

ORDINANCE NO. 4483

TITLE: An Ordinance providing for the calling of a special election in the City of Albany on May 18, 1982 for the purpose of submitting to the legal voters of the City of Albany, Oregon, a Charter Amendment designating the City Manager as Purchasing Agent subject to rules as enacted by the City Council and further amending the Charter providing the manner in which ordinances are introduced, read and passed and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Special Election Called.

The propositions set forth in Section 2 of this Ordinance shall be submitted in the manner prescribed in this Ordinance to the legal voters of the City of Albany, Oregon, a special election to be held on the 18th day of May, 1982. There is a state-wide primary election being held in the State of Oregon and in the City of Albany and as a part thereof on the 18th day of May, 1982, this special election is called to be held concurrently therewith.

Section 2. Propositions to be Voted.

At the election there shall be submitted to the legal voters of the City of Albany for their approval or rejection the following propositions:

Proposition 1. Shall the Charter of the City of Albany be amended as to Section 22(C) (4) to read as follows:

"The powers and duties of the City Manager are as follows: He shall act as purchasing agent for all departments of the City. All purchases shall be made pursuant to those requirements and regulations as shall be set forth in Ordinance adopted by the City Council."

Proposition 2. Shall Section 38 of the Charter of the City of Albany be amended to read as follows:

"(1) Except as subsection (3) of this section provides for reading by title only and except as subsection (2) of this section provides for immediate adoption of emergency measures, an ordinance, before being adopted, shall be fully and distinctly read in open council meeting on two (2) days.

(2) Except as subsection (3) of this section provides for reading by title only, an ordinance necessary to meet an emergency may, upon being read in full and then by title, be adopted at a single meeting of the council by a unanimous vote of all councillors present.

(3) A reading of any ordinance for purposes of adoption may be by title only--

- a. If no councillor present at the meeting requests that the ordinance be read in full, or,
- b. If for one week prior to the reading a copy of the ordinance is provided to each councillor, and copies are available for public inspection at the office of the City Manager during regular office hours, and notice of their availability is posted at the City Hall or published once in a newspaper of general circulation in the City.

Section 3. Designation of Polling Places, Poll Books and Judges.

The regular polling places designated by the County Clerk of Linn County, Oregon, and Benton County, Oregon, in each voting precinct in the City of Albany are hereby designated as the polling places for the special city election. The poll books adopted by the County Clerk of Linn County, Oregon, and Benton County, Oregon, as the poll books for the state-wide general election for the voting precincts in the City of Albany are hereby adopted as the poll books for the special city election. The judges and clerks of election appointed by the County Clerk of Linn County, Oregon, and Benton County, Oregon, to serve at the state-wide general election hereby are designated as the judges and clerks of and for the special city election.

Section 4. Hours of Election.

The polls for the special city election shall be open in each of the voting precincts at the same hour, and should be kept open until the same hour, as the polls are opened and closed for the state-wide general election that will be held on the same day.

Section 5. Notice of Election.

Notice of election shall be given by publication twice in a newspaper of general circulation in the City of Albany, Oregon, not more than twenty (20) days nor less than ten (10) days before the election. Notices of the election shall be posted for not less than twenty (20) days before the election in three (3) public places within the city. The notice in the newspaper and those posted in three (3) public places shall be in substantially the following form:

"NOTICE OF SPECIAL ELECTION

"On the 18th day of May, 1982, in the City of Albany, Linn County, Oregon, and Benton County, Oregon, from 8:00 a.m. to 8:00 p.m. a special election will be held at which the following measures will be submitted to the voters for their approval:

SHALL THE CHARTER OF THE CITY OF ALBANY be amended as to Section 22(C)(4) to read as follows:

"The powers and duties of the City Manager are as follows: He shall act as purchasing agent for all departments of the City. All purchases shall

be made pursuant to those requirements and regulations as shall be set forth in Ordinance adopted by the City Council."

SHALL SECTION 38 OF THE CHARTER OF THE CITY OF ALBANY be amended to read as follows:

"(1) Except as subsection (3) of this section provides for reading by title only and except as subsection (2) of this section provides for immediate adoption of emergency measures, an ordinance, before being adopted, shall be fully and distinctly read in open council meeting on two (2) days.

(2) Except as subsection (3) of this section provides for reading by title only, an ordinance necessary to meet an emergency may, upon being read in full and then by title, be adopted at a single meeting of the council by a unanimous vote of all councillors present.

(3) A reading of any ordinance for purposes of adoption may be by title only--

- a. If no councillor present at the meeting requests that the ordinance be read in full, or,
- b. If for one week prior to the reading a copy of the ordinance is provided to each councillor, and copies are available for public inspection at the office of the City Manager during regular office hours, and notice of their availability is posted at the City Hall or published once in a newspaper of general circulation in the City."

WITNESS my hand and seal of the City of Albany this _____ day of _____, 1982.

Recorder"

The recorder shall advertise and post or cause to be posted the notice as required by this section. The notice of election required to be given by this ordinance shall constitute the only notice necessary and all ordinances and resolutions in conflict herewith shall not apply to the notices required to be give of this election.

Section 6. Ballot Form.

The following is the number and form in which the questions shall be printed on the official ballot.

"MEASURE NO. _____ VOTE YES OR NO. MARK AN
"X" IN THE SQUARE FOR THE ANSWER VOTED FOR.

Sponsored by the Initiative Petition and Referred
to the People by the City Council

Measure No.

SHALL THE CHARTER OF THE CITY OF ALBANY be amended
as to Section 22(C)(4) to read as follows:

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as follows: He shall act as purchasing agent for
all departments of the City. All purchases shall
be made pursuant to those requirements and regula-
tions as shall be set forth in Ordinance adopted
by the City Council."

YES

NO

Measure No.

SHALL SECTION 38 OF THE CHARTER OF THE CITY OF
ALBANY be amended to read as follows:

"(1) Except as subsection (3) of this section pro-
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- b. If for one week prior to the reading a
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councillor, and copies are available for
public inspection at the office of the

City Manager during regular office hours, and notice of their availability is posted at the City Hall or published once in a newspaper of general circulation in the City."

YES

NO

Section 7. Emergency Clause.

WHEREAS, it is in the betterment of the public health, interest, safety and general welfare of the citizens of the City of Albany that this matter be disposed of at the earliest possible moment, therefore, an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

PASSED BY THE COUNCIL: January 27, 1982

APPROVED BY THE MAYOR: January 27, 1982

EFFECTIVE DATE: January 27, 1982

Donald B. Brudwig
Mayor

ATTEST:

City Recorder
City Recorder

OFFICE OF SURVEYOR
LINN COUNTY, ALBANY, OREGON

June 20, 1978

EXHIBIT A

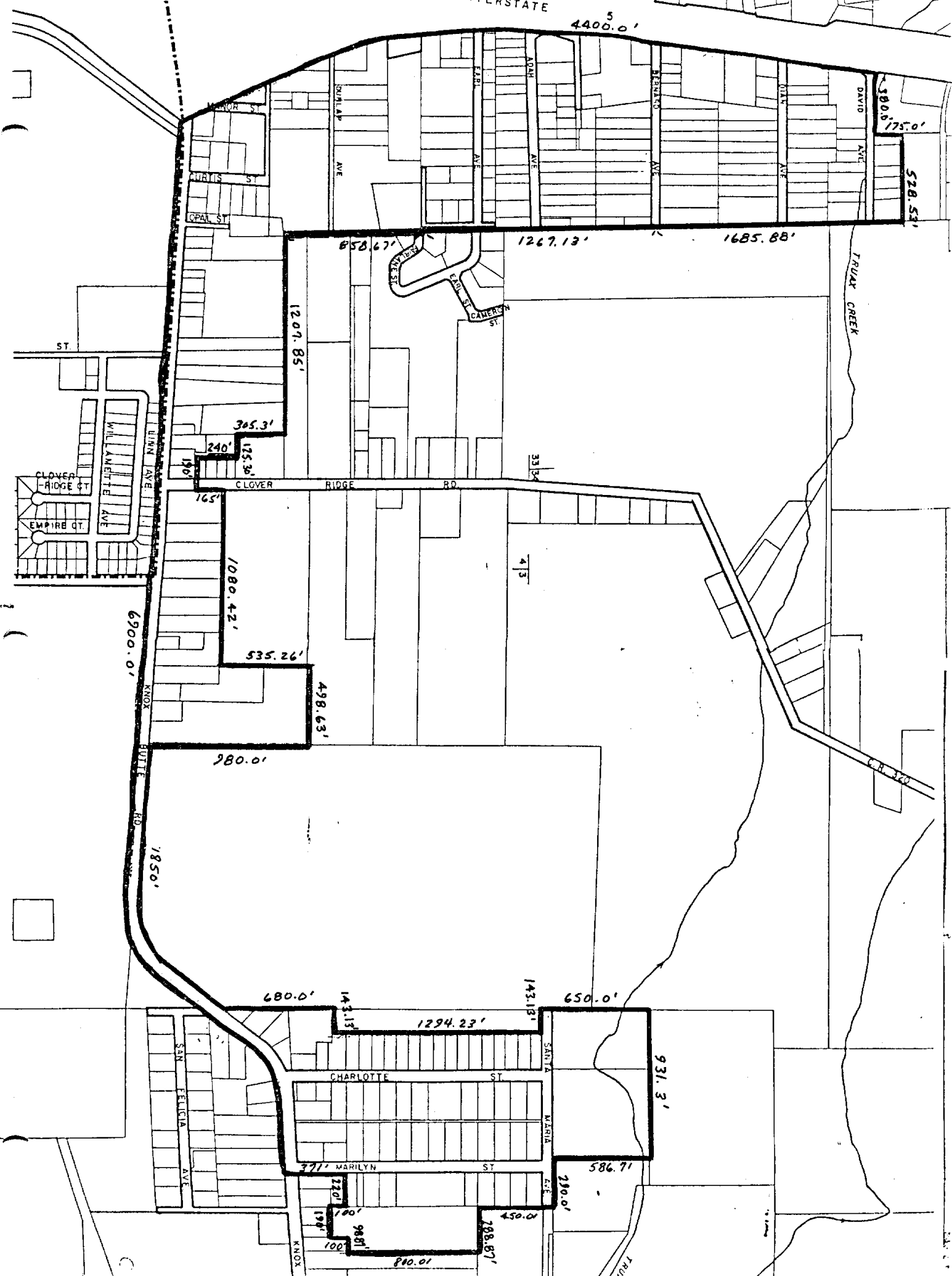
Draperville Area

Beginning on the West line of and South 775.7 feet from the Northwest corner of the Matthew C. Chambers D. L. C. No. 40 in Sec. 34, of T. 10 S., R. 3 W., Linn County, Oregon, and running thence East 931.3 feet; thence South 586.7 feet to the North line of Santa Maria Avenue; thence East to a point 50 feet North of the Northeast corner of Lot 1 of Block 3, First Addition to Draper Subdivision; thence South 450 feet to the Southeast corner of Lot 4 of said Block 3; thence East 288.87 feet; thence South 800 feet to the North line of Block 4; thence West 98.87 feet; thence South 100 feet; thence West 190 feet to the West line of said Block 4; thence North 100 feet to the Southeast corner of Lot 12 of Block 3 of First Addition to Draper Subdivision; thence West 220 feet to the Southwest corner of said Lot 12; thence South 371.5 feet to the South line of Knox Butte Road; thence Westerly along the South line of said Knox Butte Road 6900 feet, more or less, to the Easterly line of Century Drive; thence Northerly along the Easterly line of said Century Drive 4400 feet, more or less, to the North line of David Avenue and being the original North line of Tract 69 of Sudtell Acres in Sec. 33, T. 10 S., R. 2 W.; thence N.89°50'E. along said North line to a point 534.44 feet Westerly of the Northeast corner of said tract No. 69; thence North 175 feet; thence N.89°50'E. 528.53 feet to the West line of the Milton Houston D. L. C. No. 43; thence S.1°20'E. 1685.88 feet to the Southeast corner of the Exum Powell D. L. C. No. 44; thence Southerly along the East line of Sudtell Acres and the East line of Emery Tracts 1267.13 feet to the initial point of said Emery Tracts; thence S.89°39'E. 50.16 feet; thence S.0°06'W. 858.67 feet to a 1/2" iron pipe at the Northwest corner of that parcel conveyed to Alexander Johnson, et al, by deed recorded in Volume 249, page 470 of Linn County Deed Records, said Northwest corner being 1927.2 feet South and 3104.64 feet West of the Northeast corner of the Robert Houston D. L. C. No. 38; thence S.89°39'E. 1207.85 feet to a point 295.3 feet West of the centerline of Clover Ridge road; thence S.0°34'E. parallel to said centerline 305.30 feet; thence S.89°39'E. 125.3 feet to the Northwest corner of Tract 1 of Harvey Subdivision; thence South 240 feet to the Southwest corner of Tract 4 of said Subdivision; thence S.89°48'E. 190 feet to the East line of Clover Ridge road; thence North along said East line 165 feet, more or less, to a point 34.952 chains South of the North line of Robert Houston D. L. C. No. 38; thence S.89°39'E. 16.373 chains to the Southeast corner of that parcel conveyed to Robert E. Cory by deed recorded in Linn

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LINN COUNTY, ALBANY, OREGON

County Microfilm Records Volume 159, Page 329; thence N.0°05'E. 8.108 chains to the Northeast corner of said Cory parcel; thence S.89°39'E. 7.555 chains to the East line of Robert Houston D. L. C. No. 38; thence S.0°05'E. along said East line 980 feet, more or less, to the North line of Knox Butte Road; thence Easterly along the North line of said Knox Butte Road 1850 feet, more or less, to the West line of the Matthew Chambers D. L. C. No. 40; thence Northerly along said West line 680 feet, more or less, to the Southwest corner of Tract 17 of Second Addition to Draper's Subdivision; thence East 143.13 feet to the Southeast corner of said Tract 17; thence North 1294.23 feet to the Northeast corner of Tract 1 of said Second Addition to Draper's Subdivision; thence West 143.13 feet to the Northwest corner of said Tract 1; thence North to the place of beginning.

INTERSTATE 5
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380.0'
175.0'
528.53'

858.67'
1267.13'
1685.88'

1207.85'

305.3'
240'
125.30'

1080.42'

535.26'
498.63'

380.0'

6900.0'
1850'

680.0'
143.13'
1294.23'
143.18'
650.0'

CHARLOTTE ST

371' MARILYN ST

720'
100'
988.87'

100'
100'
988.87'

810.01'

931.3'

586.71'

290.01'

450.01'

TRIBAUX CREEK

TRIBAUX

ST

CLOVER RIDGE CT
EMPIRE CT

WILLAMETTE AVE

LINN AVE

KNOX

ROUTE RD

KNOX

ROUTE RD

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CURTIS ST

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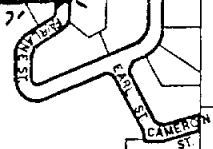
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4/3

C.H. 120

Scale 1" = 100'