



City of Durham
CITY COUNCIL SPECIAL MEETING MINUTES
September 30, 2025

A. OPEN SPECIAL COUNCIL MEETING.

Mayor Joshua Drake opened the meeting at 6:34 PM at Durham City Hall.

B. ROLL CALL OF COUNCIL MEMBERS.

Councilors present: Mayor Joshua Drake, Council President Leslie Gifford, Councilors Gary Paul, David Streicher, and Sean Lee

Councilors absent: None

Staff present: City Administrator Jordan Parente, Administrative Assistant Wyatt Bean, City Attorney Emily Guimont

Visitors: Sue Fuller (via Zoom), Susan Deeming, Craig Mitchell

C. CALENDAR OF MEETINGS.

Mayor Drake listed the following:

- **September 30, 2025** – City Council Work Session (6:00 p.m.)
- **October 7, 2025** – Public Hearing on DDC updates and Regular Planning Commission meeting (7:00 p.m.)
- **October 28, 2025** – Regular City Council Meeting (7:30 p.m.)

D. FIRST READING OF ORDINANCE 270-25; AN ORDINANCE OF THE CITY OF DURHAM CREATING A MUNICIPAL COURT WITH JURISDICTION OVER VIOLATIONS OF CITY ORDINANCES AND CODE, PROVIDING CODE ENFORCEMENT AND CREATING PENALTIES FOR VIOLATIONS WITHIN THE CITY AND REPEALING ORDINANCE 224-05 AND DECLARING AN EMERGENCY.

City Administrator Parente presented the draft ordinance, explaining that it replaces the City's 2005 municipal court ordinance. The major update raises the maximum violation fine from \$720 to \$1,000, with each calendar day considered a new violation. He stated this change would bring Durham's penalty standards in line with other municipalities and provide stronger enforcement tools.

Mayor Drake asked about the City's agreement with the City of Tualatin for municipal court services. City Administrator Parente confirmed that Durham already has an intergovernmental agreement (IGA) with Tualatin that parallels the City's police services agreement.

Council discussion focused on the implications of daily fines. Councilor Streicher expressed concern that the \$1,000 per day penalty was excessive and unnecessary, suggesting the existing fine limit had worked adequately for 20 years. He argued that applying daily fines could be punitive toward residents.

City Administrator Parente and City Attorney Guimont clarified that the \$1,000 fine represents a maximum limit and would not automatically be assessed daily. They noted that this language provides flexibility and consistency with state law and other Oregon cities, allowing per-day penalties only when justified by ongoing noncompliance.

With some initial confusion regarding what should occur after the first reading of an ordinance, Councilors discussed procedural options for ordinance readings under emergency circumstances.

Council President Gifford believed that, historically, ordinances were read twice with motions occurring after both the first and second reading. City Attorney Guimont clarified that, while two readings occur, only one motion/vote does following the second reading. She also confirmed that two readings can occur in a single meeting if all members are present and unanimous in declaring an emergency.

E. FIRST READING OF ORDINANCE 271-25; AN ORDINANCE OF THE CITY OF DURHAM ADOPTING A BUILDING CODE FOR APPLICATION WITHIN THE CITY, REPEALING ALL PRIOR ORDINANCE REGARDING BUILDING CODE ADOPTION, AND DECLARING AN EMERGENCY.

Transitioning to the second emergency ordinance of the Special Meeting, City Administrator Parente described this ordinance as an update to modernize the City's building code provisions and streamline adoption of state code updates. Instead of amending old ordinances each time the building code changes, the new process allows Council to adopt future building code updates by resolution.

He noted that the City's IGA with Tualatin for building inspection services would remain in place and that penalties and procedures align with those of the municipal court ordinance.

No motion was made at this stage, given that motions only occur after the second reading of the ordinance.

F. SECOND READING OF ORDINANCE 270-25; AN ORDINANCE OF THE CITY OF DURHAM CREATING A MUNICIPAL COURT WITH JURISDICTION OVER VIOLATIONS OF CITY ORDINANCES AND CODE, PROVIDING CODE ENFORCEMENT AND CREATING PENALTIES FOR VIOLATIONS WITHIN THE CITY AND REPEALING ORDINANCE 224-05 AND DECLARING AN EMERGENCY.

Councilors further contemplated Ordinance 270-25, discussing examples involving tree removal and illegal development. City Administrator Parente explained that the per-day fine would apply until the violation is corrected, such as when a required tree is replanted or a property brought into compliance. He further noted that specific codes can include its own penalty language separate from this general ordinance.

Council President Gifford and Councilor Paul supported maintaining per-day fine language, emphasizing that it provided essential enforcement leverage against developers or recurring violators. Councilor Streicher maintained opposition, as he did not support ongoing daily fine accruals and believed that \$1000 per day would be "heavy-handed." Conversely, Councilor Lee noted it could serve as a necessary deterrent when other mechanisms fail.

Following discussion, Council opted to table Ordinance 270-25 until the next meeting for a second reading, as the related motion did not garner the unanimous consent following motion required for emergency adoption, with all Councilors except Streicher voting in favor (4-1).

G. SECOND READING OF ORDINANCE 271-25; AN ORDINANCE OF THE CITY OF DURHAM ADOPTING A BUILDING CODE FOR APPLICATION WITHIN THE CITY, REPEALING ALL PRIOR ORDINANCE REGARDING BUILDING CODE ADOPTION, AND DECLARING AN EMERGENCY.

Mayor Joshua Drake reread the title of the ordinance. Council President Gifford moved to adopt Ordinance 271-25 while Councilor Paul seconded. The motion passed unanimously (5-0).

MO 093025-01

Following the vote, City Administrator Parente noted that Section 5 of Ordinance 271-25 references the municipal court ordinance (270-25), which had not yet taken effect due to it failing to pass during its

second reading. City Attorney Guimont explained that this reference would be inoperative until Ordinance 270-25 is enacted and that no action was required at this time. Council agreed to proceed with adoption and revisit adjustments, if necessary, after 270-25 is finalized.

H. RESOLUTION 684-25: SPECIALITY BUILDING CODE RESOLUTION.

City Administrator Parente explained that the resolution adopts State Building Codes, including the 2025 Oregon Specialty Structural Code, Mechanical Specialty Code, and Energy Efficiency Specialty Code, ensuring the City remains consistent with state building standards.

Council President Gifford moved to adopt Resolution 684-25 while Councilor Paul seconded. The motion passed with unanimous approval (5-0).

MO 093025-02

I. COUNCIL COMMENTS & MISCELLANEOUS INFORMATIONAL ITEMS.

City Administrator Parente noted corrections to prior meeting minutes, clarifying that the July 29th Work Session minutes had correctly reflected a motion that passed regarding council access to city invoices and records.

A discussion followed between Councilor Streicher and other Council members regarding this previous meeting's motion about Council access to invoices and City documents. Councilor Streicher maintained that the motion had failed, while Council President Gifford, Councilor Paul, and staff stated that the motion, with limitations preventing copies or removal of documents from the premises, had passed. Administrative Assistant Bean confirmed that both the associated recording and transcript verified that the motion had been made, seconded, and passed unanimously. The corrected minutes will return for Council approval at the next meeting.

J. ADJOURN.

Mayor Drake adjourned the meeting at 7:16 PM.

Approved:

Joshua Drake, MAYOR

Attest:

Jordan Parente, CITY ADMINISTRATOR/RECORDER