



March 9, 2022

TRANSMITTED VIA E-MAIL

Columbia City Council
701 E. Broadway
Columbia, MO 65201

As you are aware, an initiative petition involving the repeal of prohibition on residential refuse and recycling roll carts and automated refuse collection vehicles was submitted on February 7, 2022. Per Section 130 of the Charter of the City of Columbia, Missouri, the city clerk shall determine whether each paper of the petition is signed by a sufficient number of registered voters, and shall certify the result thereof at the next regular meeting. Per Section 127 of the Charter of the City of Columbia, Missouri, the petition shall be signed by at least twenty (20) percent of the number of votes cast for council member-at-large at the last regular municipal election. At the last municipal election for the council member-at-large, 16,091 votes were cast, and thus, a valid initiative petition would require the signatures of a minimum of 3,219 City of Columbia registered voters.

I have reviewed the initiative petition and find it has been signed by the sufficient number of City of Columbia registered voters. Enclosed is the certification, which has been labeled Exhibit A. Also enclosed is a breakdown of the signature count and its supporting documentation (Exhibit B), a copy of the portion of the Charter of the City of Columbia, Missouri, referring to initiative petitions (Exhibit C), and a copy of one of the petition pages (Exhibit D).

The point of contact for the petition, Rachel Proffitt, has been notified and enclosed is that letter (Exhibit E). Note, per Section 132 of the Charter of the City of Columbia, Missouri, the council shall proceed at once to consider the proposed ordinance, taking final action thereon not later than thirty (30) days after certification. If council fails to pass an ordinance in the form proposed by the initiative petition, such ordinance shall be submitted without alteration to the voters of the city at the next election provided for by state law which is consistent with applicable notice provisions and available for municipal elections purposes.

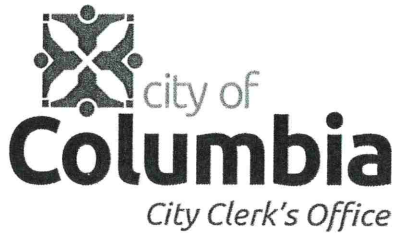
Please feel free to contact me if you have any questions.

Sincerely,

Sheela Amin
City Clerk

Enclosures

cc: De'Carlton Seewood, City Manager
Nancy Thompson, City Counselor



CERTIFICATION RE: INITIATIVE PETITION – REPEAL OF PROHIBITION ON RESIDENTIAL REFUSE AND RECYCLING ROLL CARTS AND AUTOMATED REFUSE COLLECTION VEHICLES

Per Section 130 of the Charter of the City of Columbia, Missouri, I, Sheela Amin, City Clerk in and for the City of Columbia, County of Boone, State of Missouri, hereby certify today, March 9, 2022, that the initiative petition involving the repeal of the prohibition on residential refuse and recycling roll carts and automated refuse collection vehicles has been signed by a sufficient number of registered voters, as it has been signed by 3,244 City of Columbia registered voters.

The required number of City of Columbia registered voter signatures needed is equal in number to at least 20 percent of the number of votes cast for the council member-at-large at the last regular municipal election, which by my calculation comes to 3,219 signatures (16,091 x 20%).

This certification does not waive any rights or obligations the City may have, on behalf of itself or others, to claim or declare deficiencies in the form, content or subject matter of the petition.

Given under my hand and seal of said City this 9th day of March, 2022.



Sheela Amin
City Clerk
City of Columbia, Missouri

Supporting documentation in calculating the final signature count for the Initiative Petition – Repeal of Prohibition on Residential Refuse and Recycling Roll Carts and Automated Refuse Collection Vehicles

City of Columbia Voters:

3260 (signatures of voters within the City of Columbia, County of Boone, State of Missouri – as indicated on the Boone County Clerk certification)

- 120 (duplicates that had not been accounted for in the Boone County Clerk certification)

3140 (signatures of voters within the City of Columbia, County of Boone, State of Missouri – as indicated on the Boone County Clerk certification and revised by the City Clerk’s Office)

104 (signatures of voters in Boone County at an address on the petition in the City of Columbia, whose address on the petition is different from the address on the voter registration record– as indicated on the Boone County Clerk certification)

104 (signatures of voters in Boone County at an address on the petition in the City of Columbia, whose address on the petition is different from the address on the voter registration record – as indicated on the Boone County Clerk certification)

3244 (total signatures of City of Columbia voters – [3140 (above) + 104 (above) = 3486 (total)])

Other:

307 (signatures of persons not registered to vote in Boone County – as indicated on the Boone County Clerk certification)

6 (signatures that are duplicates of previously signed petition pages – as indicated on the Boone County Clerk’s certification)



BRIANNA L. LENNON
BOONE COUNTY CLERK
801 E. WALNUT ST, ROOM 236
COLUMBIA, MISSOURI 65201
TELEPHONE (573) 886-4295
FAX (573) 886-4300

February 22, 2022

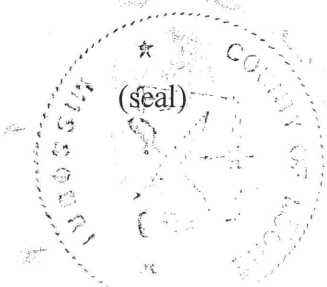
I, Brianna L. Lennon, County Clerk in and for the County of Boone, State of Missouri, hereby certify that the enclosed petition for submission of initiative measure to the voters of the City of Columbia, Missouri, "Repeal of Prohibition on Residential Refuse and Recycling Roll Carts and Automated Refuse Collection Vehicles," contains the following:

1. Three thousand two hundred sixty (3260) people that signed the petition as qualified voters residing within the City of Columbia, County of Boone, State of Missouri;
2. One hundred four (104) people that signed the petition as voters in Boone County at an address in the City of Columbia whose address on the petition is different from the address on the voter registration record. The voters would be qualified to vote in the City of Columbia if the voter updates the voter registration address to the address on the petition;
3. Three hundred seven (307) people that signed the petition and were not registered in the city of Columbia; and,
4. Six (6) people that signed the petition that are identified as duplicate signatures. Please note that the current signature checking process does not have an automatic check for duplicate voters so the city may wish to conduct its own check for duplicate signatures.

Given under my hand and seal of said County this 22nd day of February, 2022 at my office in Columbia, Missouri.

A handwritten signature in black ink, appearing to read "Brianna L. Lennon", is written over a horizontal line.

Brianna L. Lennon
Boone County Clerk



ARTICLE XVII. INITIATIVE, REFERENDUM AND RECALL

Section 127. Initiative.

The voters shall have power to propose any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, and to adopt or reject the same at the polls, such power being known as the initiative. Any initiated ordinance may be submitted to the council by a petition signed by registered voters of the city equal in number to at least twenty (20) per cent of the number of votes cast for council member-at-large at the last regular municipal election, provided, that there be not less than four hundred (400) signatures.

(Ord. No. 15113, § 1, 1-16-97; Ord. No. 20531, § 1, 4-6-10)

Section 128. Referendum.

The voters shall have power to approve or reject at the polls any ordinance passed by the council, or submitted by the council to the voters, excepting emergency ordinances as provided for in Section 15 of this charter, ordinances for the levying of taxes, or for the issuance of special tax bills, as provided in this charter, such power being known as the referendum. Ordinances submitted to the council by initiative petition and passed by the council shall be subject to the referendum in the same manner as other ordinances. Within twenty (20) days after the enactment by the council of any ordinance which is subject to referendum, a petition signed by registered voters of the city equal in number to at least twenty-five (25) per cent of the number of votes cast for council member-at-large at the last municipal election may be filed with the city clerk, requesting that such ordinance be either repealed or submitted to the voters; provided, however, that the number of signatures in such case be not less than five hundred (500).

(Ord. No. 15113, § 1, 1-16-97; Ord. No. 20531, § 1, 4-6-10)

Section 129. Petitions.

All petition papers comprising an initiative or referendum petition shall be assembled and filed with the City Clerk as one instrument. Every petition paper shall contain the full text of the measure proposed or referred, but the signatures to the petition need not all be appended to one paper. In order for a signature to be valid, it must be accompanied by the following information, legibly written: the name of petitioner, the address of petitioner, and the date petitioner signed the petition. The circulator of each such paper shall make oath before an officer competent to administer oaths that the circulator believes each signature appended to the petition to be the genuine signature of the person whose name it purports to be, that the circulator believes each such signer to be a legal voter, and that all signatures were affixed in the presence of the circulator.

(Ord. No. 15113, § 1, 1-16-97; Ord. No. 20531, § 1, 4-6-10)

Section 130. Filing and Certification of Petitions.

Within thirty (30) days after a petition is filed, the city clerk shall determine whether each paper of the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of registered voters. After completing examination of the petition, the city clerk shall certify the result thereof to the council at its next regular meeting. If the clerk shall certify that the petition is insufficient, the clerk shall set forth in the certificate the particulars in which it is defective and shall at once notify the person filing the petition of the insufficiency.

(Ord. No. 15113, § 1, 1-16-97; Ord. No. 20531, § 1, 4-6-10)

Section 131. Amended Petitions.

An initiative or referendum petition may be amended at any time within fourteen (14) days after the notification of insufficiency by filing a supplementary petition upon additional papers executed and filed as provided in case of an original petition. The city clerk shall, within thirty (30) days after such an amendment is filed, make examination of the amended petition; if the petition is still insufficient, the clerk shall file a certificate to that effect in the clerk's office and notify the person filing the petition of the clerk's findings, and no further action shall be had on such insufficient petition. A finding of insufficiency in a petition shall not prevent the filing of a new petition for the same purpose.

(Ord. No. 15113, § 1, 1-16-97; Ord. No. 20531, § 1, 4-6-10)

Section 132. Effect of an Initiative Petition.

When an initiative petition has been certified as sufficient, the council shall proceed at once to consider the proposed ordinance, taking final action thereon not later than thirty (30) days after certification.

If the council shall fail to pass an ordinance in the form proposed by the initiative petition, such ordinance shall be submitted without alteration to the voters of the city at the next election provided for by state law which is consistent with applicable notice provisions and available for municipal elections purposes. The enacting clause of such ordinance shall be: "Be it ordained by the people of the City of Columbia."

(Passed by election, April 7, 1981; Ord. No. 20531, § 1, 4-6-10)

Section 133. Effect of a Referendum Petition.

When a referendum petition has been certified as sufficient, the ordinance specified in the petition shall not become effective, or, if it shall have gone into effect, further action thereunder shall be suspended until the ordinance referred has been approved by the voters as hereinafter provided. The council shall proceed forthwith to reconsider the referred ordinance, and its final vote upon such reconsideration shall be taken within thirty (30) days after certification and shall be upon the question: "Shall the ordinance specified in the referendum petition be repealed?"

If the council shall fail to repeal an ordinance specified in any referendum petition, such repeal ordinance shall be submitted without alteration to the voters of the city at the next election provided for by state law which is consistent with applicable notice provisions and available for municipal elections purposes.

(Passed 11-4-80 election; Ord. No. 20531, § 1, 4-6-10)

Section 134. Voting.

Ordinances submitted to the voters in accordance with the initiative referendum provisions of this charter shall be submitted by ballot title, which shall be prepared by the city counselor. The ballot title shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of such ordinance. The ballot used in voting upon any ordinance, if a paper ballot, shall have below the ballot title the following: "For the Ordinance" and "Against the Ordinance." Immediately at the left of each proposition there shall be a square in which by making a cross (X) the voter may vote for or against the ordinance. Any number of ordinances may be voted on at the same election and may be submitted on the same ballot, but any paper used for voting on ordinances shall be for that purpose only.

(Ord. No. 20531, § 1, 4-6-10)

Section 135. Effect of Vote.

If a majority of the voters voting on a proposed initiative ordinance or referred ordinance shall vote in favor thereof, it shall thereupon be an ordinance of the city, and shall, unless otherwise specified, become effective as indicated in Section 15 of this charter. No such ordinance shall be amended or repealed for six (6) months, except by unanimous vote of the council. A referred ordinance which is not approved by a majority of the voters voting thereon shall thereupon be deemed repealed. If conflicting ordinances are approved by the voters at the same election, the one receiving the greatest number of affirmative votes shall prevail. No election under the initiative or referendum procedure shall be set aside because of any defect in the petitions.

(Ord. No. 20531, § 1, 4-6-10)

...

Section 141. Conduct of Initiative, Referendum and Recall Elections.

Notice of initiative, referendum and recall elections shall be given and publicized, and such elections shall be conducted, the returns canvassed, and the results thereof declared in all respects as are other city elections.

PETITION FOR SUBMISSION OF INITIATIVE MEASURE TO THE VOTERS OF THE CITY OF COLUMBIA, MISSOURI
 Repeal of Prohibition on Residential Refuse and Recycling Roll Carts
 and Automated Refuse Collection Vehicles

To the City Council of the City of Columbia, Missouri: We, the undersigned registered voters of the city, pursuant to the City Charter, do hereby present to the City Council the following proposed ordinance and request such ordinance be adopted by the council or submitted to the voters of the city at the next election provided for by state law.

A REPEAL OF SECTIONS 22-159(F), 22-159(G), 22-159.1(D) AND 22-159.1(E) OF THE CITY CODE PROHIBITING THE USE OF RESIDENTIAL ROLL CARTS AND AUTOMATED REFUSE COLLECTION VEHICLES FOR ROLL CARTS.

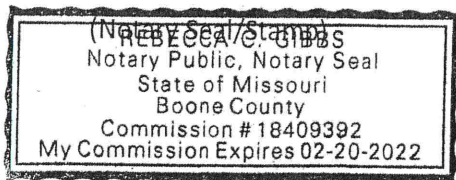
[See reverse side for complete text of ordinance proposed to be adopted by initiative]

	Date	Printed Name (must be legible)	Registered Voting Address (Street Address)	Zip Code	Signature
1	1/23/21	Samantha Shea Lemons	6600 ANNISULA Ln COLUMBIA, MO	65203	<i>Samantha Shea Lemons</i>
2	1/22/21	DAN LEMONS	6666 CHARISSA LN COLUMBIA MO	65207	<i>Dan Lemons</i>
3	1-31-21	Jamie Shutter	461 Bandon Dunes Ct Columbia MO	65201	<i>Jamie Shutter</i>
4	1/31/21	Jay Shutter	461 Bandon Dunes Ct. Columbia	65201	<i>Jay Shutter</i>
5	1/31/21	Jennifer James	406 W Southhampton Dr.	65263	<i>Jennifer James</i>
6	2/1/21	CAITLIN ROSBACH	108 MIRAMAR LN COLUMBIA	65203	<i>Caitlin Rosbach</i>
7	2/02/21	Kelson Rosbach	108 Miramar Columbia	65203	<i>Kelson Rosbach</i>
8	2/2/21	Kristina Lewis	1211 Again St Columbia 65203	65203	<i>Kristina Lewis</i>
9	2/2/21	Josh Lind	1601 Labrador Dr Columbia MO	65203	<i>Josh Lind</i>
10	2/2/21	Candace Madison	1205 University Ave Apt 417 Columbia MO	65201	<i>Candace Madison</i>

Statement of Circulator: I, Rachel Proffitt (Printed name of circulator) being first duly sworn, state that all of the above signatures were affixed in my presence and to the best of my knowledge and belief each signature is the genuine signature of the person whose name it purports to be and I believe each signer to be a legal voter of the City of Columbia, Missouri.

Signature of Circulator *Rachel Proffitt* Address of Circulator 601 Rose Lane Columbia, MO 65203

Subscribed and sworn to before me this 20 day of August, 2021



Signature of Notary *[Signature]*

PETITION FOR SUBMISSION OF INITIATIVE MEASURE TO THE VOTERS OF THE CITY OF COLUMBIA, MISSOURI
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BE IT ORDAINED BY THE PEOPLE OF THE CITY OF COLUMBIA:

SECTION 1. Sections 22-159(f), 22-159(g), 22-159.1(d) and 22-159.1(e) of the city code prohibiting the use of residential roll carts and automated refuse collection vehicles for roll carts are hereby repealed [EXPLANATION: deleted matter shown as struck through]:

Sec. 22-159. - Residential customers.

- ...
- (f) ~~Roll carts prohibited.~~ Except as otherwise provided herein for centralized containers set for grouped residential units, the purchase of roll carts for residential refuse collection is hereby prohibited. There shall be no requirement for the use of residential roll carts for residential refuse collection from customers within the city. No roll carts shall be purchased or required for residential customers.
- (g) ~~No automated refuse collection vehicles for roll carts.~~ The purchase of new (or modification of existing) refuse collection vehicles designed or made for automated residential roll cart pick up for residential refuse customers within the city is hereby prohibited.
- ...

Sec. 22-159.1. - Residential recycling program.

- ...
- (d) ~~No roll carts.~~ Except as otherwise provided herein for centralized containers set for grouped residential units, the purchase of roll carts for residential recycling collection is hereby prohibited. There shall be no requirement for the use of residential roll carts for residential recycling collection from customers within the city. No roll carts shall be purchased or required for residential recycling customers.
- (e) ~~No automated refuse collection vehicles for roll carts.~~ The purchase of new (or modification of existing) refuse collection vehicles designed or made for automated residential roll cart pick up for residential recycling customers within the city is hereby prohibited.
- ...

SECTION 2. Effective Date. This ordinance shall be effective immediately upon passage by the city council or approval of a majority of the voters voting thereon at a special election called for such purpose.





March 9, 2022

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Columbia City Council
701 E. Broadway
Columbia, MO 65201

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Please feel free to contact me if you have any questions.

Sincerely,

Sheela Amin
City Clerk

Enclosures

cc: De'Carlton Seewood, City Manager
Nancy Thompson, City Counselor