

BILL NO. 19-031
ORDINANCE NO. 19014

AN ORDINANCE PROHIBITING THE CITY FROM INSTALLING ADVANCED METERING INFRASTRUCTURE (AMI), ENTERING INTO A CONTRACT FOR THE PURPOSES OF INSTALLING AMI AND VOIDING ANY CONTRACTS ENTERED INTO AS A RESULT OF THE APPROVAL OF NON-ORDINANCE ACTION ITEM NO. 2 APPROVED ON APRIL 1, 2019.

WHEREAS, the City approved Non-Ordinance Action Item No. 2 at the April 1, 2019 City Council Meeting; and,

WHEREAS, on April 5, 2019, The City Clerk received an Initiative Petition, to allow the voters to decide whether the city should move forward with Advanced Metering Infrastructure; and,

WHEREAS, on April 8, 2019, the Council approved a motion to postpone entering into a contract until the initiative petition process had concluded. On April 15, 2019, Resolution No. 6427 was approved to delay the execution of a contract for Advanced Metering Infrastructure until the initiative petition process was concluded; and,

WHEREAS, on May 6, 2019, The City Clerk received 650 pages for the initiative petition, and these petitions were turned into the Jackson County Election Board; and,

WHEREAS, on May 9, 2019 the City Clerk received confirmation from the Jackson County Election Board that 5,035 registered qualified voters signed the petition; and,

WHEREAS, per the City Charter Article 7.6 stated that within thirty (30) days after receiving notification from the city clerk that an initiative or referendum petition is sufficient, the council shall pass the initiated ordinance as proposed by the initiative petition or pass an ordinance repealing the ordinance sought to be referred, as the case may be; or shall submit the initiated ordinance or the ordinance sought to be referred to the registered qualified voters of the city at an election which shall be held not less than thirty (30) days and not more than ninety (90) days after receiving such notification from the city clerk; and,

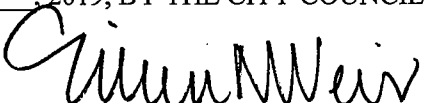
WHEREAS, it is the desire of the City Council to pass the initiated ordinance as proposed by the initiative petition *"The City of Independence including the Mayor, City Council, City Manager, City Employees, and or anyone on their behalf shall be prohibited from installing AMI, also known as Smart meters at any location within the city limits of Independence or on any customer of municipally owned utility known as Independence Power and Light, and shall be prohibited from entering into a contract with any entity for the purposes of installing AMI, also known as Smart meters at any location within the city limits of Independence or on any customer of municipally owned utility known as Independence Power and Light. Furthermore, Non-ordinance action Item number 2, defeated on 03-18-2019, and passed by city council on 04/01/2019 authorizing "Council action is requested to authorize the City Manager to enter into a contract with Core & Main for Advanced Metering Infrastructure (AMI) for the Water, Water Pollution Control, and Power & Light Departments", shall be voided and any contracts entered as a result of non-ordinance action item number 2 shall be canceled."*

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City is prohibited from installing advanced metering infrastructure (AMI), entering into a contract for the purposes of installing AMI and voiding any contracts entered into as a result of the approval of Non-Ordinance Action Item No. 2 approved on April 1, 2019.

SECTION 2. That the ordinance amending or repealing an initiated ordinance thus adopted may not be enacted by the council within one (1) year after the approval of the ordinance except by unanimous vote of the council.

PASSED THIS 3rd DAY OF June, 2019, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.



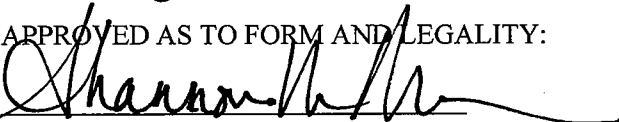
Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:



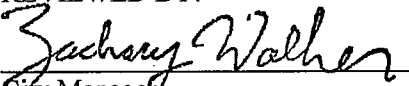
City Clerk

APPROVED AS TO FORM AND LEGALITY:



City Counselor

REVIEWED BY:



City Manager