



# CITY OF ST. HELENS PLANNING DEPARTMENT

# MEMORANDUM

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**TO:** Planning Commission  
**FROM:** Jacob A. Graichen, AICP, City Planner  
**RE:** Absenteeism, etc. discussion  
**DATE:** January 27, 2026

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We started this discussion at the July 2025 meeting. At the October 2025 meeting we discussed this further based on draft ideas from Commissioner Rosengard. Based on that discussion and some other things, I have prepared a more refined draft for discussion at the February 2026 meeting.

My hope is we can discuss this as a Commission at the February Commission meeting, followed by a discussion with the Commission and City Council at the March 2026 joint meeting.

## **Changes to SHMC 2.08.020**

This is not something we discussed but is based on recent changes in state law.

## **Changes to SHMC 2.08.040**

Filling vacancies has been beefed up a bit.

For removal it is appropriate that a hearing be initiated by the City Council, as they are the governing and appointing body.

There is a provision to allow the Commission to request a removal hearing. In October we discussed having two consecutive meetings or one meeting with notice to the Commissioner of concern, but I'm hesitant to make things excessively complex. So that language has not been included.

We discussed "nonperformance of duty" much in October. Currently, it can mean missing three consecutive meetings without an excuse. In this draft I have two examples of this for consideration:

1. A Commissioner is inexcusably absent twice in a calendar year for the monthly regularly scheduled meetings. This means they don't provide at least 48 hours' notice of an anticipated missed meeting to staff. I don't like that this becomes another thing for staff to track and felt it should just be two. The first time is the warning.
2. A Commissioner is absent for any reason for four regularly scheduled meetings in a calendar year. The Commission expressed concern about attendance availability overall and four out of twelve meetings is 1/3 of the total possible regularly scheduled meetings. People have their lives to live so wanted this to be reasonable, especially because filling vacancies is time consuming.

Note that this only includes regularly scheduled monthly meetings and not joint meetings with the Council or special meetings that may occur. The Commission seemed to agree with this at the October 2025 meeting.

## **Changes to SHMC 2.08.040**

At the October 2025 meeting, there was a discussion about keeping the chair and vice chair roles rotating from year to year. I've included that language including an "out," if the Commission felt that there shouldn't be a change. This at least will prompt more discussion when it comes time to selected the chair and vice chair.

I also made the chair and vice chair titles gender neutral. The world was different when these provisions were originally adopted in 1978!

underlined words are added  
~~words stricken~~ are deleted

[...] means skipping text as it reads in the code (e.g., to focus on text being edited in this document)

**Jan. 27, 2026 DRAFT**

## CHAPTER 2.08 PLANNING COMMISSION

[...]

### **2.08.020 Membership.**

The commission may consist of up to seven members. The councilmember(s) in charge of planning shall be entitled to sit with the commission and take part in its discussions, but shall not have the right to vote. The following regulations shall also apply to the planning commission:

[...]

(2) ~~No more than two voting members shall be engaged principally in the buying, selling, or developing of real estate for profit as individuals, or by members of any partnership, or officers or employees of any corporation that is engaged principally in the buying, selling, or developing of real estate for profit.~~ No more than two voting members shall be engaged in the same kind of occupation, business, trade or profession.

*[Editor's note: Oregon HB 3136 (2025) eliminates the "real estate" member provision as long as the Commission has more than five members. Because St. Helens has a seven-member Commission we can strike this provision (assuming all agree).]*

[...]

### **2.08.040 Vacancies and removal.**

~~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.~~

#### (1) Filling vacancies.

(a) Appointments of a Commissioner shall follow the guidelines and procedures adopted by the City Council; and

(b) Appointments to fill vacancies shall be for the remainder of the unexpired term.

#### (2) Removal. An appointed Commissioner may be removed from their position by the City

Council if at a hearing the Council finds the Commissioner has engaged in misconduct and/or nonperformance of duty.

- (a) A hearing may be initiated by the City Council;
- (b) The Commission may request a hearing be initiated by the City Council by an approved motion for such;
- (c) If the City Council removes a Commissioner, that position shall become vacant immediately; and
- (d) For the purpose of this Section, nonperformance of duty includes but is not limited to:
  - (i) A Commissioner being inexcusably absent for a regularly scheduled monthly meeting pursuant to SHMC 2.08.070(1) at least two times in a one-calendar-year period. A Commission is inexcusably absent if they did not provide at least 48-hours notice to Planning Department staff of the anticipated absenteeism; or
  - (ii) A Commissioner being absent for a regularly scheduled monthly meeting pursuant to SHMC 2.08.070(1) at least four times in a one-calendar-year period.

## **2.08.050 Presiding members.**

At its first meeting of each calendar year, the commission shall elect a ~~chairman~~ chairperson and ~~vice-chairman~~ vice-chairperson to serve one-year terms. The chair and vice-chair shall not hold consecutive yearly terms unless the Commission finds it is in the public interest to do so.