



City of Durham
CITY COUNCIL WORK SESSION MINUTES
February 10, 2026

A. OPEN COUNCIL WORK SESSION.

Mayor Joshua Drake opened the work session at 7:30 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 (via Teams), and Sean Lee

Councilors absent: None

Staff present: City Administrator Jordan Parente, Administrative Assistant Wyatt Bean, City Attorney Ashleigh Dougill

Visitors: None

C. CALENDAR OF MEETINGS.

Mayor Drake reviewed the upcoming meetings as listed on the agenda: City Hall closure on February 16, 2026, in observance of Presidents' Day; the February 24, 2026, Regular City Council Meeting at the Juanita Pohl Center; and the March 10, 2026, Planning Commission meeting.

D. CITY ATTORNEY'S WORKING DRAFT OF TREE ORDINANCE FOR DEVELOPED PROPERTIES "MUNICIPAL CODE".

City Attorney Dougill introduced the revised draft municipal tree ordinance and stated her recommendation that Council focus on the five outstanding issues identified in the staff report, along with Councilor Streicher's previously submitted edits. The draft incorporated redline corrections, grammatical revisions, and several structural updates.

Definitions – Canopy and Canopy Coverage (Section 162.03)

City Attorney Dougill explained that definitions for "Canopy" and "Canopy Coverage" had been added from the Development Code to ensure consistency between code sections. Council expressed consensus to retain the added definitions without modification.

Property Damage Tree Removal Language (Section 162.05.C.i.1)

Council reviewed revised language clarifying when a tree causing material damage to property may be removed. After discussion regarding whether references to "repair" and "reasonably likely material damage" were necessary, Council directed removal of the "repair" language and simplification of the provision to state that removal is permitted when the structure or utility service cannot reasonably be moved without further material damage.

Hazard Tree Determination Timeline (Section 162.07)

Council engaged in extensive discussion regarding the timeline for hazard tree permit determinations. Councilor Streicher advocated for a five-business-day determination period for Hazard Tree permits to address situations where residents fear imminent danger. Concerns were raised about administrative burden, arborist availability, cost implications, and potential abuse of the hazard classification.

After deliberation, Council reached consensus to establish a ten (10) business day review period for hazard tree applications, compared to fifteen (15) business days for other application types. Council

also included qualifying language allowing exceptions to these timelines “under extenuating circumstances.”

Mitigation Trees (Section 162.08.B.iii)

Council discussed language regarding mitigation trees and whether trees planted as mitigation could be removed after two years. Council agreed to delete language implying mitigation trees could be removed after two years and instead clarify that mitigation trees remain subject to all permit removal requirements, including transfer of property ownership. Language was added to further clarify that the replacement of mitigation trees that die within the first two years can occur without acquiring a permit.

Additional edits were made to clarify that mitigation trees are “required by the City to be planted under this chapter,” and minor grammatical and structural corrections were incorporated.

Violation Penalties – Mitigation Requirements (Section 162.10.A.ii)

Council revisited penalties for violations of mitigation requirements. Councilor Streicher expressed concern that the existing structure could result in excessive cumulative penalties. Council discussed balancing compliance incentives with fairness and discretion.

Consensus was reached to revise the language to provide that violations of mitigation requirements “shall be assessed a penalty in an amount up to \$500 for each month that the violation exists.”

Clarifying edits were made to simplify the related curing language. Council retained the existing \$4,000 cap structure for other violations and maintained language distinguishing continuing and non-continuing violations.

Additional Revisions

Council addressed several additional technical corrections, including:

- Adding “or penalty” to the appeal section to allow appeals of assessed penalties.
- Correcting cross-references and numbering errors.
- Revising DBH measurement language for clarity regarding diameter and circumference.
- Relocating and clarifying the term “topping” within the definition of removal.
- Removing reference to the January 2024 storm in the “Whereas” clause and replacing it with broader language referencing “extreme weather events.”
- Removing duplicative or unnecessary wording throughout the draft.
- Eliminating the word “discretionary” from the one-tree-per-year permit description.
- Making minor grammatical and formatting corrections.

Council also discussed whether the ordinance should be adopted as an emergency measure. While the draft contained emergency language, Council expressed concern about public perception and transparency. Council consensus was to proceed with a first reading on February 24, 2026 at the Juanita Pohl Center, allow public comment during the standard public comment period, and conduct a second reading at the subsequent meeting unless substantial amendments necessitated additional review.

The City Attorney advised that public comment on the ordinance would occur during the regular Public Forum portion of the meeting, with no direct Council response during testimony. Council supported

providing a clear opening statement outlining the process and expectations. Council also confirmed February 24, 2026 as the first reading date.

E. CONFIRMATION OF COUNCIL GOALS.

City Administrator Parente presented the consolidated 2026 Council Goal Priorities list developed during the January 14, 2026, goal-setting session and acknowledged the significant workload anticipated for 2026. Council confirmed that the presented list accurately reflected its priorities. No revisions were requested. Council members expressed appreciation for the collaborative effort of city staff that produced the revised tree ordinance and goal-setting framework.

F. ADJOURN.

Mayor Drake adjourned the meeting at 9:14 PM.

Approved:

Joshua Drake, MAYOR

Attest:

Jordan Parente, CITY ADMINISTRATOR/RECORDER