

**CANBY CITY COUNCIL
REGULAR MEETING
OCTOBER 6, 1993**

Mayor Scott Taylor presiding. Council members present: Terry Prince, Maureen Miltenberger, Dennis Nolder, Cheryl Stark, Walt Daniels and Joe Driggers.

Also present: Administrator Michael Jordan, City Attorney John Kelley, Police Chief Jerry Giger, City Planner Bob Hoffman, City Recorder Marilyn Perkett, Librarian Beth Saul, Jim McKibbin, Philip & Mary Hiiva, Ken & Mavourn Stuart, Lovelle Lack, Carol Beddow, Lloyd Mendenhall, Duane & Janice Weeks, Dean Worthington, Delbert Hemphill, Joe Broneske, Jerry Simnitt, John Dodds, Jack Stark, Ron Tatone, Dana Tyler, Cub Hale, Edward Montecucco, William Crooks, Ted Scheer, Phil Scoles, Rod Miller, Jorge Carrion, Lowell Bagshow, Gretchen Raney, Carl Mead, Dirk Borges, Andrew Hein, Richard DeMartini, Cyndi Klaetsch, John & Ada Stout, Don & Terri Shuhart, Sonja Blackston, Jack Pendleton, Chris Pendleton, Wade Wiegand, Cheryl Learfield, Kay Gardner, Tam MacArthur, Paul Doty, Lyle & Joyce Read, Lynn Kadwell, Martha Stiven, Steven Pfeiffer, Frank Charbonneau and others.

Mayor Taylor called the session to order at 7:30 p.m., at the Canby Adult Center. The flag salute and a moment of meditation was observed.

Roll call of the Council showed a quorum to be present.

MINUTES OF PREVIOUS SESSION: **Councilman Daniels moved to approve as distributed the minutes of regular session September 15, 1993. Motion seconded by Councilman Driggers and approved 6-0.

CITIZEN INPUT ON NON-AGENDA ITEMS: None presented.

PROCLAMATIONS: National Business & Professional Women's Week - Mayor Taylor proclaimed the week of October 18 - 23, 1993, as National Business & Professional Women's Week in the City of Canby.

Fire Prevention Month - Mayor Taylor read a proclamation for Fire Prevention Month in the City of Canby. Fire Marshal, Jack Stark, accepted the proclamation and noted that even though the United States is modern, we lead the world in fire deaths each year. Oregon had 35 deaths contributed to fire last year. Mr. Stark urged that everyone install a smoke detector device in their home, as well as preparing a fire escape route.

Crime Prevention Month - A proclamation to proclaim October as Crime Prevention Month was read by Mayor Taylor. The Mayor presented Officer Steve Landis with the document.

PUBLIC HEARING: CPA 92-01, Northwoods Investment Inc. - Mayor Taylor opened the hearing at 7:45 p.m. and briefly reviewed the hearing procedure.

Mayor Taylor asked the Council if any member had any conflict of interest regarding the hearing issue. None was declared.

Mayor Taylor asked Councilwoman Miltenberger if she had any exparte contact on the issue. Ms. Miltenberger said she had a brief conversation with some neighbors and with someone in the grocery store on the issue, however she felt it would not affect her decision.

Mayor Taylor asked if any audience member wished to question Councilor Miltenberger. Nothing was voiced.

The Mayor asked Councilman Nolder to declare any exparte contact. Mr. Nolder said he knew one of the applicants, Lyle Read, and, in fact, Mr. Read was a business partner with him at one time. He implied the issue would be of no financial gain to him personally regardless of the decision. He had discussed the long process of the issue with Mr. Read at one time, however, since the Planning Commission decision for denial, he has had no further discussion with Mr. Read. He said this would not affect his decision either way. Mr. Taylor asked if any audience member wished to question Mr. Nolder. Nothing was voiced.

Mayor Taylor next asked Councilman Prince to declare any exparte contact. Mr. Prince said he was at the first Planning Commission Meeting for about ten minutes, and he spoke with Tamara Maher to ask about their decision. He was told they did make a decision, and that was the extent of his conversation with her. Mayor Taylor asked the audience if there were any questions of Councilman Prince. None were voiced.

Mayor Taylor asked Councilwoman Stark to declare any conflict of interest. Mrs. Stark said she had only casual conversation with some people. When she knew it was to be heard by the Council she asked that the issue not be discussed with her and felt this would not influence her decision in any way. Mayor Taylor asked if the audience had any questions of Councilor Stark. None were voiced.

Mayor Taylor questioned Councilman Daniels as to exparte contact. Mr. Daniels said he had visited the site and had brief conversation with Jim Wheeler on the issue. Mayor Taylor asked if the audience had any questions of Councilor Daniels. None were voiced.

The Mayor asked Councilman Driggers to declare any exparte contact. Mr. Driggers said he had visited the site and discussed it only with family members. Mayor Taylor asked if there were questions from the audience for Mr. Driggers. None were voiced.

Councilman Prince interjected that he had spoken to Bob Hoffman, City Planner, about clarifying information in the packet. The Mayor asked the audience if there were any new questions of Councilor Prince. None were voiced.

Mayor Taylor declared his exparte contact as having a few casual conversations with people and a visit to the site. He said this would not influence his decision. He asked if anyone wished to question him. None were voiced.

After a show of hands of those wishing to testify, Mayor Taylor informed the audience that he had 3-minute timers to use for those wishing to testify.

Bob Hoffman informed the audience that in order to appeal after tonight's action, they must raise an issue with this hearing body. He added that if any additional information in support of the application is submitted, they may request a continuance; specifically, a seven-day continuance must be granted for additional written testimony if requested.

Mayor Taylor informed the audience that the Council had reviewed the video tapes of the Planning Commission hearings, as well as all written documentation.

STAFF - Bob Hoffman, City Planner, said the application by Northwoods Investments is to amend the Comprehensive Plan in two respects; one is to extend the Urban Growth Boundary; the second is to propose the land use be changed from agricultural to residential, low density. The 30 acres is located south of Territorial Road, west of N. Holly Street.

The property is currently outside the City's UGB. Originally it was within the UGB in the Comp Plan adopted in the mid 70's' however, after lengthy negotiations with the County, DLCD and public hearings, the property was withdrawn from the UGB primarily because holding capacity of the UGB exceeded the projected population of 20,000. Also, at that time, they felt the agricultural purposes of growing seedlings would continue into the future.

Mr. Hoffman said the request for a zone change will be a separate hearing at a future date, after this process is completed.

The Planning Commission recommended the application be denied. Mr. Hoffman said their denial was a 13-page document. He implied that the main thrust of that document is to voice a concern about the present circumstance that currently we have a substantial supply of land available for development. The Commission felt that the need criteria was not justified by the applicant.

Mr. Hoffman pointed out the adoption criteria which were summarized in large print-outs on display. He added that two of them relate to land use and boundary change criteria, a part of the state law which must be used in order to change a comprehensive plan. In addition, the City has adoption criteria to be followed when amending the Comp Plan. Those print-outs were also on display on the wall. He noted that the proposal must meet the adoption criteria.

Mr. Hoffman displayed a large document presented by the applicant in support of their application. He said that he had submitted a memo, dated September 21st, which cited 8 errors that he felt the Planning Commission made in their action on this issue. He noted that the adoption criteria is explicit in terms of "long term" aspects, both in need and environmental criteria, however, the Commission used "short term" criteria. In spite of the errors, Mr. Hoffman felt the UGB amendment would provide for 100 units and 260 people, and the documentation shows a "need" for 176.83 units or 396.1 people.

In summary, the main criteria are provision for long-term population growth, with a 20,000 population; orderly provision of services; retention of agriculture land; and compatibility with the surroundings. The short-range considerations are legitimate regarding a zoning decision. However, the criteria for the Comp Plan Urban Growth Boundary land use change needs to be thought of at the 20 year or 20,000 population level.

Mr. Hoffman stated that in terms of compatibility, residential development is likely to be more compatible than agricultural development. He pointed out that a recent state law change, HB 3661, limits local controls on agriculture land that is out of the UGB. If the land is outside the UGB, the City cannot put constraints on the agriculture uses. He said he felt it would be difficult to prevent livestock usage on that property.

Mr. Hoffman pointed out that new letters of testimony were just received that were handed out tonight: three letters from CUB, regarding the well on the property, two letters from citizens, and one from the elementary school district.

Mr. Hoffman informed the Council that Dirk Borges, CUB Manager, was present to answer any questions about the well. He said this would be a public benefit since the applicant is proposing to dedicate it to the City. Also, the street system would be improved, the water system would be looped and, therefore, improved, and the sewer system would be extended and made more efficient. In addition, housing needs would be provided.

Mr. Hoffman said the soil type is Class II, and is similar to Class I soil. He stated that almost any direction of expansion of the UGB around Canby would affect either Class II or

I soil, which are considered to be valuable agriculture lands.

Mr. Hoffman pointed out that the documentation gave a great deal more detail, however, he accepted questions from the hearing body.

Councilman Driggers asked how the 20,000 population figures were originated. Mr. Hoffman said the beginning text of the Comp Plan has about 30 pages of explanation, and his current understanding is that was the figure the City negotiated with the state, county and region to meet the population needs. The UGB is intended to service that population. Actually, it is a contract we made with the state and county for our obligation to help them meet their obligations.

Councilman Driggers asked what were the consequences if we only reach 17,000-18,000 population. Mr. Hoffman said there are no serious penalties, however, the state would take some warning steps and perhaps issue an order. He said it is possible that they could step in and take over Canby's land use planning process and ultimately take away state funds. He cited Happy Valley and Washington County as facing some of those problems.

Councilman Driggers asked if we limited our population to 12,000 and did not annex more property, could the state take the planning functions away from Canby. Mr. Hoffman said that is possible, but he hadn't researched the scenario.

Councilman Driggers asked if the Council felt the criteria is met to a majority, is there no choice but to approve the application? Mr. Hoffman said if the conclusion is that the criteria has been met, then there is no choice but to approve the application. If they have not been met, then we can deny, or approve with conditions. Mr. Hoffman stated that his recommendation is to approve with a series of conditions.

Councilman Daniels asked if there is a certain percentage of land to consider prior to adding to the UGB. Mr. Hoffman said not that he was aware of, however, when we have an application, we must deal with it. He did point out that the "periodic review" takes place every 4 to 6 years, when the City must carefully evaluate the amount of land for the obligated population and if there is not enough land, then the UGB must be modified. A balance must be met. There is a process to allow an applicant to attempt to prove a need, such as the case in question.

Councilman Prince said he would like to hear from the school superintendent. Mr. Hoffman said there was a letter in the packet regarding school capacity and enrollment.

Mayor Taylor reviewed the number of proponents and opponents that would be testifying. He then announced the applicant would be allowed approximately a half hour of testimony.

APPLICANT: Lynn Kadwell, 3525 N. Holly, Canby and local physical for the past 23 years, said he was one of the partners in Northwoods Investors. In 1988, the group found the property which had been for sale for several months with no buyers. He said the parcel looked like it was in line for development due to being in the City limits and the streets and services lining up to the property. Dr. Kadwell said IFA did not own the land; Times Mirror owned it, and this was one of the last parcels they sold prior to leaving the state. He stated that conversation with realtors and previous Planning Commissioners implied this land was to someday be developed. He said it was logical, and that is why he and four others invested even though they knew they had to ask to be included in the UGB and apply for different zoning. The group plans to develop the parcel over 6 - 8 years, leaving IFA on part of it during the development process. He introduced the other Northwoods Investors, Lyle Read, Ron Tatone, Curt McLeod and Fred Kahut, all long-time residents of the community. He introduced their Land Use Planner, Martha Stiven, their attorney,

Steve Pfeiffer, Frank Charbonneau a registered traffic engineer, and Phil Scoles a soils expert.

Steve Pfeiffer, 900 S.W. 5th, Portland, said he was a land use lawyer with offices in Portland. He pointed out that Mr. Hoffman had laid out the criteria which are two-fold: the Statewide Planning Goals, notably #14 and #2; and secondly, our own Comp Plan which incorporates and implements most of the state goals. Mr. Pfeiffer said #14 is the key goal, and the first four criteria establish the "guts" of an Urban Growth Boundary establishment or an amendment. He said this is a demonstration that land be converted to urban use upon a showing of need. Mr. Pfeiffer reviewed Goal 13 criteria: the long-range population growth is to provide housing and services for urbanization; orderly and efficient provisions of services; and maximum utilization of land.

He reviewed the agricultural uses under #6, noting that it doesn't say land which is classified under Goal 3 cannot be converted to urban use. It establishes how that land should be brought in based on the demonstration of need. The land is Class II soil, as is much of the land in the boundary; to the east and south is Class I soil. The priority is that class I comes in after class II. Mr. Pfeiffer maintained that it is not a criteria to prove that land proposed to be brought into the UGB not be viable or used today for rural uses. Instead the burden of proof is that the land is needed for urban uses, and that is the thrust of their proposal.

He maintained that the current use is not relevant, whether it be agriculture or any other use, on the effect to urbanize this land.

He also stated that the short term inventory of available lots are not a relevant consideration for a UGB amendment. He again stated that #14, the long-term population growth, is the standard and there is a need to accommodate. He stated that assuming all available land will be "built out," we will still be short of land to meet the population projection.

Marty Stiven, 14620 Uplands Drive, Lake Oswego, owner of a planning and consulting firm said she has been a consultant for 15 years. Ms. Stiven said this application is different than the previous one submitted in that the DLCD has chose not to comment on this process. Ms. Stiven said they have met with all City staff, met with DLCD, and reviewed all the documentation on the issues, and based on "need," they felt the request was justified. She said their application responded to all issues that were raised during the last process. Also, they held a meeting with neighborhood residents, who were more interested in design, which is premature.

All service districts and agencies were contacted, including the police, fire, CUB, public works and school district. In every case the agency was supportive or at a minimum there were services available at the location.

Ms. Stiven address the demonstrated need for long-range growth. She said the population growth is accommodated by an adequate supply of land and an accurate projection of future populations. The City's Comp Plan goals of a population of 20,000 and a 20-year planning horizon were used for their analysis.

Ms. Stiven pointed out two changes in the supply of land since the Comp Plan had been adopted: the removal of the sited wetlands and the logging road that was annexed for a bikepath, which was previously included as buildable, low residential land. She said they looked at the discrepancies on the Comp Plan and Zoning Map, which means the City is developing in a lower density, based on zoning designation, than was in the Comp Plan. She pointed out that if a plan site is designated high density residential and is developed at

low density residential, the difference is 5.45 units per acre.

She pointed out that the Planning Commission had sited some discrepancies with the tables they prepared, and they had made revisions on those tables.

Ms. Stiven distributed a chart to show the population growth since the year 1950 up to the year 2020. In 1980 the Comp Plan adopted a range of projections 4%, 6% and 8%. However, in 1988, during periodic review, they changed the figures to 2%, 3% and 4%. Using a "best fit curve" on the past history, she projects an annual 4.75% annual rate of growth. Using the 4.75%, Canby would reach the 20,000 in the year 2005. She reiterated that the City's obligation is to be looking long-term, 20 years in the future at all times.

Ms. Stiven stated that due to the loss of lands, wetlands & bike paths, the aggressive population projections, and the discrepancy between planning and zoning, there is a strong need to include the proposed site in the UGB.

Ms. Stiven stressed the public need and benefits. She said one of the benefits was the well that would be dedicated to Canby Utility Board. She read a portion of a letter from CUB, dated May 28, 1993, which stated that "the well would provide a redundant source of supply and increased source capacity." CUB implied that this well could provide service during a temporary shut down of the existing well. The Fire Department expressed approval because of a looped water system and increased water pressure, and through streets. Ms. Stiven said a park is also planned for the development. Finally, she said the connection of 10th Avenue will provide a needed east-west traffic pattern.

In conclusion, she said it doesn't make sense to see this island of land surrounded by housing, streets, and City services and not urbanized.

In closing, she read parts of a letter from the Canby Rural Fire District, dated April 7th, which lent support to the approval for their request for the Comp Plan Amendment, and ultimately development.

Frank Charbonneau, One S.W. Columbia, Portland, Traffic & Civil Engineer, briefly reviewed his career background. He said the traffic study was based on a projection of 150 single family units. They used a 4% increase of traffic growth rate in their projections. The critical streets were Territorial and Holly; and Knights Bridge and Birch. He cited 10th, 12th and 13th as connector streets. Mr. Charbonneau listed the level of service as "A"-little or no traffic delay, "B"-short delays, "C"-average delays, "D"-long delays, and "E"-very long delays. He stated that all intersection conditions with projected traffic to the year 2013, were a level "C" or better. He also noted that the development of the site would add about one car per minute to each of the critical intersections during the peak hours.

He said there had been a lot of testimony regarding traffic concerns on Birch Street, and he felt this project would not have adverse impacts. He said Birch Street problems needed police control. Also, a potential 4-way stop on Birch at 10th could help slow down the traffic.

PROPONENTS: Mayor Taylor said he would allow three minutes per person for testimony.

Lovelle Lack, IFA Manager 1887 N. Holly - Mr. Lack said when he testified at the July 26, 1993 Planning Commission hearing, he was not authorized and misrepresented the IFA position. He said IFA is totally "neutral" on the parcel in question. Mr. Lack apologized for overstepping his boundaries in this issue. He asked that his July 26, 1993 testimony not be considered in the decision process.

Duane Weeks, 3185 N. Holly, Canby, said he has been in Canby 29 years, 27 in real estate. Also, he participated in the early 70's Comp Plan process.

Mr. Weeks said that tax dollars would be about 250 times greater if it were developed than what is currently collected on that parcel. At least \$200,000 in taxes would be received, versus about \$900 in tax money received at this time.

He referred to problems in 1971 stating that when Johnson Controls came to town, we had to allow an intermediate use from one zone to another zone. He said this does not exist in this case.

Mr. Weeks felt the projections for growth were low, during the 60's and 70's the growth rate was 7% a year. In the 80's there was no growth. In the last few years it has been between 9% and 15% a year, and as high as 3-4% a month.

If we keep land supply low, we may be out of the market. Currently, he said there is about a \$10,000 difference between a vacant lot in Canby, versus Oregon City, Wilsonville, or Woodburn, with Canby the higher of the mentioned.

He entered written testimony for the record and urged approval, stating it would benefit Canby.

Sonja Blackston, 698 Knights Bridge Road - was concerned about mixing agriculture with residential. She noted that any type of agriculture could be placed on the land. She expressed a concern about fertilizing use on the parcel and noisy tractors. Ms. Blackston implied that a chicken farm could go on the parcel if it remains agricultural.

Andy Hein, 25479 S. Hwy 170 - said he was on the Canby Fire District Board and has been a farmer all his life. He said this was one of few reports he had seen that showed a positive impact on the fire department if the parcel were developed. The connecting of the water mains is important; and street connection would enhance response time.

Mr. Hein said as a farmer he had mixed emotions when prime agriculture land is developed. He noted that about 35 residential neighbors were surrounding the property in questions. A few years ago he used his farm equipment to work the ground and had three neighbors approach him to get out of the area. He commented that farmers are outnumbered 100 to 1, and that is one reason the "Right to Farm Law" was imposed. He questioned the knowledge of the hearing body on agriculture and stated that conservation and preservation was for "viable" farm land. He implied this land is not viable, and 35 neighbors don't want spraying, fertilizing, harvesting at night, or pesticide use on the parcel. Soon the law that requires posted use of pesticides will require notification of everyone within a quarter mile. Mr. Hein asked his insurance carrier if he should farm the parcel in question. His carrier said, "Are you nuts?" The insurance carrier implied he would cancel his coverage.

Mr. Hein pointed out that viable farm land, Class I soil, between Township and 13th (Valley Farms) has been brought in for development because it was in the UGB.

He concluded by saying it was good land but no longer viable as a farm unit.

Cheryl Learfield, 856 N. Ash, expressed a concern about the fertilizers, pesticides and farm equipment in the area because her children, and others from St. Patrick's Church, play within ten feet of this farm land.

She said the 90's is a "time for change," and we can't live in a community that is successful

without growth. She said if people want to have the "country" life, then they should not live in the City.

Carol Beddow, 8062 Edgewater, Wilsonville, Chair of the Elementary School Board, stated she was a "neutral." She reviewed a letter submitted by Boyd Applegarth, Superintendent, regarding adequate school accommodation. She reviewed the capacity of each elementary school (letter is in the record). Ms. Beddow said that public schools have to provide for all children. She said the district has available room for students but do not have funding to staff additional enrollment. She encouraged a balance of schools, homes and industry.

OPPONENTS: Mayor Taylor again reminded everyone that testimony would be limited to three minutes.

Cyndi Klaetsch, 844 N.W. 13th, expressed her concerns that the application would have an impact on public facilities, services and livability in Canby.

Ms. Klaetsch said if our population reaches 20,000, we would need to provide double public facilities, including utilities, schools, fire and police protection and City staff. She suggested we provide services first and then allow development.

She said that the filbert orchard on Holly and Territorial may be needed for additional schools, even though the schools now have suggested they have adequate room. She stated, "Don't ask me to finance another school."

She lives near Birch Street and said the traffic is fast and heavy. She submitted a traffic count supplied by Clackamas County. According to this traffic count on a Wednesday in mid- February, a total of 6,674 vehicles traveled on Knight's Bridge Road. She said as traffic increases so does the money needed for road maintenance.

Ms. Klaetsch referred to a letter from CUB, dated May 28, 1993, which implied that the application would only require minor modifications to the electric and water systems. However, she noted that in a Canby Herald article addressing growth, CUB used the words "bonded debt" to finance improvement to the electrical system.

She reminded everyone that sewer rates have been raised to pay bonds on the 4 million dollar sewer expansion project. She said the sewer plant was allowed to reach capacity prior to the expansion.

Ms. Klaetsch urged that we plan ahead and establish reserves to provide public serves. She asked that the Council consider the economic affects on all the citizens. She urged we utilize land already in the UGB prior to more expansion.

Delbert Hemphill, 703 N.W. 13th, a Professor of Horticulture at Oregon State University spoke to the need of retention of agricultural land. He said soils are classed according to their management. Irrigation can change the class of soil, so as far as irrigated crops, he said we essentially have 100% Class I soils in the Canby area; thus there is no basis for developing "canderly loam" soil in preference of the more common "latourell" soils.

Additionally, he said the canderly soil is much more superior for growing in year-around conditions, even shortly after a rain. He said there are only about 500 acres available to agriculture of the canderly soil. The 30 acres in question is one of the largest parcels still in agricultural use. Mr. Hemphill said the IFA improved this soil by adding organic matter and by using cover crops.

He referred to the City seal which states on it "Home of the Good Earth," saying it may not

be a good motto much longer if we continue to take the best of the good soils.

Richard DeMartini, owner of a vegetable farm on Lone Elder and Zimmerman Road in Canby, although he lives in Milwaukie and farms 10 acres there, said he has witnessed urban development take over many dairy and berry farms. He said that Canby has, in the past, been a large agricultural area and urged that some of that uniqueness be maintained. He reminded everyone that farming is an industry. He urged the Council to retain this land under the current use.

Mavourn Stuart, 603 N.W. 13th, referred to Policy 1 R-A, "Canby shall direct urban growth such that viable agricultural uses within the UGB can continue as long as economically feasible." Also, Policy #4, "Canby shall consider agricultural operations which contribute to the local economy as part of the economic base of the community and shall seek to maintain these as viable economic operations." Mrs. Stuart then read from a memo by Bob Hoffman, which said the Commission gave more weight to testimony that the soil is unique and not replaceable and that other areas should be developed before this site because of unique character and value of the soil, in spite of expert testimony that the soil is not particularly unique and other locations have a higher value.

Mrs. Stuart reviewed Dr. Delbert Hemphill's educational and career background and urged the Council to consider his expertise in this field and request for denial of the project.

Mrs. Stuart felt the land was very valuable, specifically as a tree farm and continued on explaining how the seedlings are grown. She said the tree farm produces 2 1/2 million seedlings each year, employs 75-100 workers, and has a payroll of \$770,000 annually.

She said they have been neighbors to this tree farm for more than 17 years and felt they are excellent farmers. Additionally, they hand-weed within about 15 feet of the fence so there is no need to worry about pesticides.

Mrs. Stuart also showed the Canby logo which says, "Home of the Good Earth."

Mayor Taylor recessed at 9:25 p.m., reconvening the session at 9:35 p.m.

John Dodds, 2030 N. Holly, said he has been a farmer all his life and now resides in his fourth farm in Canby. He said he always chooses good farm land because he raises flowers. He said wherever he has farmed he has been chased out, first the airport area in Portland, industrial the second time and now he farms in Canby on the "sifting sand." He said there is no other land like it; it is extremely unique, and there is very little of it in the area. Mr. Dodds said one mile in any direction takes you out of this unique soil.

Carl Mead, 644 N.W. 13th, said he felt the Planning Commission answered everything adequately on need. He questioned if the well would be dedicated or "deeded." He asked if we could contract use of the well, if needed.

Mr. Mead said he worked for a 57 billion dollar corporation and they use 2.8 on demographics per household, versus the City use of 2.55. The difference is almost 300 people. Additionally, the HOPE project of 378 units has been set aside. He said need is not a 2% swing.

Mr. Mead said there is no dominant need; he felt our Comp Plan was good and should not be changed.

Jorge Carrion, 1200 N. Birch, said that traffic on Birch has presents extreme problems with

speeding. He said increased patrol and citizen use of hand-held radar has helped, however, he felt it is necessary that speed bumps or islands at intersections be installed. He emphasized that if something is not done on Birch Street a life will be lost.

Ed Montecucco, 3468 N. Holly, said this application should be turned down, as it was three years ago.

He noted that there were four major errors in the applicants' calculations regarding needed housing, the Bergen Amendment, Wayne Scott Amendment, Nelson Manufactured Home Park and two wetland area sites. This brings the 283 need down to 156 units. Additionally, the HOPE project will afford 135 units. Mr. Montecucco said that the need has now dropped to a 21 unit need, taking in all the error calculations. He implied that Canby has enough land in the UGB for the next 19 years.

Dana Tyler, 680 N.E. 20th, said we always have an "upswing" and a "down-swing," she said we are now in an upswing and shortly will be in a down swing, and that's why the urgency for this development. She felt that Canby's need at this time is industry and business.

Mrs. Tyler felt that the state should approve the water well; also she said it is not on the state's log. Her feeling is that it would be too costly to make it usable for the City.

Jerry Simnitt, 168 N.E. 22nd, handed out some written testimony for the record.

Mr. Simnitt reiterated that there is no need for additional housing.

In reference to the Land Use Element, Finding No. 2, "to allow agricultural areas to remain in productivity for as long as possible before they are converted to urban uses. The best way to implement each of these objectives is to increase the density and intensity of land uses within the urban area". He implied the application is in direct conflict of this Comp Plan criteria, and in fact, creates urban sprawl.

Mr. Simnitt also referred to Policy No. 3, "Canby shall discourage development which will overburden any of the community's public facilities or services.". He said the 100 additional homes would overburden already stretched facilities and services.

Also, under the Environmental Concerns Element, Policy No. 1-R-A, the policy states that "development should be directed away from areas that have a long term commitment to agricultural production, as in the case of tree farming." He noted that the policy is extremely specific to tree farming; there the application is again in direct conflict.

Policy 1-R-B, requires that the least productive land be urbanized first, again the application is in direct conflict.

Policy 8-R, "of all these, tree farming provides the most unique type of open space, currently there are approximately 30 acres of intense tree farming in the City limits, this particular use creates extremely good open space." Again, he said this policy sounds as if it were written directly for this 30 acre parcel.

Finally, under the Economic Element, Policy No. 4, "Canby shall seek to maintain agricultural operations as a viable economic operation which contributes to the local economy." Again, he noted this is in direct conflict when this would take us one step closer to a "bedroom community" if we take this farm land out of production and urbanizing it.

He urged the Council to concur with the Planning Commission and deny the application.

Wade Wiegand, 880 N.E. 6th Avenue, noted he was a member of the Planning Commission and has listened to over 15 hours of testimony on this issue.

Mr. Wiegand said the applicant spoke to the fact that there were no buyers for this parcel several years ago. He said there were buyers, however, they were not willing to pay the price of what the market had set.

He felt the calculations did not demonstrate the "need."

Also, he said the well is of some concern, and there is rumor that some church has a deed in regards to the well.

Mr. Wiegand said every time a house is built in the City, it costs the City about \$400-\$500; he felt this outweighs any tax benefit implied.

He also said testimony showed that farm use is less caustic than residential use since there are no regulations as to what citizens can do as far as impacting the water.

Additionally, he felt the schools provide a service and cannot really comment on the quality of service. He said his children have gone to school in modular units the last few years, and he'd like that to stop.

Don Shuhart, 606 N.W. 13th Avenue, said in living next to the fields, they have no problem with fertilizers or pesticides, in fact they weed by hand near the fences and use carpet crops for fertilizer.

He noted that he was from Kent, Washington, and called that area as being an "asphalt jungle" since it is no longer farm land. Also, he referred to the crime in the Kent area due to rapid growth. He said they moved to Canby about one and one-half years ago, and they don't want to see this type of growth here.

Mayor Taylor asked for response from other opponents. Hearing none, he moved on with the process.

A question from the audience asked if the Planning Commission minutes were a part of the record, he was informed they were.

REBUTTAL: Marty Stiven responded to some of the points raised, even though they have been addressed in written testimony.

Ms. Stiven pointed out that Dr. Hemphill disagrees with the soil classifications and system for amending the UGB as established by LCDC. If we went with his system we would take Class I soils into the UGB first over class II, and that is in direct violation of Goal # 14. She pointed out that the record had testimony from Phil Scoles, Scoles and Associates Soils Scientists about the value of the soil.

Ms. Stiven reiterated that IFA is not to be considered as farming that land; the use of that site as agriculture is to be considered regardless of who is farming it. In fact, IFA has not renewed their lease to farm the land. Their lease expires this spring.

Ms. Stiven referred to Mr. Hein's testimony that the land is not viable for farming due to the use of pesticides, equipment and the residential neighbors.

She noted that this is a completely isolated site and would not generate a domino effect of taking farm land after farm land into the UGB. This would not set a precedent or make an

impact on other agricultural lands.

In regards to the testimony on limited need, she said the Council must consider the need for reaching the population in the 20 year planning horizon. LCDC is very precise in the need criteria.

Ms. Stiven addressed the traffic issues, specifically the impact on Birch Street. She implied that the problems on Birch will not be impacted by this development. Also, if there becomes an east/west connection, some of the problems may be relieved.

She acknowledged the errors that Mr. Montecucco alluded to, and in fact, after working with staff, they revised their projections which are now a part of the record. She said the HOPE project was counted in the baseline information as an assumed built-out in residential inventory.

Ms. Stiven said they have records which show the water well as logged, and CUB has investigated the rights of transfer on this issue.

Mr. Simnitt raised an issue of over burdening of services, and she again referred to letters from all service providers which indicate adequate capacity or service for the site. She also pointed out that there is not a commitment to farming on the site, and services and streets are stubbed into the site.

Finally, she said the applicant supports the staff recommendation of the ten (10) conditions; they will work with CUB on the water well dedication.

Mr. Carrion submitted a report from the Clackamas County Traffic Engineer, which showed approximately double the figures on the traffic surveys done, versus the surveys done by the applicant.

Mayor Taylor closed the hearing at 10:20 p.m. The Mayor requested discussion and questions by the hearing body.

Councilman Daniels asked if IFA is still growing trees, when he visited the site today he did not see anything but weeds. Lyle Read, 580 N. Juniper and one of the developers, said he called Stephan Lashbrook, author of the Comp Plan, and Mr. Lashbrook said IFA implied they would plant seedlings on the land for the next 20 years, and he did not know that IFA did not own the property. Mr. Read said they lowered the price by 40% on the their last renewal and agreed to extend the lease, however, IFA has not responded to the lease which expires in March, 1994. Actually, ten acres is being farmed by IFA.

Councilman Prince referred to the updated staff report and the designation of wetlands. Ms. Stiven replied that the original report had 3 sites in the buildable inventory, but 2 of those sites were in the flood hazard, therefore, a very low rate of development. She said the corrected memo shows one wetland site, resulting in a loss of 16 units. Also, there is 7-1/2 acres of land (Logging Road) annexed for a bikepath. This land will not be developed for residential development. Mr. Prince said the Logging Road was never intended to be used as residential property, but used as a road. Ms. Stiven said City staff concurred on their inventory that this was previously buildable land, since it was a private road and not a public road. There were 22.6 single family residences attached to the Logging Road exemption.

Councilwoman Miltenberger asked why LCDC would not object on this application, as in the previous submittal. Ms. Stiven said three years ago LCDC said there was no evidence for need, however, this time they gave LCDC copies of this application and they have

chosen not to comment and leave the decision to the Council. Also, they worked very closely with LCDC on this particular application.

Councilman Driggers asked if LCDC wanted to prevent unregulated growth. Ms. Stiven said LCDC controls development and makes a distinction between urban and rural. Mr. Driggers asked if local governing bodies were to have the control over "sprawl," Ms. Stiven said SB 100 established statewide comprehensive planning to require all jurisdictions to adopt plans for the future growth.

Mr. Driggers asked if the assumption is that we don't have to get to 20,000 population if we change the Comp Plan to a lower population figure. Attorney Kelley interjected that we don't change it, we can however propose changes to LCDC to either approve or disapprove.

Mr. Driggers asked if LCDC feels growth is desirable. Ms. Stiven said she does not know the LCDC philosophy, however, they do acknowledge the need for change which must be confirmed. Mr. Driggers asked if LCDC was biased for development. Ms. Stiven said LCDC is not biased for agriculture or development, one way or the other.

Councilman Driggers asked how LCDC would receive this application in favor or against. Ms. Stiven said she had no idea what LCDC would feel in this application. Steve Pfeiffer said that LCDC is not biased but would follow their goals, and pointed out Goal #10, which sets out providing for affordable housing. The OAR rules provides that within the UGB mandates are of not less than 10 units per acre and a mix of 50% multi-family and 50% single family units within the Metro Urban Growth Boundary. This is done so one community cannot force growth on another community. The Commission will look at evidence to support the growth projections, housing needs, inventory of available buildable land and from that a boundary that will accommodate this even with the conflicting goals of preserving farmland and a goal to provide housing and services. The system is designed to insure that growth is in a concentrated fashion.

Mr. Driggers asked if the rules were different for Canby, versus other communities. Mr. Pfeiffer said in one key way, the minimum of 10 units per acre and the 50/50 housing split is mandated within the Metropolitan area, and we don't have that mandate; however, we do have a general provision of providing housing and buildable lands. Mr. Driggers asked if we were building houses for people not "yet" in the community. Mr. Pfeiffer replied that rental needs are required and multi-family unit needs exist.

Mayor Taylor asked if we could shut the door on growth. Also, if we changed our projections to 12,000 instead of the current population projection of 20,000, does another community pick up the "slack." Mr. Pfeiffer said if this occurs, that would be an accurate statement. Mr. Pfeiffer said the standard way of looking at boundaries is often acknowledged by the growth history, therefore, it often becomes difficult to justify a basis to "down size" buildable land and shift the burden to another City. Again, Happy Valley was referred to in regards to essentially "stopping growth," however, that came to an end last year when LCDC forced Happy Valley to gain a sewer and they are now rapidly being urbanized.

Councilman Driggers asked if the submitted graph is based on the assumption that the City will continue the same policies to discourage or encourage growth. Ms. Stiven said yes, it took the past 40 year history and projected that future rate.

Councilman Nolder asked if the vacant land has ever been pursued for farming. Ron Tatone said two years ago a local farmer inquired about the 10 acres, but later decided not to take it and it has been idle since 1990.

Mr. Nolder asked why that land is not being farmed. Mr. Montecucco said they offered to rent it twice for \$200 an acre, even though it would be hard to farm with two tenants on one well, however, they were turned down. He did note that IFA pays \$1,000 per acre. Mr. Montecucco implied that between \$150 and \$200 is the going rate for rental property north of Canby.

Councilman Daniels asked if the land was too expensive to farm. Mr. Montecucco said it is a factor of supply and demand. Actually IFA did pay \$1,500 an acre at one time, which must say something for the unique soil, or specifically their needs. Mr. Montecucco said they have 75-80 acres of that type of soil that they own, but the price was their concern. He said he would have planted parsnip in the soil because it could be planted in the winter and is a good return.

Ron Tatone noted that Montecucco's did counter-offer to buy the subject property at a lesser price than the applicants' paid. Mr. Tatone said many local farmers have identical soils within the UGB and they are not willing to take it out of the UGB. He said you cannot pay \$1,500 for farm ground and lease it for \$200 an acre.

Councilman Nolder asked what effect it would have to bring this land into the UGB versus the current farm land in the UGB out of the City limits. Mr. Hoffman replied there would be no effect. Mr. Nolder asked what the actual return in taxes would be if this were developed. Mr. Hoffman said the applicants are committing to approximately 100 homes similar to existing homes in that area, and the average home in Canby turns about \$700 to the City, with the additional taxes to the schools. Mr. Hoffman referred to Mr. Weeks' projections of approximately \$200,000 in taxes.

Mavourn Stewart interjected that the proposed tax money does not cover the needed services.

Councilwoman Stark said Canby was, and is, a wonderful farming community, however, if it were not for foresight in planning, she would not be a resident here. Also, she felt the development of the subject site would enhance the traffic patterns and eliminate some problems. Mr. Charbonneau said there would be circulation changes in that area which might help eliminate some of the current problems.

Councilman Prince asked what Mr. Charbonneau's response was to the difference in the survey between his firm and Clackamas County figures. Mr. Charbonneau said he had not seen the other traffic count, however, he "stood" behind his numbers conducted on weekdays during this year.

Councilman Daniels commented that we cannot guarantee this will stay in agriculture. Also, he wondered if the decline in the forestry industry might have an effect on the need for the seedling industry. Mr. Daniels said the town will grow. We cannot close the gates, so we must regulate it in a systematic way.

Bob Hoffman added that he had spoken to the IFA personnel, and the future for their industry is very uncertain.

Councilman Prince asked if the 1.5 vacancy rate is current. Mr. Hoffman said in looking ahead 20 years, a planner would not propose a 1.5 vacancy rate because this would cause extraordinary high taxes and purchase prices, and an average rate of 5% gives a better return. We have not seen 5% in the last few years, however, in 1980 there was a 4% vacancy rate.

Councilman Prince also asked the difference in Mr. Mead's testimony of 2.8 household

occupancy, versus the City's 2.5 household average. Mr. Hoffman said every forecast he has seen in the country continues to show a decrease in household size.

Mayor Taylor asked if we are updating our formulas to make sure our data is accurate. Mr. Hoffman said if you are specifically asking about a vacancy rate, we should not decrease our rate, otherwise you are proposing an artificially inflated rate in housing. Mr. Hoffman said we have an excess in demand over supply and that is the cause of the low vacancy rate and cause of escalated prices in the area.

Mr. Prince commented that we have many construction unit sites available for construction now. Mr. Hoffman differed on this, saying there are very few available today. He said land use projects have been approved that will ultimately supply lots, but we do not have available houses on the market. Mr. Prince asked if he was suggesting we put more houses on line to lower the prices. Mr. Hoffman said, ultimately, the solution is more supply if we want to lower prices.

Councilman Nolder asked if zoning could control the number of houses built over a period of time. Mr. Hoffman said that is correct.

Councilwoman Miltenberger asked for clarification since the need seemed to be immediate for housing, however, the applicant said the 100 houses will be a slow phase; therefore she asked how many units would be in Township phases and the discrepancy in the Comp Plan, "to allow agricultural to remain in productivity for as long as possible before they are converted to urban uses." She felt it was difficult to tell the rate of occupancy of houses that are not actually built at this time, and also we are to keep the farm land as long as possible. Mr. Hoffman said the Council could phase the zoning, keeping the farm land in agriculture as long as the Council selected, while anticipating that ultimately it would be developed. Mr. Hoffman said that phasing the zoning to protect the farm land and having it available when needed is a concept in the Comp Plan. Ms. Miltenberger asked if that was one of the current ten conditions for the application and was told it was not.

Mayor Taylor clarified that the application tonight was only to consider if the subject property is to be brought into the UGB. The zoning will be discussed at another hearing. Mr. Hoffman said that was correct, or we could add specific policies in terms of phasing.

Steve Pfeiffer added that under Goal #14, the difference is between short term and long term - we are required to maintain a buildable land supply to accommodate the 20 year period. He said we are not allowed to wait until the 18th year to implement the supply needed. He reminded us that the periodic review affirmed the projected growth rate. Also, the Commission has acknowledged our chosen rate of 5% and 2.55 growth rates. Any other formulas must be done by amendments and approved by LCDC.

Councilwoman Miltenberger said she feels that this land will always be there, and it could be brought in ten years from today. Mr. Hoffman said the application we have is why we must make a decision today on evaluation of whether it meets the criteria, and if it does, we have no choice but to approve it.

Mayor Taylor asked if we must continue to adjust our figures every 20 years; for example in the year 2030, could the population projection be 30,000. Mr. Hoffman said that could happen; every four to six years we evaluate it during periodic review as we did in 1988.

Councilman Driggers questioned the quality of life values being met, he asked if the criteria needed to be met in total. Mr. Hoffman said they need to be met in total or conditions set.

Councilman Prince asked Ms. Beddow from the school district, what it takes for the school district to say, "No we are at capacity." Ms. Beddow said, they can't say no to allowing children in the schools. Mr. Prince asked if costs were \$5,000 per student, and was told it is closer to \$4,000 per student.

Mayor Taylor asked for clarification on if the district could serve a large number of children. Ms. Beddow said we have to say "yes" - we have to serve all children no matter how many. Again, she reiterated we have available classrooms but no money to staff them.

Mr. Prince asked Mr. Hoffman where we stand on the criteria for school capacity. Mr. Hoffman said the forms we get back from the schools always indicate "adequate services" available. He said they do have means to tell us that they cannot serve more population and, in fact, Beaverton has a moratorium due to school capacity. However, in a moratorium a time period is set to show when you can correct the position.

Administrator Jordan interjected that a school in this state cannot refuse service to a student, which is the school's position. However, as Mr. Hoffman said, the district does have the opportunity to say adequate services are not available.

Mr. Hoffman reiterated that the Planning Commission must use this information as criteria for services when making their decisions.

Mayor Taylor polled the Council to ask if they were ready to make a decision tonight, set a date certain to obtain more information, or review tonight information and set another time for a decision.

Miltenerberger - wanted to review the information and make a decision later.

Nolder - ready for a decision tonight.

Prince - wants to review the information and make a decision later.

Stark - ready for a decision tonight.

Daniels - ready for a decision tonight.

Driggers - ready for a decision tonight.

****Councilwoman Stark moved to overturn the Planning Commission decision and approve the application of Northwoods Investment to the amend the Comp Plan and bring the subject property into the Urban Growth Boundary and that staff make the appropriate Findings to be brought back to the Council for approval. Motion seconded by Councilman Nolder.**

Councilman Prince felt the decision is premature to bring the property into the UGB, and he agrees with the Planning Commission Findings. He does not agree with using the Logging Road as a criteria for housing units, the plan in the long run is very flexible at all times and it also goes against the goals for farming.

Councilman Daniels interjected, as a point of order, that comments should be directly to the motion.

Mayor Taylor said he felt Mr. Prince's logic of argument was not appropriate at this time.

Councilman Prince pointed out that the school district problem also concerned him.

Councilman Driggers felt the applicants did a good job on their preparation, however, they failed to meet the requirements needed to create change. They have satisfied most of the requirements, but in the areas of livability, environment, economic and social consequences, the applicant did not meet standards that would cause him to approve the change. Mr. Driggers added that the applicant did not demonstrate that growth is good for the community.

Councilman Nolder concluded the land is no longer viable farm land. He quoted from a letter from a resident near the subject property: "The attitude of the people living adjacent to the Northwoods property to have no growth within the City upsets me, (this person moved to Canby in 1950) and if we had all taken this attitude when I first moved to town, virtually all of the objectors would not be living in Canby." Mr. Nolder said with the proper use of zoning and control it will not be a detriment to the community or surrounding neighbors with traffic patterns or overloading the schools.

Councilwoman Stark added to Mr. Nolder's comments, saying if the property remained in farm land it's not sure what would be farmed in that site. She felt zoning would control the phases, and it would add to the beauty of Canby.

Councilman Daniels agreed with some of the statements that agriculture would become less of a concern for the site due to cost factors, and if livestock came into the area that would not be compatible. He said the land has become too high priced to farm.

Councilwoman Miltenberger said she agrees with alot of the statements and ultimately it should become houses, but she was not convinced that now is the time to bring the property into the UGB. Also, she felt the economic need, the livability and schools were not adequately addressed in her opinion to approve the application.

****Vote on the motion was a 3-3 tie, with Councilors Driggers, Miltenberger and Prince voting NO. Voting YES, were Councilors Nolder, Stark and Daniels.**

Mayor Taylor commented before casting his vote on the Council tie decision. He said he agreed with the concerns regarding growth and services, but he felt prohibiting this from coming in, specifically due to the location, does not fit those concerns. Mr. Taylor said when he viewed this parcel, versus other property, he felt this site was the most "logical" place for development in the entire City. He said if we are concerned about farm land going out of circulation, we have it happening in other areas in the City, which in his opinion, makes much less sense then the property in question. He said he found it difficult to believe that this "island property" would continue to exist with service up to the parcel. Additionally, he said the comments about growth are voiced in about every issue we hear, and he felt growth was continuing in other areas that were far less desirable than this property. He said once it is brought into the UGB, then we will discuss how it is to be managed.

Mayor Taylor voted YES, bringing the final vote for approval 4-3.

Attorney Kelley commented that anyone can appeal this decision, within 21 days from the signing of the final order, to the Land Use Board of Appeals. The next issue will be a zone change hearing, which will be argued on the record before the Council.

Mayor Taylor said the final order will not be signed until the first meeting in November, and then appeal can be made 21 days from that point. The zone change will depend upon the applicants, as far as when they wish to schedule it.

Mayor Taylor recessed the meeting at 11:45 p.m. to allow the audience the leave at this

time. The regular meeting was reconvened at 11:48 p.m.

COMMUNICATIONS: Wagon Train - Chief Giger reported that he had received a letter from Diane Anderson regarding the arrival of the Wagon Train next week. It is due to arrive in Canby on Tuesday, October 12th, going to the fairgrounds for various activities and leave Canby on Thursday to travel to Aurora.

NEW BUSINESS: Accounts Payable - **Councilman Daniels moved that accounts payable be paid in the amount of \$521,887.73. Motion seconded by Councilwoman Stark.

Councilman Prince asked that the motion be amended to approve \$515,957.73, since a check for Curran-McLeod for \$5,930 for the Storm Drain Master Plan was deferred to another pay period.

**The maker of the motion and the second agreed. The motion on the floor, as amended was approved by roll call vote, 6-0.

PayLess Drug Store Liquor License Request - **Councilman Driggers moved to deny approval to the OLCC for the PayLess Store request to sell beer and wine. Motion seconded by Councilman Daniels.

Councilman Driggers said his rationale for the denial was due to the fact that Roth's IGA, next door sold all types of beer and wine and because of the close proximity of the store to the youth center, The Zoo.

Attorney Kelley suggested we table the motion since he did not know if we had to meet any certain criteria prior to denying a recommendation to OLCC.

**Councilman Daniel moved to "TABLE THE MOTION ON THE FLOOR". Motion to table was seconded by Councilman Driggers and approved 6-0.

ORDINANCE & RESOLUTIONS: Ordinance No. 899, Zone Text Amendment- Administrator Jordan reminded the Council that this ordinance was being considered for final action regarding some changes to the land use application process.

**Councilman Prince moved to adopt Ordinance No. 899, AN ORDINANCE FOR THE CITY OF CANBY, COUNTY OF CLACKAMAS, OREGON, AMENDING TITLE 16 OF THE PLANNING AND DEVELOPMENT CODE. Motion seconded by Councilman Nolder and approved by roll call vote, 6-0.

Ordinance No.900, Ratifying the CREG Agreement - Mr. Jordan reminded the Council that this ordinance was implemented to create a regional group to review communication systems within Clackamas County and the possibility of sharing in those services.

**Councilman Daniels moved to adopt on final reading, Ordinance No. 900, AN ORDINANCE OF THE CITY OF CANBY, OREGON, RATIFYING THE CREATION OF THE CLACKAMAS REGIONAL ELECTED GROUP (CREG) AND AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF CANBY, OREGON, AND DECLARING AN EMERGENCY. Motion was seconded by Councilwoman Miltenberger and approved 6-0, by roll call vote.

UNFINISHED BUSINESS: Name Alternate to CREG - Councilwoman Miltenberger offered to be an alternate to the executive committee with the newly formed CREG. They will be notified.

OTHER REPORTS OR ANNOUNCEMENTS: Chief Giger informed the Council that next Friday, October 15th, the Homecoming parade will be going through the streets about 1:30 p.m.

Administrator Jordan informed the Council that Representative Denny Smith wanted to meet with the Council at 1:30 p.m. on Friday, October 16th to discuss any issues they wished. The Council is let the business office know if they would be available for this meeting.

Mayor Taylor set Thursday, October 14th, as a workshop session on the Historical Preservation Ordinance.

Also, the Mayor reminded the Council of the Tuesday, October 12th, Budget Meeting.

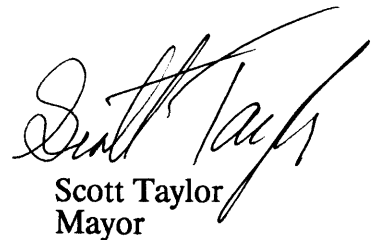
ACTION REVIEW:

1. Northwoods Investment application for Comp Plan was approved and the Findings will be returned to the Council at the first November meeting.
2. Ordinance No. 899, Zone Text Amendments was approved on final reading and they will be enacted.
3. Ordinance No. 900, regarding the CREG agreement was approved and Maureen Miltenberger volunteered to serve as an alternative member of the executive committee.

Mayor Taylor adjourned the regular session at 12:12 A.m.



Marilyn K. Perkett
City Recorder



Scott Taylor
Mayor

WHEREAS, the continued vitality of our nation depends on how safe we keep our neighborhoods and our communities because crime and the fear of crime diminish the well-being and quality of all; and

WHEREAS, in the times of rising fear due to the violence that has erupted in our communities, citizens must be made aware of what they can do to prevent themselves, their families, their neighborhoods, and their entire communities from being victimized; and

WHEREAS, we believe in the value of grassroots programs that emphasize self-reliance and cooperation in which people are encouraged to join together to eradicate crime and violence in their neighborhoods; and

WHEREAS, every segment of the community from school child to law enforcement officer, from teach to business leader, must help to rebuild a sense of mutual responsibility and shared pride; and

WHEREAS, effective crime prevention programs depend on close partnerships among law enforcement, other government agencies and citizens; and

WHEREAS, crime and drug abuse prevention are more than self-protection and security, they promote positive alternatives to delinquency and drug abuse among young people, and encourage youth to participate as citizens and enable them to make significant contributions to their communities.

NOW, THEREFORE, I, Scott Taylor, Mayor of the City of Canby, do hereby proclaim October 1993 as

CRIME PREVENTION MONTH

in the City of Canby and call upon all citizens, government agencies, public and private institutions, and business to increase their participation in our community's crime and drug prevention efforts, so that the fabric of the community can be more tightly woven and the spark of citizenship renewed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Canby to be affixed this 6th day of October in the year of our Lord One Thousand Nine Hundred and Ninety-Three.

Scott Taylor, Mayor

PROCLAMATION

WHEREAS, more than 4,000 people die from fire every year in the United States; and

WHEREAS, some 80% of all U.S. fire deaths occur in our homes; and

WHEREAS, planning ahead and practicing a fire escape plan can greatly enhance our ability to get out unharmed; and

WHEREAS, every escape plan should include knowing two ways out of each room and having a meeting place outside; and

WHEREAS, fire escape plans should be developed and drills practiced at home, at work and at school, with participation by all occupants; and

WHEREAS, everyone should know that if they must crawl through smoke, they should crawl low, under the smoke, keeping their head about 12-24 inches off the floor; and

WHEREAS, the fire service of Canby Fire District is dedicated to the safety of life and property from the devastating effects of fire; and

WHEREAS, those members of the fire service are joined by other concerned citizens of this City as well as business, schools, service clubs and organizations in their fire safety efforts; and

WHEREAS, the local efforts of the fire service are supported by the activities of organizations such as the American Burn Association, the American Red Cross, the Congressional Fire Service Institute, the Fire Marshals Association of North America, the International Association of Arson Investigators, International Association of Black Professional fire Fighters, the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Volunteer Fire Council, and the United States Fire Administration.

NOW, THEREFORE, I, Scott Taylor, Mayor of the City of Canby, do hereby proclaim the week of October 3 -9, 1993, as

FIRE PREVENTION WEEK

This week commemorates the great Chicago Fire of 1871 which killed 250 persons, left 100,000 homeless and destroyed more than 17,400 buildings.

I call upon the people of the City and Fire District to participate in fire prevention activities at home, work, and school, and to heed the message: "Get Out, Stay Out!" Your Fire Safe Response as the 1993 Fire Prevention Week Theme suggests.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Canby to be affixed this 6th day of October in the year of our Lord One Thousand Nine Hundred and Ninety-Three.

Scott Taylor, Mayor

PROCLAMATION

WHEREAS, this is the Seventy-fifth anniversary of the National Business and Professional Women's organization; and

WHEREAS, the BPW mission statement is "to promote full participation, equity, and economic self-sufficiency for working women"; and

WHEREAS, the BPW objectives are to elevate the standards for women in business and the professions; and to extend opportunities to business and professional women through education along lines of industrial, scientific and vocational activities; and

WHEREAS, since 1928, every United State President has recognized the National Business and Professional Women's Week.

NOW, THEREFORE, I, Scott Taylor, Mayor of the City of Canby, do hereby proclaim the week of October 18 - 23, 1993 as

NATIONAL BUSINESS AND PROFESSIONAL WOMEN'S WEEK

and call upon the citizens of our community to observe this week by honoring all Business and Professional Women who work together to bring a spirit of cooperation among Business and Professional Women in the City of Canby.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Canby to be affixed this 6th day of October in the year of our Lord, One Thousand Nine Hundred and Ninety-Three.

Scott Taylor, Mayor