



**City of Durham**  
**CITY COUNCIL MEETING MINUTES**  
**March 24, 2026**

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**A. OPEN REGULAR COUNCIL MEETING.**

Mayor Joshua Drake opened the regular council meeting at 7:31 PM at Bridgeport Church.

**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 (via Teams)

**C. COUNCIL MINUTES.**

Council considered the February 24, 2026, City Council work session and regular meeting minutes. Council President Gifford moved to adopt the minutes, and Councilor Paul seconded. The motion passed unanimously (5-0).

**MO 032426-01**

**D. CALENDAR OF MEETINGS.**

Council reviewed the upcoming meeting schedule, including the April 14, 2026, regular Planning Commission meeting, the Budget Committee meeting on April 28, 2026, and the regular City Council meeting on April 28, 2026.

**E. PUBLIC FORUM.**

Mayor Drake outlined the public forum process, including the three-minute speaking limit and the expectation that comments would be received without back-and-forth discussion. Multiple residents commented, with most remarks focused on tree regulation, public safety, and development concerns.

Residents from Afton Lane and nearby properties asked about the status of the Durham Estates site, stating that little visible activity had occurred and expressing concern about what may ultimately be built there, whether the matter remained under appeal, and how the process had progressed. Additional comments questioned whether prior tree retention expectations on nearby development sites had been met and whether future development would be subject to meaningful tree preservation requirements.

Several residents commented on the proposed private property tree ordinance. Some expressed concern that the City's extensive tree canopy had become difficult to manage on private property and sought clarification about what size trees could be removed and under what process. Others objected to the permit fees and penalties and stated that portions of the ordinance remained unclear.

Other residents spoke in support of the ordinance, specifically that it reflected careful consideration of the 2024 tree committee's work and that its most important improvement was shifting most tree removal decisions to a qualified ISA-certified arborist.

Other residents described repeated tree failures in the Heron Grove area and nearby neighborhoods, including incidents where fallen trees damaged homes and had the potential to cause serious injury or death to residents. Speakers expressed that the current draft of the ordinance failed to provide remedies to issues expressed by the community and that arborist inspections do not always identify failing trees in advance. Other residents also urged the city to track tree falls within the city and requested that Council not adopt the ordinance without further revisions. Resident concerns included the increased cost of permits, the severity of penalties, delays in removing dangerous trees, and the absence of a discretionary permit path for trees homeowners view as problematic but may not qualify as hazards.

One resident also raised a separate question about the status of a possible crosswalk at Findlay Road to improve pedestrian ability to safely cross Upper Boones Ferry Road and access to Bridgeport.

#### **F. PLANNING COMMISSION UPDATE.**

City Administrator Parente reported on the March 10, 2026, Planning Commission meeting. He stated that the Commission approved a revised sign for the Ainsworth property near City Hall. He also reported approval of two Type G tree removal requests associated with development activity: one involving a previously retained cedar tied to Lot 36 of David Weekley Homes' Durham Heights project, with one mitigation tree required. The other removal involved a tree at what is now 7888 SW Ellman Lane, where a large structural root was uncovered during excavation that conflicted with the building foundation. This permit was also approved, requiring one mitigation tree.

#### **G. SECOND READING OF ORDINANCE 273-26; REGULATING THE REMOVAL OF TREES ON PRIVATE PROPERTY AND NOT CONNECTED TO THE DEVELOPMENT OF LAND.**

Council discussed the proposed ordinance at length considering public testimony and council input. Councilor Streicher recommended removing the final sentence in Section 162.10.A because prior edits had made it unnecessary. City Attorney Dougill stated the ordinance now specified where violations were continuing in nature and agreed the sentence was no longer necessary.

Council then addressed issues raised during Public Forum. Staff clarified that Durham Estates had not yet applied for tree removal permits. Council explained that Upper Boones Ferry Road is a state highway and that ODOT, not the City, is responsible for installing crossings. Staff and Council clarified that tree removal associated with development is generally governed by the Durham Development Code, and that updated tree regulations for development had recently been revised. They explained that the ordinance under consideration at this meeting applies to all other circumstances of tree removal on private property that are unrelated to development land use decisions.

Council discussed the allowance for one tree per year in the 6-inch to 10-inch diameter-at-breast-height range, with City Attorney Dougill clarifying that a permit is still required, but that removal within that size range is allowed at one tree per year per physical address. Council also responded to concerns about prior development canopy removal, explaining that the Durham Heights development was permitted to retain the required amount of canopy through perimeter trees and a dedicated tract area, as retained trees were credited for 200% of the retained canopy under the prior code.

In discussing fees and penalties, Mayor Drake stated that permit fees had not changed for a long time and that the revised structure was intended in part to recover City costs, including the use of the City's arborist to make permit determinations. Council also discussed whether the catch-all violation provision, found in 162.10.A.iii, was too high. After discussion, Council reached consensus to reduce the maximum penalty per month from \$4,000 to \$2,500. Council additionally discussed whether the ordinance should include a discretionary permit path comparable to the "Type E" permit in the current code, specifically a permit for trees over 10 inches DBH that do not clearly fit other permit categories.

No additional permit category was added at this meeting, though discussion reflected interest in monitoring how the ordinance functions in practice and considering future amendments, if needed.

Council President Gifford moved to adopt the second reading of Ordinance 273-26 with the two revisions read into the record by City Attorney Dougill: removal of the second sentence in Section 162.10.A and reduction of the penalty in 162.10.A.iii from \$4,000 to \$2,500. Councilor Streicher seconded the motion. Mayor Drake, Council President Gifford, Councilor Streicher, and Councilor Lee voted in favor. Councilor Paul abstained. The motion passed 4-0.

**MO 032426-02**

**H. RESOLUTION 693-26 REQUIRING COUNCIL AUTHORIZATION AND PUBLIC NOTICE FOR NON-EMERGENCY TREE REMOVALS.**

Mayor Drake explained that the resolution requires that Council authorization be obtained for non-emergency tree removals on City-owned land. Council President Gifford moved approval, and Councilor Paul seconded. The motion passed unanimously (5-0).

**MO 032426-03**

**I. RESOLUTION 694-26 MASTER FEE SCHEDULE UPDATE.**

City Administrator Parente explained that the proposed fee schedule update primarily revised wording so that the fee schedule aligned with the newly adopted tree code language, while keeping the fee amounts the same. He also noted that the City's arborist bills at \$245 per hour, exclusive of travel time, which informed implementation. Council President Gifford moved approval. Councilor Paul seconded the motion. The motion passed unanimously (5-0).

**MO 032426-04**

**J. GILHAM NUISANCE ORDINANCE ENFORCEMENT REQUEST HAZARD TREE.**

City Administrator Parente summarized the request as a dispute between neighboring private property owners concerning a dead tree alleged to be hazardous. He explained that nuisance enforcement could be considered if Council determined there was a public danger. City Attorney Dougill stated that the City could, at Council's discretion, declare a condition on private property a public nuisance and pursue abatement, but emphasized that the nuisance framework is generally aimed at broader public health, safety, or welfare impacts.

Council discussed whether the tree posed an immediate public threat or whether the matter was better treated as a private dispute between neighbors. Councilor Streicher stated that he did not believe the matter met the standard of an immediate threat under the nuisance code. Council generally agreed and directed staff to not pursue nuisance enforcement.

**K. WASHINGTON COUNTY POLICY ADVISORY BOARD APPOINTMENT.**

City Administrator Parente informed Council that there was a vacancy on the Washington County Policy Advisory Board and noted that the work generally involves housing policy and related county matters. No Council member volunteered for the appointment at this meeting, and Council agreed to revisit the matter later.

**L. FINANCIAL REPORTS.**

Council reviewed the February 2026 financial reports, including vendor checks numbered 17900 through 17912 totaling \$52,089.40 and EFTs and payroll totaling \$18,048.57. Council President Gifford moved approval, and Councilor Paul seconded. The motion passed unanimously (5-0).

**M. ADMINISTRATOR'S REPORT.**

City Administrator Parente reported that Bulky Waste Pickup Day would be held on April 25. He also updated Council regarding the City's engineering contract, explaining that the existing engineering firm was in the process of being sold and had requested assignment of the contract to the new owner. City Attorney Dougill stated that the City may have the ability to decline consent to assignment and pursue a new procurement process, and that additional review of the original procurement and contract terms would be appropriate. Mayor Drake indicated that the matter was an administrative decision for City Administrator Parente. City Administrator Parente also noted an upcoming Family Peace Center event on April 30 to which Council had been invited.

**N. COUNCIL COMMENTS & MISCELLANEOUS INFORMATIONAL ITEMS.**

Councilor Streicher suggested retaining the Planning Commission minutes for Council review but removing the verbal meeting update. He also stated that Council should decide whether to retain the City's auditor for the next cycle before additional work proceeds. Council generally agreed that Planning Commission minutes could remain in the packet without a separate oral update and that the audit matter should be placed on a future agenda.

Councilor Lee asked whether the City had any ability to request a crosswalk improvement from ODOT. Council discussed prior efforts and noted that ODOT has final authority over the state highway. Councilor Lee also suggested that Council periodically revisit the new tree ordinance to assess what is working and what may need amendment. City Administrator Parente responded that the issue had been noted for follow-up during future goal planning.

***COUNCIL ENTERED EXECUTIVE SESSION AT 9:20 PM.***

- O. EXECUTIVE SESSION ON ORS 192.660 (2) (f) – TO CONSIDER INFORMATION OR RECORDS THAT ARE EXEMPT BY LAW FROM PUBLIC INSPECTION.**
- P. EXECUTIVE SESSION ON ORS 192.660 (2) (e) – TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO NEGOTIATE REAL PROPERTY TRANSACTIONS.**
- Q. EXECUTIVE SESSION ON ORS 192.660 (2) (h) – TO CONSULT WITH LEGAL COUNSEL REGARDING LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED.**
- R. EXECUTIVE SESSION ON ORS 192.660 (2) (h) – TO CONSULT WITH LEGAL COUNSEL REGARDING LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED.**

***COUNCIL EXITED EXECUTIVE SESSION AT 9:40 PM.***

**S. ITEMS REQUIRING MOTIONS FOLLOWING EXECUTIVE SESSION.**

Following Executive Session, Council considered a settlement-related action. Council President Gifford moved to authorize the City Administrator to sign the settlement agreement provided the City receives at least \$15,000. Councilor Lee seconded the motion. The motion passed unanimously (5-0).

**T. ADJOURN.**

Mayor Drake adjourned the meeting at 9:41 PM.

**Approved:**

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**Joshua Drake, MAYOR**

**Attest:**

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**Jordan Parente, CITY ADMINISTRATOR/RECORDER**