



City of Durham
CITY COUNCIL WORK SESSION MINUTES
September 22, 2026

A. OPEN COUNCIL WORK SESSION

Mayor Joshua Drake opened the work session at 6:31 PM at Durham City Hall. City Administrator Jordan Parente explained that the work session would include updates on Durham Estates and the Clean Water Services intergovernmental agreement, followed by discussion of items scheduled for the regular meeting. Staff clarified that any proposed changes require consideration during the regular session along with final decisions.

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. DURHAM ESTATES HEARING POSTPONED TO OCTOBER 27, 2026, CITY COUNCIL MEETING.

City Administrator Parente reported that Durham Estates requested postponement of the retaining wall nuisance hearing to pursue an abatement to allow for settlement negotiations to continue. He noted building permits remain on hold pending outstanding development conditions, final plat approval, and pending street improvements, such as the energization of public streetlights.

Council discussed the developer's proposal to relocate the public utility easement beneath private driveways or eliminate it. City Administrator Parente advised against this to preserve future utility access and avoid driveway excavation. Councilor Paul explained that the current location of the retaining wall would obstruct repairs and other future utility work. Councilor Lee expressed concern about future homeowners will face access problems they will bring to the City if the developers new easement proposal was allowed.

Mayor Drake questioned whether removing the wall-removal condition from the development approval implied acceptance of the wall. City Administrator Parente explained that, following legal advice, the City was pursuing the safety issue under the nuisance ordinance rather than as a condition of development. His recommendation remains to seek removal of the wall from the easement and maintain the location of the easement.

City Administrator Parente reported receiving and acknowledging an Oregon Housing Accountability and Production Office complaint submitted by the developer concerning development delays. The City's attorneys will prepare a response following settlement or nuisance hearing proceedings. At Councilor Streicher's request, City Administrator Parente agreed to disseminate the complaint to Council. If the issue remains unresolved, Council agreed to consider whether a nuisance existed at the October hearing.

D. CWS IGA UPDATE.

City Administrator Parente reported that Clean Water Services was updating operating intergovernmental agreements with the cities it serves. He distinguished between jurisdictions receiving

regional wastewater treatment services and those, including Durham, that also receive local stormwater services.

City Administrator Parente stated that the proposed agreement requires further staff-level negotiations before it is ready for Council consideration. He stated CWS independently drafted the initial proposal and that he wants to ensure Durham's historical agreements involving the treatment plant, outfall, and City park are honored. Although CWS had wanted discussion and approval at the September regular council meeting following this Work Session, staff did not consider the agreement ready for council consideration. City Administrator Parente planned to meet with CWS and hoped to return with proposed language in October.

E. DISCUSSION ON ORDINANCE 276-26; AN ORDINANCE ESTABLISHING THE SOLID WASTE MANAGEMENT PLAN, STANDARDS AND RESPONSIBILITIES AND DECLARING AN EMERGENCY AND REPEALING ORDINANCES 269-25.

City Administrator Parente reviewed proposed changes to the solid waste ordinance. He explained that Washington County and Pride Disposal perform education, monitoring, and reporting work associated with approximately \$3,000 in annual RMA funding. The ordinance would expressly assign those responsibilities to the parties performing the work. Other changes addressed administrative terminology, grammar, receptacle colors, and blocked access. City Administrator Parente reported no additional fiscal impact beyond existing arrangements.

Councilors identified missing double-letter combinations throughout the document, which staff attributed to PDF conversion. Councilor Streicher proposed directing the City Administrator to codify the ordinance and authorizing the correction of scrivener errors in Exhibit A during codification. He also identified a misplaced "or" in the exhibit. Staff noted the proposed corrections for consideration during the regular session.

Councilor Streicher distributed a handout identifying repealed ordinances still appearing in the unofficial municipal code on the City's website. He requested replacement of the repealed ordinances with the current ordinances and inclusion of the solid waste ordinance. He stated that he would not support the proposed solid waste ordinance without correction of the unofficial municipal code. Mayor Drake noted that Council had previously discussed the issue. City Administrator Parente said staff work on digitizing and categorizing effective resolutions and ordinances continues as time permits.

F. DISCUSSION ON RESOLUTION 708-26: A RESOLUTION OF THE DURHAM CITY COUNCIL, OREGON GRANTING AN EXCLUSIVE FRANCHISE TO PRIDE DISPOSAL COMPANY, FOR SOLID WASTE COLLECTION AND TRANSPORT FOR THE CITY OF DURHAM, OREGON; AND FRANCHISE ACCEPTANCE.

City Administrator Parente explained that the proposed resolution would renew Pride Disposal's exclusive franchise in connection with the updated solid waste ordinance. The existing franchise resolution referenced the number of the prior ordinance, and the proposed resolution revises the reference to be the "Solid Waste Management Ordinance," reducing the need for additional franchise amendments when the solid waste ordinance changed.

G. DISCUSSION ON RESOLUTION 709-26, A RESOLUTION OF THE CITY OF DURHAM ADJUSTING SOLID WASTE DISPOSAL RATES FOR PRIDE DISPOSAL COMPANY.

Council briefly reviewed the proposed rate resolution. City Administrator Parente identified a duplicated resolving clause and an unrelated recital carried over from another document. The corrections were noted for regular-session consideration.

H. DISCUSSION ON ORDINANCE 277-26; AN ORDINANCE OF THE CITY OF DURHAM, OREGON 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.

MACC Interim Administrator Jonathan Kaufman participated remotely and explained that hearing requirements for passing this varied by jurisdiction and were typically based on the City's charter. City Administrator Parente anticipated a first reading that evening and a second reading in October.

MACC Interim Administrator Kaufman explained that replacing the 80-cent-per-subscriber PEG/PCN fee with a gross-revenue-based fee would stabilize pooled funding as subscriptions declined. He also noted that Durham could access grants for internet service and network equipment through the Public Communications Network. The City's five-percent franchise fee would remain unchanged.

The increased pooled fee required approval by all participating jurisdictions prior to its installation. Council discussed a possible special, virtual meeting to expedite adoption. City Administrator Parente explained that a second reading was not scheduled that evening and the ordinance was not presented as an emergency. Councilor Streicher noted the need for consistent terms among jurisdictions, and Councilor Paul cited extensive review by MACC attorneys with Comcast. No special meeting date was established.

I. FINANCIAL REPORTS.

Councilor Streicher expressed concern about the legal expenses charged to the Street Fund. City Administrator Parente stated that he would review the charges and report back.

Councilor Streicher also questioned approximately \$7,000 spent on bark material for Durham's treed lot, noting the City's financial constraints and the property's commercial zoning. City Administrator Parente explained that fir bark was installed around the perimeter and cedar chips along the interior path as recurring, budgeted maintenance.

Council discussed whether landscaping and streetscape expenses could be reduced, including irrigation costs in other areas of the City. Mayor Drake suggested addressing the bark material and other noted expenses during budget discussions for the next fiscal year.

J. ADJOURN.

Mayor Drake adjourned the work session at 7:24 PM.

Approved:

Joshua Drake, MAYOR

Attest:

Jordan Parente, CITY ADMINISTRATOR/RECORDER