

ORDINANCE NO. 5080

TITLE: AN ORDINANCE PROVIDING FOR THE CALLING OF A SPECIAL ELECTION ON NOVEMBER 16, 1993, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF ALBANY, THE QUESTION OF "SHALL EUGENE BELHUMEUR, MAYOR OF THE CITY OF ALBANY, BE RECALLED?," AND DECLARING AN EMERGENCY.

WHEREAS, on July 7, 1993, the citizens for a better Albany P.A.C submitted a prospective petition for the purpose of gathering signatures sufficient to satisfy the requirements of the Oregon Constitution, Article II, Section 18, and

WHEREAS, on October 8, 1993, the City of Albany Election's Officer received for filing, from both Linn County and Benton County, certified signatures sufficient to satisfy the requirements of the Oregon Constitution, Article II, Section 18, and call an election, and

WHEREAS, Article II, Section 18, of the Oregon Constitution provides that if a public officer does not resign within five days after the petition is filed, that a special election be held within 35 days thereafter.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Date of Election. The question set forth in Section 2 of this ordinance shall be submitted in the manner prescribed herein to the legal voters residing within the city of Albany, in an election to be held on November 16, 1993.

Section 2: Form of Question. At the election there shall be submitted to the legal voters of the city of Albany the following:

"Shall Eugene Belhumeur, Mayor of the city of Albany, be recalled?"

Section 3: Designation of Polling Places, Poll Books and Judges. The polling places designated by the County Clerks of Linn County and Benton County, Oregon, within each voting precinct located within the city of Albany, are hereby designated as the polling places for the special election. The poll books, designated for such purpose by the County Clerks of Linn County and Benton County, Oregon, for the voting precincts in the area described above, are hereby adopted as the poll books for the special election. The Judges and Clerks of the election appointed by the County Clerks of Linn County and Benton County, Oregon, for such purpose, are hereby designated as the Judges and Clerks of and for the special election.

Section 4: Hours of Election. The polls for the special election shall be opened at 7:00 a.m. and closed at 8:00 p.m. on the day of the election.

Section 5: Vote by Mail Election Permitted. Notwithstanding any of the foregoing, the County Clerks of Linn County and Benton County may, at their discretion, conduct the special election by mail in accordance with all applicable election laws.

Section 6: Notice of Election. Notice of the special election shall be given by the County Clerks and City Recorder as provided in the general election laws of the State of Oregon and Charter of the City of Albany.

Section 7: Ballot Form. The following is the form in which the question shall be printed on the official ballot.

"Shall Eugene Belhumeur, Mayor of the city of Albany, be recalled?"

Statement by recall proponents of reason for demanding recall:

Because of the majority consensus of the citizens of Albany, the following reasons warrant recall of Mayor

Eugene Belhumeur; 1) he has alienated members of the City Council and the business community by his actions; 2) he acts on his own agenda without a sense of accountability and does not listen to the desires of the majority of Albany residents; 3) he has demonstrated contempt for some City Councilors as well as creating disharmony between them; 4) he has publicly testified recommending passage of SB34--(a minority-status bill based on sexual orientation) and boycotted a meeting of city mayors in Springfield causing embarrassment to the city of Albany; and 5) his mayoral image has deteriorated, and loss of support has left the City without strong and effective leadership.

Therefore, the citizens of Albany have an opportunity to correct these situations by recalling Mayor Gene Belhumeur. Albany needs strong and effective leadership to bring the community together and restore pride to our All-American city.

Statement by Eugene Belhumeur of justification of his course in office:

Like you, I want city government to operate economically, with honesty, integrity, compassion and with creativity. I have questioned how city government operates and I have challenged some long standing policies, such as, one that allowed City Councilors to profit from contracts with the city. I have never been timid in suggesting new ways to do things.

I admit that I have not always been diplomatic or politically polished. I have angered some political insiders who are accustomed to getting their way in city hall and I have angered the Oregon Citizens Alliance. However, I was not elected by insiders or the OCA.

I was elected by 35% of the voters in a four way race. I believe that the people who elected me intended that I be an involved Mayor, not one who serves ceremoniously or in name only.

This recall effort may have less to do with my integrity and honesty, and more to do with those who have controlled Albany politics in the past.

Recall elections should be reserved for elected officials who are guilty of dishonesty or malfeasance in public office. I have been neither. Therefore, respectfully I state, I will not resign as Albany Mayor.

Section 8: Emergency Clause. Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.


Passed by Council: October 13, 1993

Approved by Mayor: October 13, 1993

Effective Date: October 13, 1993

  
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Mayor

ATTEST:

  
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Deputy City Recorder