



City of Durham
CITY COUNCIL MEETING MINUTES
May 26, 2026

A. OPEN REGULAR COUNCIL MEETING.

Mayor Joshua Drake opened the regular council meeting at 7:35 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 Ashleigh Dougill.

Visitors: Tualatin Valley Fire & Rescue Division Chief Brian Smith

C. COUNCIL MINUTES.

Council considered adoption of the March 24, 2026, and April 28, 2026, City Council meeting minutes. Councilor Paul asked whether the March 24 minutes had already been approved. City Administrator Parente clarified that the March 24 work session minutes had been approved previously, but the regular meeting minutes had not been included at that time. Councilor Streicher moved to approve the March 24, 2026, and April 28, 2026, City Council meeting minutes. Council President Gifford seconded the motion. The motion passed unanimously (5-0).

MO 052626-01

D. CALENDAR OF MEETINGS & EVENTS.

Mayor Drake reviewed the calendar of upcoming meetings and events, including the June 9, 2026, regular Planning Commission meeting at 7:00 p.m. and the June 23, 2026, regular City Council meeting at 7:30 p.m.

E. PUBLIC FORUM.

Mayor Drake opened the public forum, and no public comment was given. Mayor Drake closed the public forum.

F. TVF&R PRESENTATION BY CHIEF SMITH.

Tualatin Valley Fire & Rescue Division Chief Brian Smith presented TVF&R's State of the District update. He reported that TVF&R responded to 124 incidents in Durham in 2025, slightly below the five-year average of 138 calls, and stated that most calls were medical in nature while fire incidents were rare. Station 39 on McEwan Road provided the largest share of Durham responses, followed by Station 34 in Tualatin and other nearby stations. He noted that TVF&R provides fire, EMS, rescue, technical rescue, and hazardous materials response.

Chief Smith discussed wildfire season preparation, noting concerns about dry spring conditions and a potentially challenging season. He stated that crews completed annual wildland fire training in April and that specially trained wildland response team members may deploy within or outside the district. Chief

Smith stated that TVF&R does not own aircraft but can access aerial resources through partner agencies.

Chief Smith also discussed increasing low-acuity basic life support calls, which can affect response reliability for higher-acuity emergencies. He described efforts to better match resources to patient needs, including advanced practice community paramedics, care facility outreach, and nurse navigation, which allows some lower-acuity calls to be handled by phone rather than through an emergency apparatus response and hospital transport. In response to Mayor Drake, Chief Smith stated that nurse navigation can reduce unnecessary field response and emergency room use.

Chief Smith summarized TVF&R's 2022 bond-funded capital projects, including replacement of the King City fire station, relocation of Station 62, remodeling of Station 67 in Beaverton, and remodeling of the Sherwood training center. He stated that new and remodeled stations are being designed with seismic upgrades, adequate apparatus capacity, room for future growth, and improved accommodations for all firefighters.

Chief Smith concluded by discussing TVF&R's Struggle Well wellness initiative, a Boulder Crest Foundation program intended to help first responders process trauma and promote post-traumatic growth. He stated that TVF&R has found the program effective and may seek future legislative support to expand similar training to Washington County first responders. In response to Councilor Paul, Chief Smith stated that participation is voluntary, though TVF&R pays staff to attend. Council thanked Chief Smith for the presentation.

G. FIRST READING OF ORDINANCE 275-26, AN ORDINANCE OF THE CITY OF DURHAM, OREGON ADOPTING BUILDING CODE PROVISIONS FOR APPLICATION WITHIN THE CITY OF DURHAM AND REPEALING ORDINANCE 271-25, AND DECLARING AN EMERGENCY.

City Administrator Parente summarized Ordinance 275-26, explaining that it updates the City's building code framework and continues the practice of adopting applicable Oregon specialty codes by resolution. He stated that the ordinance addresses local authority for grading, demolition, fill, certain retaining walls, tanks, photovoltaic systems, antennas, towers, and flagpoles. He explained that it clarifies the relationship between the City's building official services agreement with Tualatin and the City Administrator's enforcement authority for matters not covered by that agreement, including unpermitted work, stop work orders, easements and rights-of-way, appeals, liens, and penalties. He also noted that electrical permitting remains handled by Washington County.

Councilor Streicher proposed amending Section 1 to state that the City Administrator "is directed to codify Exhibit A and is authorized" to make non-substantive edits, consistent with the language used in the City's Tree Ordinance (273-26). City Attorney Dougill agreed that the amendment made sense.

Councilor Streicher moved to approve the first reading of Ordinance 275-26 with the amended codification language. Councilor Lee seconded the motion. The motion passed unanimously (5-0).

MO 052626-02

H. SECOND READING OF ORDINANCE 274-26: AN ORDINANCE PROVIDING FOR LICENSING OF TRADES, SHOPS, OCCUPATIONS, PROFESSIONS, AND BUSINESSES FOR THE PURPOSES OF REVENUE AND REGULATION; PROVIDING THE METHOD OF ISSUING LICENSES; PROVIDING PENALTIES; AND REPEALING ORDINANCE 201-00 AND 217-04.

City Administrator Parente stated that only minor changes had been made since the first reading, primarily formatting and defined-term revisions. Administrative Assistant Bean explained that the ordinance modernizes the City's business license regulations, which had not been substantially updated since 2000. He stated that the ordinance clarifies rules, adds appeal and enforcement

provisions, removes fee amounts from the ordinance, and allows business license fees to be established by resolution through the Master Fee Schedule.

Councilor Streicher proposed adding the same codification language discussed for Ordinance 275-26. He also raised concern about language prohibiting written materials from being left on real property where a “No Solicitation” sign is posted, suggesting an exception for roadside mailboxes to avoid penalizing neighborhood flyers or similar notices. Council discussed federal regulation of mailboxes, whether the City should avoid implying permission to use them, whether defining solicitation would help, and whether content-based distinctions could create legal concerns. City Attorney Dougill advised caution about regulating based on the content of written materials. Council did not add the mailbox-related amendment.

Council President Gifford moved to approve the second reading of Ordinance 274-26 with the amendment directing the City Administrator to codify Exhibit A. Councilor Paul seconded the motion. The motion passed unanimously (5-0).

MO 052626-03

I. SECOND READING OF ORDINANCE 275-26, AN ORDINANCE OF THE CITY OF DURHAM ADOPTING BUILDING CODE PROVISIONS FOR APPLICATION WITHIN THE CITY AND REPEALING ORDINANCE 271-25, AND DECLARING AN EMERGENCY.

Council considered the second reading of Ordinance 275-26. Council President Gifford moved to approve the second reading with the codification language discussed during the first reading. Councilor Lee seconded the motion. The motion passed unanimously (5-0).

MO 052626-04

J. RESOLUTION 697-26; A RESOLUTION OF THE DURHAM CITY COUNCIL ADOPTING BUILDING CODE STANDARDS FOR THE CITY OF DURHAM, OREGON.

City Administrator Parente explained that Resolution 697-26 is the companion resolution to Ordinance 275-26. It adopts current Oregon specialty codes applicable in Durham, including structural, mechanical, residential, plumbing, fire, manufactured dwelling installation, and energy efficiency codes. It also adopts optional provisions and local standards related to certain retaining walls, tanks, photovoltaic systems, towers, antennas, flagpoles, demolition, excavation, grading, and fill.

Councilor Streicher moved to approve Resolution 697-26. Council President Gifford seconded the motion. The motion passed unanimously (5-0).

MO 052626-05

K. RESOLUTION 698-26; A RESOLUTION TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH METRO FOR THE REMEDIATION OF ENCAMPMENTS.

City Attorney Dougill explained that the Metro encampment cleanup agreement required negotiation because of litigation risk and prior indemnification language required Durham to indemnify Metro for Metro’s own actions. She stated that the revised agreement narrows Metro’s role to cleanup services

and clarifies each party's responsibilities. City Administrator Parente stated that, historically, Durham generally handles encampment matters in-house but has maintained access to Metro's service.

Council discussed the division of responsibility. City Attorney Dougill explained that Durham remains responsible for ensuring the campsite is vacated, posting required notices, determining what qualifies as personal property, and storing personal property. Metro is responsible only for cleanup.

Councilor Streicher moved to approve Resolution 698-26. Councilor Paul seconded the motion. The motion passed unanimously (5-0).

MO 052626-06

L. RESOLUTION 699-26; A RESOLUTION OF THE DURHAM CITY COUNCIL, OREGON, ACCEPTING A METRO LOCAL SHARE GRANT AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH METRO.

Council considered Resolution 699-26, accepting the Metro Local Share grant and authorizing the City Administrator to execute the related intergovernmental agreement. City Administrator Parente confirmed that the resolution allows the City to accept the grant.

Council President Gifford moved to approve Resolution 699-26. Councilor Lee seconded the motion. The motion passed unanimously (5-0).

MO 052626-07

M. PUBLIC HEARING ON RESOLUTION 700-26; A RESOLUTION OF THE DURHAM CITY COUNCIL SETTING FEES, CONSOLIDATING FEES, AND ESTABLISHING A FEE SCHEDULE FOR THE CITY OF DURHAM, OREGON.

Mayor Drake opened the public hearing on Resolution 700-26. No public comment was given. Mayor Drake closed the public hearing.

City Administrator Parente stated that the Master Fee Schedule should include a fill permit fee of \$250 plus actual cost, in addition to demolition, grading, and wall permit fees already present within the packet. Councilor Streicher raised concern that the public records fee language could be read to impose a \$25 minimum on every request. City Attorney Dougill recommended clarifying that the first 15 minutes are free, copies and materials are charged regardless of staff time, and time beyond 15 minutes is billed in the applicable increments.

Council also discussed business license fees. City Administrator Parente stated that the apartment business license fee would increase from \$12 per unit to \$15 per unit and would affect three apartment complexes. Councilor Lee asked whether business license fees are annual, which City Administrator Parente confirmed. Council agreed that the schedule should clarify annual business license fees and the annual small cell wireless license fee.

Council President Gifford moved to approve Resolution 700-26 with the discussed adjustments, including adding the fill permit fee for \$250, clarifying public records fee language, and clarifying the annual nature of business license and small cell wireless license fees. Councilor Lee seconded the motion. The motion passed unanimously (5-0)

MO 052626-08

N. PUBLIC HEARING ON RESOLUTION 701-26; A RESOLUTION OF THE DURHAM CITY COUNCIL ESTABLISHING BUILDING PERMIT FEES FOR THE CITY OF DURHAM, OREGON.

Mayor Drake opened the public hearing on Resolution 701-26. No public comment was received, and Mayor Drake closed the public hearing.

City Administrator Parente explained that Durham's IGA with Tualatin requires the City to charge no less than Tualatin's building permit fees. Because Tualatin plans a 5% increase effective July 1, 2026, followed by an additional 20% increase in August, staff recommended adopting a single 26% increase effective July 1. He stated that Durham's fees would remain in the lower third of comparison cities and second lowest for residential building fees among the cities reviewed.

City Administrator Parente also summarized related fee changes planned by the Building Official, including new fees for ventilation, plumbing re-pipes, and medical gas systems; increasing plan review fees to 70% of the permit fee; increasing hourly and flat fees to \$125; adding temporary certificate of occupancy and refund administrative fees; and increasing the technology fee from 3% to 5%.

Councilor Streicher moved to approve Resolution 701-26. Council President Gifford seconded the motion. The motion passed unanimously (5-0)

MO 052626-09

O. PROPOSED CITY TREE REMOVAL: DEAD & DYING TREES IN DURHAM PARK.

City Administrator Parente stated that the item returned after Council members had time to inspect the trees proposed for removal in Durham Park. He explained that the City arborist had recommended removing a dead cottonwood near a busy path area and several dead or declining alder trees near the top of the nature loop. The trees had been marked with ribbon, which was removed, and later with marking paint, which was also scraped off, or tree bark otherwise removed.

Mayor Drake stated that he was most concerned about trees or dead portions of trees leaning over the path, which he believed would eventually fall. Councilor Streicher stated that the trees are located on a narrow strip between the walking path and Fanno Creek, where bank erosion is a concern, and that removing trees near the bank could disturb roots that help stabilize the area. He also stated that the trees had not been scored as high-risk hazards and raised concerns about cost, staff time, and whether the City would lose recreational immunity if it did not remove them.

City Attorney Dougill explained that recreational immunity generally protects cities from ordinary negligence claims related to recreational use, but that risk may increase where a City knows of a dangerous condition and fails to act despite warnings or evidence that a reasonable person would address the issue. Council discussed whether the arborist had formally scored the trees or simply recommended removal based on condition and proximity to the path. Council generally agreed that obvious safety risks over the trail should be mitigated, while trees that do not present a high or extreme risk should remain.

Council directed staff to have the City arborist assess the identified trees using a risk assessment approach and to remove trees or portions of trees determined to be high-risk or extreme-risk hazards, especially those posing a safety risk to the path.

P. LEGAL ADVICE REGARDING MUNICIPAL CODE – COUNCILOR STREICHER.

Councilor Streicher raised concerns that the City's website links to some repealed ordinances within its online municipal code materials. He recommended replacing repealed materials with newly adopted laws, adding ordinances of general application such as the Pride Disposal solid waste ordinance and telecommunications license fee ordinance, and treating the effort as an interim fix until the City can complete a comprehensive codification project. He stated that the underlying ordinances control if any discrepancy exists.

Councilor Lee supported improving the website's accuracy, noting that public comments over the past year had reflected trust concerns and that making current laws easier to find would be a positive step. He suggested adding explanatory language that the original ordinance controls if there is any discrepancy. City Attorney Dougill agreed that the currently effective ordinance controls over any

codified or consolidated version and stated that she supports updating the materials conceptually, while cautioning that proper codification would require time and money.

City Administrator Parente explained that codification has not yet occurred because Durham's two-person staff has prioritized updating the most problematic ordinances. Durham's older ordinances are not in digital format, and staff are working through this substantial backlog for a 60-year-old City. He stated that Administrative Assistant Bean has been scanning ordinances and created a spreadsheet to track which ordinances amend or repeal others. He expressed concern that moving too quickly could make the City's legal materials more confusing should outdated, incorrectly organized, or unintended provisions are codified. He noted that Council members did not rank codification as a high priority for the calendar year during goal setting. Therefore, staff time has focused instead on making substantive ordinance updates, including the tree code, business license ordinance, building code ordinance, fee schedule, and enforcement tools. He clarified that the City does not have a dedicated webmaster, and that the City Administrator serves in this function. Contracted technical support focuses on IT security and not website management.

Council discussed whether to remove the existing municipal code document from the website and direct users to individual ordinances until comprehensive codification can be completed. No formal direction was given.

Q. RESOLUTION TO SIGN IGA WITH TUALATIN FOR POLICING SERVICES.

City Administrator Parente stated that the City was still waiting to hear back from Tualatin on the policing services IGA. Council agreed to bring the item back the following month.

R. RESOLUTION TO SIGN IGA WITH TUALATIN FOR MUNICIPAL COURT SERVICE.

City Administrator Parente stated that he had requested a few changes to the municipal court services IGA and that the agreement remained subject to negotiation. Council agreed to revisit the item after receiving Tualatin's response.

S. CONSIDERATION TO ADJUST CITY ADMINISTRATOR SALARY.

Mayor Drake stated that Council had not yet discussed the City Administrator's performance in executive session and would do so the following month. He also noted that salary discussion cannot occur in executive session and would be addressed separately at the following month's regular meeting.

T. FINANCIAL REPORTS.

Council considered the April 2026 financial reports and approval of vendor checks 17928 through 17943 totaling \$48,876.63 and EFTs and payroll totaling \$19,196.22. Council President Gifford moved to approve the financial reports and payments as presented. Councilor Lee seconded the motion. The motion passed unanimously (5-0).

MO 052626-10

U. ADMINISTRATOR'S REPORT.

City Administrator Parente reported that Forrest Boleyn had resigned from serving on the Planning Commission for personal reasons. He also reported that City Planner Alice Cannon notified the City she plans to close out her services and will no longer serve as City Planner after August. He stated that Laura LaRoque had been recommended as a potential replacement planner, had received positive references, and would be available beginning in September. City Attorney Dougill stated that she had worked with Ms. LaRoque in another small jurisdiction and that Ms. LaRoque had done a good job.

City Attorney Dougill also informed Council that her firm would gradually transition Durham's general legal work to another attorney within the firm due to a shuffle of internal client assignments. She stated that she would continue working with Durham on land use matters and that the transition would occur over several months.

City Administrator Parente reported that there would be no Planning Commission meeting in June due to lack of quorum. He also discussed planning for the City's July 4, 2026, 60th anniversary event, stating that Tualatin Police and TVF&R had been contacted regarding participation. Council discussed whether to proceed with a modest event, whether to serve food given licensing requirements, and whether packaged foods, hot dogs, ice cream sandwiches, chips, a food truck, or catering would be simplest. Mayor Drake preferred exploring a food truck or catering option first, with grilling hot dogs as a backup. Council also discussed including historical City materials and photographs. City Administrator Parente stated that he would look into food service options and continue coordinating the event.

V. COUNCIL COMMENTS & MISCELLANEOUS INFORMATIONAL ITEMS.

Mayor Drake opened the item for Council comments and miscellaneous informational items. No comments were made.

W. ADJOURN.

Mayor Drake adjourned the meeting at 9:38 PM.

Approved:

Joshua Drake, MAYOR

Attest:

Jordan Parente, CITY ADMINISTRATOR/RECORDER