

**City of Gem Lake  
Planning Commission Meeting – February 11, 2025  
Meeting Minutes**

Planning Commission Chair Don Cummings called the meeting to order at 7:00 p.m. Commission Members Art Pratt and Derek Wippich were present with one vacancy. Not present was Commission Member Stephanie Farrell. Also present: City Planner Evan Monson, City Attorney Kevin Beck and Acting City Clerk Melissa Lawrence

**February 11, 2025**

A motion was introduced by Commissioner Pratt to accept the agenda, seconded by Commissioner Wippich. Motion carried 3-0.

**Minutes**

A motion was introduced by Commissioner Pratt, seconded by Commissioner Wippich to approve the January 14, 2025, Planning Commission Meeting minutes. Motion carried 3-0.

**Public Hearings**

None

**Old Business**

**Ordinance No. 131 Discussion Next Steps**

City Planner Evan Monson summarized some of the suggested updates that he recommends to ensure the ordinance is in line with state regulations and consistent with the comprehensive plan. Discussion on the next steps to take and what to tackle first took place. City Planner Evan Monson is going to begin putting some drafts together to present at the next meeting for review.

**New Business**

**Planning Commission Applications Review**

Two applications were received for the vacant Planning Commission position from Debra Suhadolnik of the Villas of Gem Lake and Laurel Amlee former City Councilmember and lives and works in the Gateway District. The Commission reviewed the applications and liked the idea of having someone on the Commission that has ties to the Gateway District. The Commission is passing along a recommendation to the City Council for approval. The Commission would like the new member to start for the March 11 meeting. Commission Member Wippich introduced a motion to recommend approval of inviting Laurel Amlee to join the Planning Commission, seconded by Commission Member Pratt. Motion carried 3-0.

**Ordinance No. 113 – Right-of-Way**

City Planner Evan Monson summarized the updates suggested to the Right-of-Way Ordinance.

The current ordinance (No. 113) was adopted by the city in January of 2010. This version was consistent with the current (at that time) model ordinance available from the League of Minnesota Cities (LMC). Ordinance No. 113 covers: when permits are needed, permitting processes and procedures, permitting fees, patching and restoration when work is conducted in the ROW, emergency vs. non-emergency situations, mapping of items constructed within a ROW, moving above-ground items underground (or undergrounding), and abandonment of facilities within a ROW.

Since 2010, State and Federal law related to management and access to ROW has changed, most notably with regards to telecommunications. One of the bigger changes is “small cell wireless facilities”, which is technology that allows for increased usage of wireless networks by cell phones. It is imperative that the city ensures their ordinances are consistent with current State and Federal law. Staff has reviewed the current version of Ordinance No. 113 and proposes the following changes as summarized below. These changes are consistent with the latest model ordinance provided by LMC.

Section #	Comments
Throughout	<ul style="list-style-type: none"> <li>Administration section is added (Section 3), with the City Engineer designated to administer the ordinance (consistent with current city practices).</li> <li>Replace references to “zoning administrator” with “city engineer.”</li> <li>New section (Section 7) added regarding small cell wireless facilities. Added references to small cell wireless facilities where needed in other sections.</li> <li>Move fees to the Fee Schedule.</li> </ul>
2	New definitions proposed to be added to Section 2.
5	Updates to payments and permit application language.
10 & 11	New sections regarding Joint Applications for ROW work and obligations, consistent with language from model ordinance.
12 & 13	Revised language regarding permit denial and installation requirements, consistent with language from model ordinance.
18 & 19	Updated language on requirements for mapping data, locating facilities, and undergrounding, consistent with language from model ordinance.
24	Revised language regarding abandonment and removal of facilities within the ROW, consistent with language from model ordinance.

The Commission should review the draft ordinance and consider any additional amendments. If the Commission desires additional changes, direction regarding ordinance changes should be provided to staff. Commission Member Wippich introduced a motion to recommend approval of the updates to Ordinance No. 113 to the City Council, seconded by Commission Member Pratt. Motion carried 3-0.

#### **Fee Schedule Update**

On top of the changes made to Ordinance No. 113, City Planner Evan Monson suggested to be consistent with other ordinances, and to ensure that fees are all in one location, permit fees previously listed in Ordinance No. 113 are proposed to be added into the city’s Fee Schedule (Ordinance No. 135). These would be placed in Section 13 of the fee schedule.

#### **Open Items for Commission Members to Bring Up**

Commission Member Pratt was asked to bring up the topic of ATV’s on Gem Lake in the winter to ice fish. While the Ramsey County map does show that each property owner around the lake owns a portion of it, City Attorney Kevin Beck shared that those property owners don’t actually own the lake, they own the land beneath the lake. If the lake were to dry up, their land would extend to what is now available. There is no public access to the lake, which means the only people that would be using the lake would be the people who surround it.

#### **Future Meetings**

City Council Meeting, Tuesday, February 18, 2025, at Heritage Hall, and Planning Commission Meeting, Tuesday, March 11, 2025, at Heritage Hall.

#### **Attendance Inquiry**

Commissioner Cummings surveyed the Commission to see if any of the members would have any issues attending the March 11 meeting. At that time Commissioner Wippich will not be in attendance.

#### **Adjournment**

There being no further business, following a motion from Commissioner Pratt, seconded by Commission Wippich, the meeting adjourned at 7:35 p.m.

*Respectfully submitted, Melissa Lawrence*