



City of Durham
CITY COUNCIL MEETING MINUTES
September 22, 2026

A. OPEN REGULAR COUNCIL MEETING.

Mayor Joshua Drake opened the regular council meeting 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 (via Teams), David Streicher, and Sean Lee

Councilors absent: None

Staff present: City Administrator Jordan Parente & Administrative Assistant Wyatt Bean

Visitors: MACC Interim Administrator Jonathan Kaufman (via Teams)

C. COUNCIL MINUTES.

Council President Gifford moved to approve the July 28, 2026, City Council meeting minutes. Councilor Lee seconded the motion. The motion passed unanimously (5-0).

MO 092226-01

D. CALENDAR OF MEETINGS & EVENTS.

Mayor Drake reviewed the upcoming calendar, including the October 13, 2026, Planning Commission meeting at 7:00 p.m. and October 27, 2026, City Council meeting at 7:30 p.m.

E. PUBLIC FORUM.

Mayor Drake opened the public forum.

Resident Susan Fuller requested a key for the map accompanying the ash tree removal request and clarification about whether additional trees would be removed without Council approval because of their size. She supported removing the ash trees if CWS completed replacement planting in coordination with a knowledgeable arborist.

Ms. Fuller also questioned expenditures totaling more than \$7,000 for frontage mulch and bark chips in the wooded property. She reported that too many bark chips make walking difficult for some older residents and raised accessibility concerns. She suggested reducing future bark chip application to treating muddy areas, as needed.

Mayor Drake closed the public forum.

F. NO PLANNING COMMISSION MEETING AUGUST 11, 2026, OR SEPTEMBER 8, 2026.

Mayor Drake noted that the Planning Commission did not meet in August or September.

G. FIRST READING OF ORDINANCE 276-26; AN ORDINANCE ESTABLISHING THE SOLID WASTE MANAGEMENT PLAN, STANDARDS AND RESPONSIBILITIES AND DECLARING AN EMERGENCY AND REPEALING ORDINANCE 269-25.

Mayor Drake presented the first reading of Ordinance 276-26. Council reviewed corrections discussed during the work session, including replacing improperly displayed double letters, adding language directing the City Administrator to codify the ordinance and authorizing correction of scrivener's errors, and moving "or" from the end of item 3 to the end of item 4 in Section 16.A. No objections to the corrections were expressed.

Council President Gifford moved to adopt Ordinance 276-26 as corrected. Councilor Paul seconded the motion. Mayor Drake, Council President Gifford, and Councilors Paul and Lee voted in favor. Councilor Streicher voted against.

MO 092226-02

H. SECOND READING OF ORDINANCE 276-26; AN ORDINANCE ESTABLISHING THE SOLID WASTE MANAGEMENT PLAN, STANDARDS AND RESPONSIBILITIES AND DECLARING AN EMERGENCY AND REPEALING ORDINANCE 269-25.

Following the 4–1 vote, Council and staff determined that an emergency ordinance could not be enacted without unanimous support. Council agreed to a second reading at the October meeting.

I. RESOLUTION 708-26; GRANTING AN EXCLUSIVE FRANCHISE TO PRIDE DISPOSAL COMPANY FOR SOLID WASTE COLLECTION AND TRANSPORT; AND FRANCHISE ACCEPTANCE.

Mayor Drake asked whether the Pride Disposal franchise resolution also needed to be postponed because Ordinance 276-26 had not been enacted. City Administrator Parente confirmed that the resolution depended on the ordinance, and Council agreed to place it on the October agenda.

Councilor Streicher stated that he would change his vote on the second reading of Ordinance 276-26, so it could be adopted that evening, if changes to the unofficial municipal code on the City's website he had requested were made. Mayor Drake stated that the website changes were a separate topic.

J. RESOLUTION 709-26; ADJUSTING SOLID WASTE DISPOSAL RATES FOR PRIDE DISPOSAL COMPANY.

Pride Disposal President Leichner explained that the requested 3.375% rate increase, effective January 1, followed the increase approved by Tigard in June. Durham generally follows Tigard's rate review process, which includes review of Pride's annual financial reports and a methodology incorporating the Consumer Price Index. Council deferred the resolution until October because it refers to Ordinance 276-26. No motion was made.

K. CWS REQUEST TO REMOVE 9 ASH TREES AT DURHAM PARK.

City Administrator Parente explained that CWS requested permission to remove nine Oregon ash trees it may have planted near the trail in Durham Park. The trees were reported to be approximately 12 inches in diameter and located too close to the trail. CWS proposed paying for removal and replacement planting before emerald ash borer infestation made removal more difficult and expensive. City Administrator Parente clarified that the request covered nine trees under CWS's responsibility; other removals would require separate consideration.

Council discussed the threat to the City's ash trees, treatment costs, and potential grant funding to preserve significant mature trees. City Administrator Parente reported that the former City Arborist had recommended a broader strategy of removing some ash trees, treating others, and leaving others

untreated. Councilor Streicher supported the removal and replacement proposal and stated he prefers professional treatment services over using City staff time.

Mayor Drake and Councilor Lee emphasized obtaining arborist review and following a process consistent with the standards expected of private property owners. Council discussed public confidence, appropriate replacement species, and planting farther from the trail. Council agreed that staff should obtain an arborist's recommendation and clarify CWS's responsibilities and proposed next steps if removal was not approved. Councilor Paul asked about using the wood as firewood; City Administrator Parente advised against moving ash wood because of the risk of spreading the beetle and other pests.

L. FIRST READING OF ORDINANCE 277-26; GRANTING A NON-EXCLUSIVE CABLE FRANCHISE TO COMCAST OF OREGON II, INC. AND REPEALING ORDINANCES NOS. 193-99, 194-99, 202-00, 209-01, 234-07, AND 258-15.

Mayor Drake opened the public hearing on the Comcast franchise. No public testimony was offered, and the hearing was closed.

City Administrator Parente explained that the Metropolitan Area Communications Commission had negotiated and recommended the updated agreement. The ordinance would approve the new franchise language and repeal previous franchise ordinances. Councilor Paul described the extensive negotiations and the compromise establishing a 1.75% gross revenue provision between the parties' proposed percentages. He recommended accepting the negotiated agreement. Councilor Lee identified a duplicated Section 1 heading for correction.

Council reviewed the Charter's requirement for ordinance readings on two different days and discussed holding a special virtual meeting before October 27 to complete the second reading. Mayor Drake requested that City Administrator Parente coordinate scheduling individually with Council members if they meet prior to the next regular Council meeting.

Council President Gifford moved to approve Ordinance 277-26 as amended at its first reading by title only. Councilor Paul seconded the motion. The motion passed unanimously (5-0). Final enactment remained pending a second reading.

MO 092226-03

M. PUBLIC HEARING ON RESOLUTION 7XX-26; ESTABLISHING BUILDING PERMIT FEES FOR THE CITY OF DURHAM, OREGON.

Mayor Drake opened the public hearing on the proposed building permit fee schedule. No testimony was received, and the hearing was closed.

City Administrator Parente explained that the revisions would correct errors in the fee schedule adopted in May and align selected fees with Tualatin's adopted increases, which differed from the anticipated increases that informed the May fee schedule. He reported that the required advance notice and proposed schedule had been provided to the State Building Codes Division.

Council agreed to renumber Resolution 710-26 to Resolution 708-26 to maintain chronological numbering because the Pride Disposal resolutions had been deferred. Council President Gifford moved to approve the building permit fee resolution and Councilor Lee seconded. The motion passed unanimously (5-0).

MO 092226-04

Following the vote, Councilor Streicher returned to the Comcast franchise and proposed approving it by resolution, subject to attorney review, to avoid a special meeting. City Administrator Parente noted that a resolution could not repeal the existing ordinances and expressed concern about changing the action

from the noticed ordinance. Council retained the plan to hold a special meeting or hold the ordinance over until the October regular Council meeting.

N. FINANCIAL REPORTS.

Mayor Drake summarized the work session discussion of the July and August financial reports. Councilor Streicher had questioned \$2,155 in legal expenses charged to the Street Fund. Staff said they will investigate whether an accounting adjustment was necessary. Council discussed restrictions on Street Fund expenditures and distinguished approval of payments already made from the review of their allocation among funds. Questions about mulch and bark chip expenditures would be revisited during the next budget process.

Council President Gifford moved to approve July vendor checks 17973–17998 totaling \$111,704.69 and EFTs and payroll totaling \$29,440.51, and August vendor checks 17999–18012 totaling \$25,516.48 and EFTs and payroll totaling \$20,138.53. Councilor Streicher seconded the motion. The motion passed unanimously (5-0).

MO 092226-05

O. ADMINISTRATOR'S REPORT.

City Administrator Parente reported that the tree grant application previously noted for just under \$100,000 requires a 15% match. Planned expenditures for park and wooded property work will contribute to meeting the matching requirement.

City Administrator Parente introduced a division of planning responsibilities intended to prevent development applications from delaying internal City projects. Planner Laura LaRock would assist with Development Code updates, including housing changes supported by a State grant. Planners from the Mid-Willamette Valley Council of Governments will handle development applications. City Administrator Parente reported that Durham Estates had withdrawn its 26-lot development approval and related appeals. The 32-lot approval remained, but development conditions and platting requirements still needed to be completed before permit issuance and construction.

City Administrator Parente said Mayor Drake and Councilor Lee are the only two candidates for the two Council positions on the November ballot.

City Administrator Parente described a revised website proposal costing approximately \$1,000 to build the site and \$1,000 annually for four years for maintenance and hosting. The proposed site included accessibility features and notification capabilities. Councilor Lee requested clarification of the maintenance services and confirmation that staff could edit the site directly. Council also discussed City email accounts, two-factor authentication, and inexpensive dedicated devices to assist with City communications and records management.

City Administrator Parente reported that Administrative Assistant Bean has assumed additional accounting duties handled by Durham's previous City Accountant Merina + Co., while the Mid-Willamette Valley Council of Governments is now assisting with bank reconciliation and journal entry oversight. He also reported progress digitizing ordinances and preparing an ordinance index.

P. COUNCIL COMMENTS & MISCELLANEOUS INFORMATIONAL ITEMS.

Mayor Drake asked about extending the City Hall lease, which was expected to expire in March. City Administrator Parente reported that he had requested an extension and continued discussions with the owner, including possible acquisition arrangements. No extension had yet been secured.

Q. ADJOURN.

Mayor Drake adjourned the meeting at 8:49 PM.

Approved:

Joshua Drake, MAYOR

Attest:

Jordan Parente, CITY ADMINISTRATOR/RECORDER