City of Columbia

701 East Broadway, Columbia, Missouri 65201

Agenda Item Number: Supplemental Information B 20-15
Department Source: City Clerk
To: City Council
From: City Manager & Staff
Council Meeting Date: 1/20/2015
Re: Supplemental Memo - B20-15 - Staff recommends withdrawal of this proposed ordinance.

Documents Included With This Agenda Item

Supplemental Council Memo, Supporting Documents for Amendment Sheet
Supporting documentation includes: Resignation Letter from Ginny Chadwick

Executive Summary

Staff recommends withdrawal of this proposed ordinance calling for a special election to consider the recall of Ginny Chadwick since Ms. Chadwick resigned her position as the Ward 1 Council Member as of Tuesday, January 6, 2015.

Discussion

Ginny Chadwick, the Ward 1 Council Member, resigned her position as Ward 1 Council Member effective 12:00 noon on Tuesday, January 6, and notified the Council of her resignation by letter on Monday, January 5. As a result, there is no longer a need to hold a special election to consider recalling Ms. Chadwick.

In addition, the Council adopted R13-15 on January 5, 2015, which called for a special election on April 7, 2015 to elect a Council Member for Ward 1 to fill the remainder of this unexpired term.

Fiscal Impact

Short-Term Impact: None since this election is no longer required.
Long-Term Impact: None since this election is no longer required.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable
Strategic Plan Impact: Not Applicable
Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Approve a motion to withdraw B20-15.

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Legislative History

REP1-15 - Certification of Petition to Recall First Ward Council Member Viginia "Ginny" Chadwick.

R13-15 - Resolution calling a special election to be held in Ward 1 on Tuesday, April 7, 2015 to elect a Council Member for Ward 1 to fill remainder of the unexpired term - Adopted by Council on January 5, 2015.

Department Approved

City Manager Approved

City of Columbia
701 East Broadway, Columbia, Missouri 65201

SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Resignation Letter from Ginny Chadwick

January 5, 2015

Dr. Bob McDavid, Mayor
Council Members Mike Trapp, Karl Skala, Ian Thomas, Laura Nauser and Barbara Hoppe
Mr. Mike Matthes, City Manager
City of Columbia
701 E Broadway
Columbia MO 65201

Re: First Ward Resignation

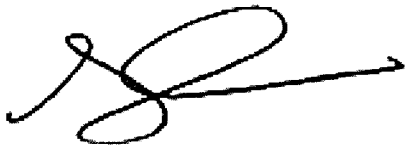
Dear Mayor, Fellow Council Members and City Manager,

With a great deal of contemplation I submit my resignation as the First Ward Council Member for the City of Columbia, Missouri effective noon January 6, 2015.

With the pending recall election and a potential change in my professional career I believe it is in the best interest of all involved that I step down as a council member at this time.

It has been an honor and privilege to serve the City of Columbia. I have truly enjoyed working with each of you and with the City's excellent staff.

With fond regards,



Ginny Chadwick
First Ward Council Member

Cc: Sheela Amin, City Clerk; Nancy Thompson, City Counselor

City of Columbia

701 East Broadway, Columbia, Missouri 65201

Agenda Item Number: B 20-15
Department Source: Law
To: City Council
From: City Manager & Staff
Council Meeting Date: January 5, 2015
Re: Calling a Special Election Relating to the Recall of Council Member Chadwick

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance
Supporting documentation includes: Petition to Recall Council Member Chadwick (page 1); City Clerk's Certification dated December 30, 2014

Executive Summary

On December 30, 2014, the city clerk certified the petition to recall Council Member Chadwick contained a sufficient number of valid signatures of registered voters in the First Ward (certification attached) for a recall under the City Charter.

Discussion

Pamela Cooper filed a petition with the city clerk on December 8, 2014, demanding the recall of First Ward Council Member Chadwick. Following an extensive review of the signatures presented, the city clerk certified the recall petition had been signed by a sufficient number of registered voters within the First Ward (see attached certification dated December 30, 2014) to qualify for submission to the voters. Pursuant to Section 137 of the City Charter, the election on such recall is to be held at the next available municipal election which is consistent with applicable notice provisions set forth in state law. The final certification date for ballot issues to be provided to the county clerk for the April 7, 2015 municipal election day is January 27, 2015. Accordingly, an ordinance has been prepared to call for a special election to be held in the First Ward of the City of Columbia, Missouri on April 7, 2015 to consider the recall of Council Member Chadwick.

Section 139 of the City Charter provides that in the event a majority of persons who vote in the recall election vote in favor of the recall, a vacancy in the office shall exist and the vacancy shall be filled as provided in Section 9 of the Charter. Section 9 would require a special election to fill the vacancy. In such event, the council would order the special election by resolution at its April 20, 2015 meeting and at such time, the timeframe for submission of nominating petitions to fill the vacancy would be established to meet filing deadlines for the August 4, 2015 election date.

In the alternative, if a majority of persons vote against the recall, the council member remains in office and no further action will be taken.

City of Columbia

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Fiscal Impact

Short-Term Impact: Because the City will already be paying for a portion of the April election, the extra cost of placing this issue on the ballot would be minimal.

Long-Term Impact: Not applicable.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable
Strategic Plan Impact: Not Applicable
Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Passage of the ordinance.

Legislative History

None.

Department Approved

City Manager Approved

Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. _____B 20-15_____

AN ORDINANCE

calling a special election in the First Ward of the City of Columbia, Missouri, to be held on Tuesday, April 7, 2015, to consider the recall of Council member Ginny Chadwick; describing the form of the notice of election; authorizing and directing the City Clerk to give notice of the election; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. A special election is hereby ordered to be held in the First Ward in the City of Columbia, Missouri, on Tuesday, April 7, 2015, on the following question:

PROPOSITION 3

Shall Council member Ginny Chadwick be removed from office?

YES ☐

NO ☐

SECTION 2. The form of the Notice of Special Election shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof.

SECTION 3. The City Clerk is hereby authorized and directed to notify the Clerk of the County Commission of Boone County, Missouri, of the passage of this ordinance no later than 5:00 o'clock p.m. on January 27, 2015, and to include in the notification all of the terms and provisions required by Chapter 115, RSMo. as amended.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2015.

ATTEST:

_____	_____
City Clerk	Mayor and Presiding Officer

APPROVED AS TO FORM:

_____
City Counselor

Exhibit A

NOTICE OF SPECIAL ELECTION
City of Columbia, Missouri

Notice is hereby given to the qualified voters in the First Ward of the City of Columbia, Missouri, that the City Council of the City has called a special election to be held on Tuesday, April 7, 2015, commencing at six o'clock a.m. and closing at seven o'clock p.m., on the question contained in the following sample ballot:

OFFICIAL BALLOT
Special Election
City of Columbia, Missouri
Tuesday, April 7, 2015

PROPOSITION 3

Shall Council member Ginny Chadwick be removed from office?

YES ☐

NO ☐

Voters in favor of the recall, place an "X" in the box opposite "Yes."

Voters opposed to the recall, place an "X" in the box opposite "No."

The election will be held at the following polling places in the First Ward of the City:

[polling places to be added by election authority]

Dated this _____ day of _____, 2015.

Wendy Noren
Clerk of the County Commission

City of Columbia
701 East Broadway, Columbia, Missouri 65201

SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Petition to Recall Council Member Chadwick (page 1);
City Clerk's Certification dated December 30, 2014

(1)

PETITION TO RECALL FIRST WARD COUNCIL MEMBER VIRGINIA "GINNY" CHADWICK

First Ward Council member Ginny Chadwick has betrayed the trust of her constituents in many ways, including the following:

- Ms. Chadwick advocated for inappropriate downtown high-density housing developments that will exacerbate the City's sewer problems and lead to more manhole overflows and basement backups.
- Ms. Chadwick broke her campaign promise to support decriminalization of marijuana cultivation.
- Ms. Chadwick proposed a targeted ban on consumption of alcohol in Douglass Park.
- Ms. Chadwick repeatedly stopped communicating with constituents who disagreed with her on any issues impacting the First Ward.

The residents of First Ward and the City of Columbia deserve better.

For these reasons, we, the undersigned petitioners and registered Columbia First Ward voters, consistent with Section 136 of the Charter of the City of Columbia, **demand that First Ward Council Member Virginia "Ginny" Chadwick be removed from office**.

	NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street)	ZIP CODE	NAME (Printed or Typed)
1.		10/30/14	202 Westwood Ave Col MO 65203	65203	ANDREW PLESTER
2.		10/30/14	407 N 8th St CoMo 65201	65201	Sarah Billington
3.		10/30/14	907 West Blvd. N	65203	Daniel Turney
4.		10/30/14	709 Lyon St, #6	65201	Andrew P Welch
5.		10/30/14	307 McBaine Ave.	65203	Paul Marek
6.		10/30/14	121 S. 10th St	65201	William O'Sullivan
7.		10/30/14	1614 Amelia St	65201	Kevin Martinez
8.		10/30/14	404 N. 10th St.	65201	Justin Winn
9.		10/30/14	404 N. 10th St	65201	JONATHAN PESNELL
10.		10/30/14	12 e worley Ave	65202	Wade Schaengaftn

I, EAPEN THAMPY, (Petition Circulator) being first duly sworn, say that the above listed persons signed this page of the recall petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri, County of Boone, City of Columbia, Ward 1.

Signature of Circulator

1005 Coats St, Columbia, MO, 65201
Address of Circulator

Subscribed and sworn to before me this 30 day of November, A.D. 2014.

Notary Public (Seal)

Signature of Notary

My commission Expires:
1/18/16

AARON MALIN
Notary Public - Notary Seal
State of Missouri
Commissioned for Boone County
My Commission Expires: January 18, 2016
Commission Number: 12293857

CITY OF COLUMBIA, MISSOURI

OFFICE OF CITY CLERK

CERTIFICATION RE: PETITION TO RECALL FIRST WARD COUNCIL MEMBER VIRGINIA "GINNY" CHADWICK

Per Sections 136 and 137 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, December 30, 2014, that the recall petition entitled *Petition to Recall First Ward Council Member Virginia "Ginny" Chadwick* has been signed by a sufficient number of registered voters as it has been signed by 319 City of Columbia registered voters.

The required number of First Ward - City of Columbia registered voter signatures needed was equal in number to at least 30 percent of the number of votes cast at the last municipal election for first ward council member, which by my calculation comes to 249 signatures (827 x 30%).

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 30th day of December, 2014.

(seal)

Sheela Amin
City Clerk
City of Columbia, Missouri

701 E. BROADWAY • P.O. BOX 6015 • COLUMBIA, MISSOURI 65205-6015
(573) 874-7208 • FAX (573) 442-8828 • WWW.GOCOLUMBIAMO.COM