



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: City Council
FROM: Jacob A. Graichen, AICP, City Planner
RE: October 20, 2021 6:50pm hearing before the City Council for Planning Commissioner removal for nonperformance of duty
DATE: October 13, 2021

Our newest Planning Commissioner, Shana Cavanaugh appointed in January of this year, has missed three consecutive meetings or four if the September joint meeting with the Council is included:

- July 2021 regular Planning Commission meeting – **absent**
- August 2021 regular Planning Commission meeting – **absent**
- September 2021 regular Planning Commission meeting cancelled; joint meeting with City Council instead (and on a different date) – **absent**
- October 2021 regular Planning Commission meeting – **absent**

Some earlier meetings have been missed as well.

Per SHMC 2.08.040:

Appointments to fill vacancies shall be for the remainder of the unexpired term. **A member may be removed by the city council after a hearing for misconduct or nonperformance of duty.** A member who is **absent from three consecutive meetings without an excuse as approved by the planning commission is rebuttably presumed to be in nonperformance of duty**, and the city council shall declare the position vacant unless finding otherwise following the hearing.

At their October 12, 2021 meeting, the Planning Commission unanimously determined by that there is not an approvable excuse for these absences. Thus, we will hold a hearing for removal of Shana Cavanaugh from the Planning Commission due to nonperformance of duty.

Following the hearing at the regular session, if the Council finds that there is a nonperformance of duty (or is not presented with rebutting evidence or testimony to the contrary), the Council can declare the position vacant.

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Please note that staff has made several attempts to contact this commissioner via email and phone to no avail.

The most recent phone message was one I left on September 23, 2021 noting the three consecutive absences rule and asking if she wanted to continue or not. I asked, “please just let us know.”

Given no responses, we have no choice but to resort to this rarely used provision of a hearing for Planning Commissioner removal, despite the time and expense to do so.