

**City of Durham**  
**CITY COUNCIL MINUTES**  
**Sept. 28, 2021**

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- A. **OPEN REGULAR COUNCIL MEETING.** Mayor Schirado opened the meeting via Zoom at 6:32 p.m.
- B. **ROLL CALL OF COUNCIL MEMBERS.** *Councilors Present:* Mayor Gery Schirado, Council President Chris Hadfield, and Councilors Keith Jehnke, Chuck Van Meter  
*Councilors absent:* Leslie Gifford  
*Staff Present:* Linda Tate, City Administrator and Emily Baker, Administrative Assistant  
*Public Present:* Police Chief Bill Steele
- C. **COUNCIL MINUTES.** Councilor Van Meter moved to approve the minutes from the July 27, 2021, council meeting. Councilor Hadfield seconded the motion. The vote was unanimous (4-0). **MO 092821-1**
- D. Mayor Schirado read the **CALENDAR OF MEETINGS:**
- **Tuesday, October 5, 2021**, Regular Meeting of the Planning Commission is cancelled.
  - **Tuesday, October 26, 2021**, Regular Meeting of the City Council at City Hall at 7:30 PM, masks required.

The Council discussed how they want to hold the next Council meeting. Councilor Hadfield said he wanted to have the meeting in-person at City Hall at 7:30 with masks. Councilors Van Meter and Jehnke agreed with Councilor Hadfield. The Council decided to hold the next meeting at City Hall at 7:30 with masks.

- E. **PUBLIC FORUM.** None.
- F. **PLANNING COMMISSION UPDATE.** There were no Council comments.
- G. **ANNUAL VISIT FROM POLICE CHIEF BILL STEELE.** Chief Steele gave some highlights of the previous year and discussed upcoming projects. He discussed a new program called the Mental Health Response Team, which will have a Washington County Mental Health clinician pairing with the police to address mental health issues in the community.

Chief Steele then explained that the Tualatin Police will start using body cameras on their officers. He noted that this is an important step in the Tualatin Police's efforts to be transparent and will help to address claims brought against an officer or de-escalate a situation. The department has been applying for grants and looking at possible federal funding opportunities for this program.

Chief Steele then discussed police activity, including their collection of traffic stop data and the increased crime rate in Tualatin. He added that the department is hoping that as the pandemic slowly gets better, so will the crime rates. Steele also touched on the decriminalization of small amounts of hard drugs and issues it has created. He noted that drug addiction is still fueling a large amount of the theft they deal with. He then discussed WCCCA and some of the delays they are facing on their projects, some of which are unavoidable with COVID and other outside factors. Steele briefly discussed the retention of officers in the department. He explained that school resource officers are back in schools

and that a majority of the staff at the schools are happy with them. He then discussed general challenges facing the department.

Councilor Hadfield asked Chief Steele to comment on the homeless situation. Chief Steele said that there is an issue, but they are going to work with Washington County on a program to help transition people into housing. Councilor Hadfield asked if anything changed in what the police can and can't do in their response to homeless issues. Chief Steele said there have been some significant changes coming out of some recent court decisions, including not being able to criminalize homelessness and imposing reasonable limits on use.

Mayor Schirado asked Chief Steele about the record rise in homicides and use of guns in the country, as reported by the FBI, and what implications that has for Durham in 2022. Chief Steele said that officers need to be proactive and that his fear is a desensitization by the population to gun violence. He said they have not had homicides in Tualatin or Durham since 2018, but people are becoming empowered to commit crimes and not listening to what police say in these situations. He said if violence is not dealt with in the community where it takes place, then it will spill over into other communities. Mayor Schirado asked if there is any spillage into the Tigard-Tualatin-Durham area regarding theft, drugs, or violence. Chief Steele said they are starting to see crime coming to the communities around Tualatin and Durham and that they see people wanting to come into the community to commit crimes due to the nice retail shopping centers here. Mayor Schirado added that the proximity to the interstate is also an issue when it comes to theft, due to the easy exit for thieves, and that he is generally concerned about the increased crime rates in the area.

- H. **ORDINANCE 265-21, AN ORDINANCE OF THE CITY OF DURHAM ADOPTING NEWER VERSIONS OF THE STATE BUILDING CODE FOR APPLICATION WITHIN THE CITY, AMENDING ORDINANCE 195-99, AMENDING ORDINANCE 264-20, AND DECLARING AN EFFECTIVE DATE.** Tate explained that Tualatin recently adopted newer versions of the State Building code, and since they perform building department duties for the city, Durham also needs to update their Code. Mayor Schirado did a first reading of Ordinance 265-21, an ordinance of the city of Durham adopting newer versions of the state building code for application within the city, amending Ordinance 195-99, amending Ordinance 264-20, and declaring an effective date.
- I. **DISCUSSION ON LOCAL SHARE PORTION OF THE 2019 METRO PARKS AND NATURE BOND.** Tate provided an overview of the local share portion of the 2019 Metro Parks and Nature bond. She said that the city needs to do community outreach and engagement, particularly with marginalized parts of the community, to get input on how the city should spend the money. She is asking how the Council would like to proceed in the process.

Councilor Hadfield said he is not sure the city would be provided enough money to merit jumping through the hoops Metro wants them to. However, the community may want them to do what is needed in order to use the money. Councilor Hadfield asked Tate if the city has any information on the make up of the Durham population. Tate said she does have that data, and that she can share the Census link to the Councilors. Councilor Hadfield and Tate discussed the Park Survey that was sent out in 2017. Councilor Hadfield then asked about the citizens committee requirement and Tate said Metro made it clear that this decision should not be made by a single person and a committee should be the starting point for planning what the City wants to do with the funds. Tate said she attended a conference call

which discussed the concept of having a community event with food and some coupons or gift cards to incentivize engagement for certain parts of the community.

Councilor Jehnke and Mayor Schirado gave some ideas for how the citizen committee could be comprised and how they would engage with the community. Councilor Hadfield said that any outreach efforts will need to include suggestions, instead of putting it out broadly for ideas. He then provided some of his ideas for using the funds, including expansion of the playground equipment, using 10% for overhead costs for project, nature trail improvements, lighting the City Park parking lot, park enhancements (urban forest canopy, habitat connectivity, more trees), and connecting nature path out to Durham Road.

Tate said that Durham's Council is not the only council to be concerned with the number of hoops that jurisdictions have to go through to receive permission to use the funds and suggested delaying the process and observing how other jurisdictions deal with the requirements Metro is imposing.

Mayor Schirado said that he thinks that Metro has good intentions, but that their approach leaves a lot to be desired. The material in the handbook applies to most of the jurisdictions in the Metro area, but not exactly to the City of Durham. He added that the project should not be the outcome of one person, community input should be received, and Durham should take its time before deciding on this and wait to see what other cities do.

The council came to a consensus to wait and move the discussion to a future meeting.

- J. DISCUSSION ON AMERICAN RESCUE PLAN ACT FUNDS.** Tate gave an overview of the American Rescue Plan Act (ARPA) funds. She provided the Council with the major categories the funds can be used for. Tate said it is ultimately the Council's decision on how the funds can be used, but she recommends doing the revenue reduction replacement and using the lost revenue amount on police, fire, and other public safety services. Tate and Baker explained how they came to the amount of lost revenue the city had for 2020. Councilor Hadfield asked if there were any limitations on the first payment of the ARPA funds. Tate said there are and that they have to be spent by the end of 2024 under the categories approved under ARPA.

The Council came to the consensus for Tate to file the report and request the lost revenue amount.

- K. RESOLUTION 647-21, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DURHAM, OREGON, ADOPTING A SIGN MAINTENANCE POLICY.** Councilor Hadfield moved to adopt resolution 647-21, a resolution of the City Council of the City of Durham, Oregon, adopting a sign maintenance policy. Councilor Jehnke seconded the motion. The vote as unanimous (4-0). **MO 092821-2**

- L. DISCUSSION ON U.S. AND OREGON FLAGS FOR INSIDE CITY HALL.** Mayor Schirado said Durham is one of the few cities that does not have a US or Oregon state flag in City Hall, and the cost is not too expensive. Councilor Hadfield asked the size of the flag and Tate said they are 7 ft tall. The Council came to the consensus that City Hall should get US and Oregon flags.

**M. ADMINISTRATOR'S REPORT**

- **Update on In-N-Out:** Tate provided an email earlier in month to the Councilors with an update about a purchase offer that was reported in the news.
- **Application received for 36 home PRD at north end of town:** Tate discussed the submission the city received for a 36 home residential development. She said there will be a public hearing on November 2<sup>nd</sup> at the Planning Commission's meeting. Mayor Schirado and the Councilors said they would like to go out and look at the property to get an idea for what the land will look like with this development. Tate said she is not sure if that would be possible and that the developers have not purchased the land yet.
- **Update on road project in Afton Commons:** Tate said the paving work was done on Chaucer Ct and Cambridge Ln. and they just need to seal the ends of the paving.
- **Annual update of spreadsheet on fund balances:** Tate provided the annual update of spreadsheets on fund balances to the Councilors.

**N. FINANCIAL REPORTS.** Councilor Hadfield moved to approve payroll checks 617 to 621, vendor checks 16907 to 16945, and electronic fund transfers totaling \$13,555.54. Councilor Van Meter seconded the motion. The vote was unanimous (4-0). **MO 092821-3**

**O. COUNCIL COMMENTS & MISCELLANEOUS INFORMATIONAL ITEMS.** Councilor Hadfield said that he was happy about Pride's battery recycling program. He also asked about the Pride tour that the Mayor and Councilor Jehnke attended. Mayor Schirado and Councilor Jehnke discussed the tour and the new Metro transfer station that is going in in Cornelius. Councilor Hadfield also asked about the unfinished work on Arkenstone Drive and Tate said she has talked to the city engineer about having the City finish the work. Councilor Hadfield then discussed the Council's previous conversation on the personnel policy from the last meeting, and asked if he could have a conversation with the HR attorney about the personnel policy. The other Councilors did not have any objections to him speaking with the HR attorney.

Mayor Schirado asked about the fine the Council imposed on the illegal dumping issue from the previous meeting. Tate said they received the check in the mail.

The Mayor and the Council extended their gratitude and well wishes for Baker, who is leaving her position at the end of the month.

**P. ADJOURN.** The mayor adjourned the meeting at 8:20 p.m.

**Approved:**

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**GERY SCHIRADO, MAYOR**

**Attest:**

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**LINDA TATE, CITY ADMINISTRATOR/RECORDER**