

**City of Gem Lake, Ramsey County, Minnesota  
Administration  
Ordinance No. 91**

**AN ORDINANCE DEFINING THE OPERATIONS AND ADMINISTRATION PROCEDURES TO BE USED IN THE CITY OF GEM LAKE.**

**Section 1. In General.** The City of Gem Lake is a statutory city and a municipal corporation organized and created under the laws of the State of Minnesota. Gem Lake is organized as an Optional Plan A city as allowed by Minnesota Statutes, § 412.572 to § 412.591. The City shall have the powers and rights and be subject to the duties of municipal corporations at common law. The City shall also exercise the powers granted it by Minnesota Statutes, Chapter 412 and other legislative enactments granting powers to cities.

**Section 2. Open Meeting Law and Data Practices Act.** All meetings and matters of the City Council, Committees, or Planning Commission shall be subject to the Minnesota Open Meeting Law and the Minnesota Government Data Practices Act.

**Section 3. Conflict of Interest.** No member of the City Council, Committees, or Planning Commission may vote on a matter in which the member has a direct or indirect financial interest or other substantial interest.

**Section 4. Vacancies and Removal of Members.**

1. **Vacancies.** Except as otherwise specified in this Ordinance, a member's position shall become vacant upon the occurrence of any of the following:
  1. The death of a member.
  2. A determination by the Council that the member's physical or mental disability renders the member incapable of service.
  3. The member's resignation in writing.
  4. A member's absence from 3 consecutive meetings, unless excused by action of the Council
  5. Termination of a member's residence in the City.
2. **Removal from Office.** Except as otherwise specified in this Ordinance, a member may be removed:
  1. **Upon petition of a commission or committee.** The commission or committee by a three-fifths vote of its members, may petition to the Council to remove any member when it believes the best interest of the City would be served thereby. The removal of the member is not accomplished unless and until the Council passes a motion removing the member.
  2. **By the Council.** The Council shall have the authority, in its discretion, to remove any member without a petition from the board, commission or task force.

**Section 5. City Council and Mayor.**

1. The City of Gem Lake shall operate through its City Council, whose voting membership is composed of the Mayor and four elected members, which shall exercise all legislative and administrative powers of the city.
2. The term of office for the Mayor shall be four (4) years.
3. Ordinances, notices and other acts of the Council required to be posted for public viewing shall be posted in a public place to be designated by the City Council each year. Adopted ordinances and other public notices shall also be published in the official newspaper, to be selected by the Council in January of each year.

## **Section 6. Boards, Commissions and Committees.**

1. The Council may create such departments and advisory boards and appoint such officers, employees and agents for the city as may be deemed necessary for the proper management and operation of municipal affairs.
2. All actions of the advisory boards, commissions and committees shall be in the nature of recommendations to the City Council, and the commission shall have no final authority about any matters, except as the Council may lawfully delegate to it.
3. Each appointed body shall elect a chairperson and vice-chairperson in January of each year. The commission may elect other officers, establish meeting times, and adopt its own rules of procedure to be reviewed and approved by the City Council.
4. All meetings of the City's boards, commissions and committees shall be open to the public.
5. All members of boards, commissions and committees shall serve without compensation. However, approved expenses of these bodies shall be paid from available city funds.

## **Section 7. Planning Commission.**

1. **Establishment.** The City Council establishes for the City a Planning Commission as an advisory board to the City Council, as provided in Minnesota Statute § 462.354.
2. **Composition.** The planning commission shall consist of five (5) members appointed by the City Council. Alternate members may also be appointed who will take the place of regular members who cannot make a specified meeting. The members shall be residents of the City and may not hold an elected City public office. When possible, the council shall select commission members to represent various areas of the city and to help meet the needs of residents.
3. **Terms and Compensation.** The appointments of members to the Planning Commission shall have no limit on the number of successive terms. Appointments are identified at the January City Council meeting for the period of 01 January to 31 December of each year. Members hold office until their successors are appointed and qualified. The Gem Lake Planning Commission is an unpaid position
4. The planning commission shall have the duty to:
  1. Prepare and recommend a comprehensive plan for development for the city.
  2. Conduct hearings and make recommendations to the City Council about the adoption of the city comprehensive plan and any amendments thereto.
  3. Study and make recommendations to the City Council about implementing the comprehensive plan and any land use regulations.
  4. Study and make recommendations to the City Council about zoning code amendments.
  5. Review and make recommendations to the City Council on development applications, such as re-zonings, conditional use permits, variances, vacations, preliminary plats and home occupation licenses.
  6. Accept such other and further duties as may, from time to time, be directed by the City Council, including conducting hearings.

5. **Organization and Meetings.**

1. **Election of Officers.** At the January meeting, the Planning Commission shall elect a chairperson and a vice chairperson from its membership for an annual term to end on December 31.
  2. **Chairperson.** The chairperson shall preside at all meetings, appoint committees and perform other such duties as may be ordered by the Planning Commission.
  3. **Vice Chairperson.** The vice chairperson shall act in the capacity of the chairperson in the absence of the chairperson. In the event the office of the chairperson becomes vacant, the vice chairperson shall succeed to the office of the chairperson for the unexpired term and the Planning Commission shall elect a successor to the officer of vice chairperson for the unexpired term.
  4. **Meetings.** The planning commission shall hold at least one regular meeting each month, unless cancelation has been approved by the Mayor or City Council.
  5. **Special Meetings.** The Chairperson or any two members of the Planning Commission may call a special meeting of the Planning Commission. Notice of a special meeting shall be by writing filed with the Clerk who shall then notify all Planning Commission members of the time and place of the meeting at least 1 day before the meeting. Where all Planning Commission members are present at a special meeting and take part in the proceedings, failure to give notice in the manner provided shall not invalidate the proceedings nor any action taken at the special meeting.
  6. **Record/Reporting.** Planning Commission minutes will be reviewed and approved at the following month's meeting. If no meeting is held the following month, minutes are approved at the next scheduled Planning Commission meeting. Planning Commission minutes shall be submitted to the City Council monthly as a report of its work.
  7. **Attendance.** Planning commission members are required to attend at least half of the planning commission's regular and special meetings in each calendar year. A Commission member may be excused from an individual meeting for reasons of illness, work, out of town trip, or other justifiable reason. Commission members shall notify the Clerk of expected absences from the meeting. Excused absences shall be so noted in the minutes of the applicable meeting. Failure to meet this attendance requirement in a given calendar year, shall result in automatic removal from the Planning Commission as of December 31 of that calendar year.
6. The City Council hereby adopts and ratifies all previous actions of the citizen committees who have served as the City's planning commission prior to the adoption of this Ordinance.

**Section 8. Severability.** Should any section, subdivision, clause or other provisions of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

**Section 9. Enactment.** This Ordinance shall take effect and be in full force from and after its passage and publication.

Dated: August 20, 2024

*Gretchen Artig-Swomley*

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Gretchen Artig-Swomley, Mayor

*Melissa Lawrence*

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Melissa Lawrence, Acting City Clerk

**City of Gem Lake, Ramsey County, Minnesota  
 Planning Commission  
 Ordinance No. 91**

The following table indicates the original ordinance(s) and the same amendment(s).

<b>Ordinance</b>	<b>Description</b>	<b>Enactment</b>
91	An Ordinance defining the operations and administration procedures to be used in the City of Gem Lake.	19 February 2008
91	An <b>Ordinance No. 91</b> amendment. The ordinance title was updated from Administration to Planning Commission. Section 4 part 2 was updated from three (3) to five (5) members. Section 4 part 5 was added to give more information regarding meeting requirements. Section 5 was removed because the City does not have a Parks and Recreation Committee.	20 August 2024