

**City of Durham**  
**CITY COUNCIL MINUTES**  
**Sept. 22<sup>nd</sup> 2020**

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**A. OPEN REGULAR COUNCIL MEETING.** Mayor Schirado opened the meeting at 7:30 via Zoom.

**B. ROLL CALL OF COUNCIL MEMBERS.** Councilors present: Mayor Gery Schirado, Council President Chris Hadfield, and Councilors Leslie Gifford and Keith Jehnke.

*Councilors absent:* Chuck Van Meter.

*Staff present:* City Administrator Linda Tate and Administrative Assistant Emily Baker

*Public provided with a Zoom link:* Cindy Leichner, Mike Leichner, Kristin Leichner from Pride, Eric Anderson from Pride, Tualatin Police Chief Bill Steele, Durham resident Renee Day, and Durham resident Patricia Saab.

**C. COUNCIL MINUTES.** Councilor Gifford moved to approve the minutes from the July 28<sup>th</sup> City Council meeting. Councilor Hadfield seconded the motion. The vote was unanimous (3-0).

**MO 092220-1**

**D.** Mayor Schirado read the **CALENDAR OF MEETINGS.**

➤ **Tuesday, October 6, 2020**, Regular Meeting of the Planning Commission at 7:30 p.m., via Zoom

➤ **Tuesday, October 27, 2020**, Regular Meeting of the City Council at 7:30 p.m., via Zoom

**E. PUBLIC FORUM.** None.

**F. PLANNING COMMISSION UPDATE.** There were no comments from the Councilors.

**G. ANNUAL VISIT FROM POLICE CHIEF BILL STEELE.** Police Chief Steele gave an overview of what the Police have been faced with this year including a house fire in Durham, COVID, the fallout of the murder of George Floyd, and the hazardous air quality from the wildfires. He said they will be having community meetings in October.

Mayor Schirado asked Chief Steele to explain his comment about the Obama Policy. Chief Steele said the Obama Foundation came out with the “8 Can’t Wait” policy recommendations, which are 8 points that should be incorporated in policing policies. Adding that the Tualatin Police Department had incorporated 7 of the 8 policies prior to the campaign and that he feels Tualatin’s existing policy is better than the 8<sup>th</sup> policy point of the campaign, because it allows for de-escalation.

Mayor Schirado also asked Chief Steele to discuss the concept of “defunding the police.” Chief Steele said the Tualatin Police Department spends the bulk of their budget on people. He said as a society a lot of needs have been transferred to the police, but that police may not be the best resources for some of these calls. He continued that there may be more resources that could be funneled to these issues that don’t include the police. He said that there has to be well thought out discussions and plans before these budgets are changed. Mayor Schirado asked if Chief Steele could discuss the system in Eugene. Chief Steele said they have the CAHOOTS model that shifts some non-police calls to people who are better able to deal with certain situations.

Chris Hadfield asked Chief Steele to comment on the future of policing, if there are openings or a decline in applicants and where they are heading? Chief Steele said they are fully staffed. He said they are lucky for having great community support so they are not struggling in ways that other departments are. He said he is concerned about the future of younger police officers and the long term impacts on the departments.

Mayor Schirado said that Tualatin has high standards which attract good officers. Chief Steele said he hopes the Mayor continues to feel that way and that he makes sure to treat their officers well and provide them with adequate training and support. He added that they won't lower their standards to fill a vacancy. Mayor Schirado said he is appreciative of the Tualatin Police Department, but he is concerned about officers going out of state to find higher pay. Chief Steele said that could have an impact on the future. He added that there are opportunities for officers to make more and that their costs will go up in the future.

Councilor Jehnke said he appreciates the Tualatin Police Department. He asked if there is an incident, will there be an outside review. Chief Steele said any time there is an officer involved shooting, there are systems in place to ensure an unbiased investigation and the investigator would come from the Washington County Major Crimes team and a police department outside of the department it occurred. Then there would be a look into the administrative side of the issue, such as training.

Councilor Hadfield asked about an incident of a stolen car chase in Durham and what the outcome was. Chief Steele discussed some details of the incident.

**H. RESOLUTION 633-20, A RESOLUTION OF THE CITY OF DURHAM ADJUSTING SOLID WASTE DISPOSAL RATES FOR PRIDE DISPOSAL COMPANY.** Representatives from Pride were available for questions. Councilor Hadfield said that there have been a lot of price increases over the last five years, and it has been a substantial amount of increase. Kristin Leichner, from Pride, said that about 5 years ago the City of Tigard set up an annual adjustment system to do small incremental increases annually rather than a large increase every few years. Councilor Hadfield asked if they have been getting an annual change. Leichner said typically it is annually, but there was an increase in August 2019. Councilor Hadfield suggested postponing the vote until they can see a history of pricing for the last 5 to 10 years and how often and when it was changed.

Mayor Schirado asked what Tigard has done. Leichner said Tigard approved a rate increase that will take effect in January. He then asked when the last rate change was. Leichner said August 2019 to January 2021. Mayor Schirado asked how long the rates are good. Leichner said until the Council changes it, but typically annually. Tate said the Council decided to do smaller increases rather than large ones about four years ago.

Councilor Jehnke asked if Tigard does a study every year. Leichner said they do them based on rate changes or every five years if one hasn't been done. Councilor Jehnke asked if they could get a copy of the reports. Leichner said Durham is provided with a report when a study is done. Tate said Durham is provided an extensive report every year and the Council had decided to go along with what Tigard does instead of doing its own analysis.

The Council decided not to make a motion at this meeting and requested additional information and to revisit it at the October meeting.

Councilor Hadfield asked why glass was not picked up the last week. Leichner said due to the hazardous air they pushed garbage back a day, but had to limit driver hours and were not able to pick up all the items and had to prioritize what was picked up. Councilor Hadfield asked about the next week of recycling with twice the amount of recycling for residents. Leichner said to use boxes, or use plastic/rigid containers to put excess recycling in. She added that if it is made clear that it is recycling, they will pick it up. Councilor Hadfield asked if additional charges will be waived. Leichner said they will waive charges for what was not picked up last week.

**I. STORAGE CONTAINER AT 16805 UPPER BOONES FERRY.** The resident who requested this discussion was not at the meeting. Mayor Schirado asked Linda to give an overview of the issue. Tate gave a brief overview of events concerning the storage container. Councilor Hadfield asked what the Council needed to do. Tate said the resident wanted to talk to the Council because she did not agree with Tate's decision, and get a decision from the Council on whether or not the storage container is a nuisance. Councilor Hadfield said he agrees with Tate that the container is a nuisance and that it needs to be removed or abated. Councilor Jehnke said the resident needs to change the container to make it openable from the inside, which is an expensive alteration of the container. Mayor Schirado said it is important for Tate to have the authority from the Council in this matter and that he agrees with Councilor Hadfield that the container needs to be removed and if it is not removed the City will remove it and bill the resident. Councilor Gifford said she agrees and questioned why it is placed there.

Mayor Schirado said the City is in its purview to go in and remove the container, bill the resident and if it is not paid put a lien on the property. The Council is in unanimity that Tate is to direct the resident to remove the container or have it removed by the City, within 10 days of the notice.

**J. ADMINISTRATOR'S REPORT.** Tate provided the Council with the annual update to the "Changes in Fund Balance" document.

**K. FINANCIAL REPORTS.** Councilor Gifford moved to approve payroll checks 593 to 596, vendor checks 16717 to 16739, and electronic fund transfers totaling \$9896.14. Councilor Hadfield seconded the motion. The vote was unanimous (4-0). **MO 092220-2**

**L. COUNCIL COMMENTS & MISCELLANEOUS INFORMATIONAL ITEMS.** Councilor Hadfield asked how many people are running in the November Election. Tate said just the three councilors are running for re-election. Mayor Schirado said there may be a special session happening in Salem soon and that by the end of the year there will be a number of mayoral changes in the metropolitan area. Councilor Jehnke said it may be interesting to ask what TVF&R thinks about all the trees in Durham in the context of the wildfires and their ability to protect Durham houses and that opinion in relation to Durham's Tree Preservation Ordinance.

**M. ADJOURN.** Mayor Schirado adjourned the meeting at 9:00.

**Approved:**

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**GERY SCHIRADO, MAYOR**

**Attest:**

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**LINDA TATE, CITY ADMINISTRATOR/RECORDER**