

CITY OF GEM LAKE, RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. 91

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

THE CITY COUNCIL OF THE CITY OF GEM LAKE ORDAINS:

Section 1. In General

1.1 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. City Council and Mayor

2.1 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.

2.2 The term of office for the Mayor shall be four years.

2.3 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 3. Boards, Commissions and Committees

3.1 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.

3.2 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.

3.3 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.

3.4 All meetings of the city's boards, commissions and committees shall be open to the public.

3.5 All members of commissions, boards, and committees shall serve without compensation. However, approved expenses of these bodies shall be paid from available city funds.

Section 4. Planning Commission.

4.1 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.

4.2 The planning commission shall have at least 3 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.

4.3 The appointments of members to the planning commission shall be for three-year terms. Upon initial appointment, the council shall appoint one member to a one-year term, two members to a two-year term, and two members to a three-year term. Later appointments to fill vacancies shall be to finish the unexpired part of the vacated term. All terms shall expire on December 31 of the year in which the appointment ends.

4.4 The planning commission shall have the duty to:

- (1) Prepare and recommend a comprehensive plan of 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.

4.5 The City Council hereby adopts and ratifies all previous actions of the citizen committees who have served as the City's planning commissions prior to the adoption of this Ordinance.

Section 5. Parks and Recreation Commission

5.1 The city council establishes for the city a parks and recreation commission as an advisory board to the city council.

5.2 The park and recreation commission shall have at least three members appointed by the city council. 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.

5.3 The appointments of members to the park and recreation commission shall be for three-year terms. Upon initial appointment, the council shall appoint one member to a one-year term, two members to a two-year term, and two members to a three-year term. Later appointments to fill vacancies shall be to finish the unexpired part of the vacated term. All terms shall expire on December 31 of the year in which the appointment ends.

5.4 The park and recreation commission shall have the duty to:

- (1) Study and make recommendations to the city council on the collection, maintenance and expenditure of funds in the city's park and recreation fund.
- (2) Study and make recommendations to the city council on any necessary changes to the park dedication ordinance or other city ordinances.
- (3) Review and make recommendations to the city council on proposed purchases of land for parks, trails or other recreational facilities by the city.
- (4) Accept such other and further duties as may, from time to time, be directed by the city council, including conducting hearings.

5.5 The parks and recreation commission created herein is not a park board as defined by Minnesota Statutes § 412.511 to § 412.531, and shall not exercise the powers granted by that statute, which are hereby reserved to the city council.

6. 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.

7. Effective date. This Ordinance shall take effect and be in force from and after its passage and publication.

Dated: February 19, 2008

Paul Emeott – Mayor

Bill Short – City Clerk