that a stay of a declaratory judgment and the continued operation of an elected office may involve distinct legal considerations. Movant therefore requests an order specifically addressing the effect of the Judgment during any appellate proceedings and preserving the Court's ability to provide effective relief.

IX. REQUEST FOR RELIEF

WHEREFORE, Movant respectfully requests that this Court:

A. Grant leave to intervene as a party pursuant to Missouri Supreme Court Rule 52.12(a)(2), or alternatively Rule 52.12(b)(2);

B. Accept the accompanying Proposed Petition in Intervention as required by Rule 52.12(c);

C. Recognize and consider Movant's direct interests arising from his residence within Pevely, registered voter status, and municipal taxpayer status;

D. Permit Movant to submit evidence and legal arguments concerning the April 2014 voter-approved mayoral term change;

E. Reconsider or amend the November 10, 2026 Judgment under Rule 75.01, to the extent the Court determines such relief is legally available;
F. Determine the legal effect of the April 2014 election under Section 79.050, RSMo, and applicable municipal election and initiative provisions;
G. Determine whether the City's failure to properly adopt, maintain, or communicate an implementing ordinance can legally justify disregarding the April 2014 voter decision;
H. Reconsider the determination that the 2025 election established a four-year mayoral term through April 2029;
I. Permit appropriate evidence concerning the stipulated nature of the litigation and the campaign-finance contributions documented in official filings;
J. Preserve the status quo and grant appropriate stay relief pending resolution of the intervention request and any properly perfected appeal;
K. If intervention is denied, enter a written order identifying the grounds for denial so that Movant may pursue any appellate rights available under Section 512.020(5), RSMo; and
L. Grant such other and further relief as the Court deems just and proper.
Respectfully submitted,

LARRY WOMACK
Movant, Pro Se
212 Saint Benedict
Pevely, Missouri 63070
Telephone: 314-495-1784
Email: lkwomack@gmail.com

PROPOSED PETITION IN INTERVENTION
(Submitted Pursuant to Missouri Supreme Court Rule 52.12(c))

COMES NOW LARRY WOMACK, Proposed Intervenor, and for his Proposed Petition in Intervention against the City of Pevely, Missouri, states:

COUNT I – DECLARATORY RELIEF REGARDING THE APRIL 2014 MAYORAL TERM CHANGE

1. Proposed Intervenor is a resident and registered voter within the incorporated boundaries of the City of Pevely, Missouri.
2. The City of Pevely is a fourth-class city subject to the applicable provisions of Chapter 79, RSMo, unless its classification or governing charter provides otherwise.
3. Section 79.050, RSMo, establishes the statutory requirements governing mayoral terms in fourth-class cities.
4. In April 2014, Pevely voters approved a measure changing the mayoral term from four years to two years.
5. The City subsequently conducted mayoral elections for two-year terms from 2015 through 2024.

6. The City later represented the mayoral office as a four-year term in the 2025 election.
7. The legal effect of the April 2014 measure and the City's subsequent conduct remains a matter requiring judicial determination.
8. An actual controversy exists concerning whether the City's representation of a four-year mayoral term in 2025 was legally authorized.
9. Proposed Intervenor requests a declaration determining the legal effect of the April 2014 election, the applicable requirements of Section 79.050, and the validity of the four-year term designation used in 2025.

COUNT II – DECLARATORY RELIEF REGARDING MUNICIPAL AUTHORITY AND ELECTION ADMINISTRATION

10. Proposed Intervenor incorporates the preceding allegations.
11. The City has a responsibility to administer municipal elections in accordance with applicable Missouri statutes, valid ordinances, and legally effective voter-approved measures.
12. The City's failure to properly maintain, update, or communicate its ordinances should not be treated as independently establishing authority to disregard a legally effective election result.
13. Proposed Intervenor requests a determination of whether the City's actions concerning the 2014 election measure and the 2025 mayoral election complied with applicable law.

PRAYER FOR RELIEF

WHEREFORE, Proposed Intervenor respectfully requests that the Court:
A. Grant intervention and permit this Proposed Petition to be filed;
B. Determine the legal effect of the April 2014 voter-approved mayoral term measure;
C. Determine whether the requirements of Section 79.050, RSMo, were satisfied and whether the 2025 four-year term designation was legally authorized;
D. Declare the applicable mayoral term in accordance with the governing statute, valid municipal ordinances, and legally effective election results;
E. Grant appropriate relief concerning the November 10, 2026 Judgment, to the extent legally available; and
F. Grant such other and further relief as the Court deems just and proper.
Respectfully submitted,

LARRY WOMACK
Proposed Intervenor, Pro Se

VERIFICATION

I, LARRY WOMACK, being of lawful age and first duly sworn, state that I am the Movant and Proposed Intervenor in this matter; that I am a resident of the incorporated City of Pevely, Missouri; that I am a registered voter within the City; that I pay applicable municipal and/or property taxes; and that the factual statements concerning my personal circumstances are true and correct to the best of my knowledge and belief.

Signature Larry Womack
Subscribed and sworn before me this 11 day of Nov, 2026.

Notary Public
My Commission Expires: _____

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Leave to Intervene, Motion to Amend or Reconsider Judgment, Motion for Stay, and Proposed Petition in Intervention was served upon all counsel of record and unrepresented parties entitled to service in accordance with the Missouri Rules of Civil Procedure on this ____ day of _____, 2026.

Not an Official Court Document

MISSOURI ETHICS COMMISSION
CONTRIBUTIONS RECEIVED - SUPPLEMENTAL

OFFICE USE ONLY

NAME OF COMMITTEE: Citizens For Steve Markus

DATE: 2/27/2025

INSTRUCTIONS

PURPOSE: The purpose of the Contributions Received supplement is to provide a printed outline for attaching additional pages to Form CD1 (Contributions Received). This form should be used as additional space for reporting persons contributing more than $100 and for committee contributions. This form may be reproduced as needed.

Total all itemized contributions at the bottom of the page and carry to item 7 (Subtotal: Itemized Contributions From Any Attached Pages) on Form CD-1.

If further information is needed concerning reporting itemized expenditures, see Form CD-1 Instructions.

A. ITEMIZED CONTRIBUTIONS RECEIVED FROM COMMITTEES REGARDLESS OF THE AMOUNT, OR FROM PERSONS GIVING MORE THAN $100 TO A COMMITTEE. 3. NAME, ADDRESS AND OCCUPATION (LIST COMMITTEES FIRST)	4. DATE RECEIVED AGGREGATE TO DATE	5. AMOUNT RECEIVED (CHECK IF MONETARY OR IN-KIND)
NAME: ADDRESS: Fribis Engineering Inc. CITY / STATE: 3838 Jeffco Blvd. Ste. 6 EMPLOYER: Arnold MO 63010 ☐ COMMITTEE:	2/20/2025 $ 250.00	$ 250.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Shawn Oster CITY / STATE: 909 PCR 822 EMPLOYER: Saint Mary MO 63673 ☐ COMMITTEE: 02/20/2025 -- Painters Union Bus. Rep.	2/20/2025 $ 125.00	$ 125.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: L.I.U.N.A. Local 110 PAC CITY / STATE: 4532 S. Lindbergh EMPLOYER: Sunset Hills MO 63127 ☑ COMMITTEE:	2/14/2025 $ 1,000.00	$ 1,000.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Donald Menkhus CITY / STATE: 864 Cha Bern EMPLOYER: Pevely MO 63070 ☐ COMMITTEE: retired	2/13/2025 $ 500.00	$ 500.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Anthony Becker CITY / STATE: 214 Mississippi Ave. EMPLOYER: Crystal City MO 63019 ☐ COMMITTEE: self -- Custom Insurance	1/29/2025 $ 500.00	$ 500.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Triple Mak Industries Inc. CITY / STATE: 2000 Pounds Rd. EMPLOYER: Festus MO 63028 ☐ COMMITTEE:	2/5/2025 $ 250.00	$ 250.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: St. Louis Building Trades PAC CITY / STATE: 2300 Hampton Ave. EMPLOYER: St Louis MO 63139 ☑ COMMITTEE:	2/7/2025 $ 250.00	$ 250.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: CITY / STATE: EMPLOYER: ☐ COMMITTEE:	$	$ ☐ MONETARY ☐ IN-KIND

TOTAL: ITEMIZED CONTRIBUTIONS --

(CARRY TO ITEM 7 "SUBTOTAL: ITEMIZED CONTRIBUTIONS FROM ANY ATTACHED PAGES" ON FORM CD-1)

MISSOURI ETHICS COMMISSION
CONTRIBUTIONS RECEIVED - SUPPLEMENTAL

OFFICE USE ONLY

NAME OF COMMITTEE: Citizens For Steve Markus

DATE: 3/31/2025

INSTRUCTIONS

PURPOSE: The purpose of the Contributions Received supplement is to provide a printed outline for attaching additional pages to Form CD1 (Contributions Received). This form should be used as additional space for reporting persons contributing more than $100 and for committee contributions. This form may be reproduced as needed.

Total all itemized contributions at the bottom of the page and carry to item 7 (Subtotal: Itemized Contributions From Any Attached Pages) on Form CD-1.

If further information is needed concerning reporting itemized expenditures, see Form CD-1 Instructions.

A. ITEMIZED CONTRIBUTIONS RECEIVED FROM COMMITTEES REGARDLESS OF THE AMOUNT, OR FROM PERSONS GIVING MORE THAN $100 TO A COMMITTEE. 3. NAME, ADDRESS AND OCCUPATION (LIST COMMITTEES FIRST)	4. DATE RECEIVED AGGREGATE TO DATE	5. AMOUNT RECEIVED (CHECK IF MONETARY OR IN-KIND)
NAME: ADDRESS: IUPAT PAC CITY / STATE: 7234 Parkway Dr. EMPLOYER: Hanover MD 21076 ☑ COMMITTEE:	3/5/2025 $ 500.00	$ 500.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Chuck Banks CITY / STATE: 1037 Wayne 204 EMPLOYER: Silva MO 63964 ☐ COMMITTEE: retired	3/16/2025 $ 250.00	$ 250.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Lisa Boyer CITY / STATE: 7533 finesTowne Pointe Ct. EMPLOYER: St Louis MO 63129 ☐ COMMITTEE: retired	3/16/2025 $ 250.00	$ 250.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Steve Stoll CITY / STATE: 716 Richard Ave. EMPLOYER: Festus MO 63028 ☐ COMMITTEE: retired	3/12/2025 $ 100.00	$ 100.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Allison Sweeney CITY / STATE: 7124 Lanham Ave. EMPLOYER: St Louis MO 63143 ☐ COMMITTEE: sel employed -- attorney	3/13/2025 $ 1,000.00	$ 1,000.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Chuck DeMoulin CITY / STATE: 6456 Hickory Hilltop Rd. EMPLOYER: imperial MO 63905 ☐ COMMITTEE: Local 1 IBEW -- Bus. Rep	3/6/2025 $ 100.00	$ 100.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: George Vaughn CITY / STATE: 1267 Riesling Ln. EMPLOYER: Pevely MO 63070 ☐ COMMITTEE: retired	3/23/2025 $ 250.00	$ 250.00 ☑ MONETARY ☐ IN-KIND
NAME: ADDRESS: Insulators Local 1 PAC CITY / STATE: 3325 Hollenberg Dr. EMPLOYER: Bridgeton MO 63044 ☑ COMMITTEE:	3/18/2025 $ 250.00	$ 250.00 ☑ MONETARY ☐ IN-KIND

TOTAL: ITEMIZED CONTRIBUTIONS --

(CARRY TO ITEM 7 "SUBTOTAL: ITEMIZED CONTRIBUTIONS FROM ANY ATTACHED PAGES" ON FORM CD-1)

Not an Official Court Document