

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 8062

AN ORDINANCE ADDING SECTION 212 A HERITAGE PRESERVATION
COMMISSION OF THE 1979 MUNICIPAL CODE OF LAKE ELMO

The City Council of the City of Lake Elmo ordains:

212 HERITAGE PRESERVATION COMMISSION

212.010 Establishment of Commission: In accordance with State Statute 471.193 (Municipal Heritage Preservation) and the powers of this Statutory City, a Heritage Preservation Commission is hereby established.

212.011 Purpose: To engage in a comprehensive program of historic preservation and to preserve and promote this cities' historic resources according to this ordinance.

212.012 Composition: The Heritage Preservation Commission (H.P.C.) shall consist of five (5) members, two alternate members and one (1) ex-officio member from the Washington County Historical Society. Members shall be appointed by the City Council for three year terms so that only one-third (1/3) of the appointments will expire on December 31st of each year. No member may serve more than two consecutive three-year terms unless the average years of service for all commission members is less than four years. A member who has served two terms may be reappointed by the City Council after a one year absence. The City Council shall designate a first alternate and a second alternate who will become full members in order of appointment and shall complete the unexpired term of the member they succeed. If the office of any alternate becomes vacant, the vacancy shall be filled in the same manner in which the last regular appointment for that office was made.

212.013 Qualifications: Each commission member must be a person with demonstrated interest and expertise in historic preservation and must reside within the City of Lake Elmo with the exception of ex-officio members.

212.014 Removal: Any member or alternate member may be removed by a four-fifths vote of the City Council, for cause. Cause shall include but not be limited to having more than three (3) consecutive unexcused absences or being absent from more than one-third (1/3) of the meetings in any one calendar year. The Council may consider exceptional circumstances when applying the rule.

212.015 Officers: The commission shall elect a Chairperson, a Vice Chairperson, and may elect a Secretary from among its appointed members at the annual meeting each year, for a term of one year. The Chairperson shall preside at all meetings of the Commission, if present, and shall perform all other duties and functions assigned by the Commission or the City Council. The Vice Chairperson shall perform these duties in the absence of the Chairperson. If a vacancy occurs in the Chairperson's office, the Vice Chairperson shall assume the Chairperson's duties for the remainder of the year; and a new Vice Chairperson shall be elected by the Commission at a Special Election to be held at the next regularly scheduled Commission meeting, after at least two days written notice to each Commission member.

212.016 Annual Meeting: The commission shall hold an annual meeting the first Monday in the month of January in each year unless the first Monday is New Year's Day, in which case the annual meeting shall be held at the first regularly scheduled meeting of the Commission in the month of January in each year. Such meeting shall be devoted to the election of officers and such other business as shall be scheduled.

212.017 Annual Work Plan: The commission shall meet with the City Council at their first meeting after formation and at the first meeting in September each year thereafter to review activities during the preceding year and develop an annual work plan through the establishment and review of Goals, Objectives, and Tentative Action Steps.

212.018 Regular Meetings: Regular meetings shall be held in the City Hall at _____ p.m. on the _____ of each month. No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting if there are no scheduled agenda items on the Thursday prior to the meeting. All action taken by the commission shall be by the affirmative vote of a majority of the members present.

212.019 Special Meetings: Special meetings of the Commission shall be held in the City Hall at a time and place designated or at a public place at a time designated and shall be called by the Chairperson. Upon the written request of at least four members the Chairperson shall be required to call a Special meeting to be held within seven days of the request. Written notice thereof shall be given to all members not less than forty-eight hours in advance of the meeting.

212.020 Quorum: A quorum shall consist of two-thirds (2/3) of the members.

212.021 Voting: Each member attending any meeting shall be entitled to cast one vote. Voting shall be by voice vote. In the event that any member shall have a personal interest of any kind in the matter then before the Commission, he shall disclose this interest and be disqualified from voting upon the matter, and the Secretary shall record in the minutes that no vote was cast by such member. Alternate members shall be entitled to cast one vote in the absence of any member. The second alternate shall be entitled to cast one vote in the absence of any two members.

212.022 Proceedings: At any regular meeting of the Commission the following shall be the regular order of business:

- A. Roll Call
- B. Minutes of the preceding meeting
- C. Old and new business as scheduled on the Agenda
- D. Communications
- E. Adjournment

212.023 Rules of Procedures: All meetings of the Commission shall be conducted in accordance with the Revised Robert's Rules of Order.

212.024 Agendas: The Chairperson shall cause all items to be considered at any meeting to be placed on a written Agenda by the City Administrator. The City Administrator shall advise the Chairperson of any matters the Commission must consider by Council directive, Ordinance, or Statute and shall have prepared and mailed a written Agenda of all meetings to all Commission members, the City Council, and the public no less than four days before each meeting.

212.025 Records: Each formal action of the Commission shall be embodied in full upon the Minute Book as a formal motion or resolution after an affirmative vote as provided herein. The minutes of each meeting shall be provided to each member, the City Council, and the public no more than seven days after the date of each meeting. The recommendations and findings of the Commission shall be presented to the City Council at the next regularly scheduled City Council meeting. The records of meetings and actions and recommendations shall be transmitted to the City Administrator for keeping and distribution.

212.026 Training: Commission members shall be encouraged to avail themselves of training courses offered by the City, the State, and other government and public training agencies and the City Council shall budget for the reimbursement of expenses incurred in training each year.

212.027 Powers: To actively promote historical preservation within the city. To receive and cause to be made public display artifacts of significance to the community and to appropriately receipt and secure them. To write or cause to be written, a pictorial (all media) history of the City of Lake Elmo. To establish and maintain liaison with civic, church, and other groups for the purpose of promoting historic preservation and timely securing artifacts. To promote gifting of artifacts, structures, or money to promote the activities involved in historical preservation. Further:

a. To survey and recommend to the City Council the designation of districts, sites, buildings, structures, and objects that are of historical, architectural, archaeological, engineering, or cultural significance.

b. To recommend to the City Council rules governing construction, alteration, demolition, and use, including the review of building permits, and the adoption of other measures appropriate for the preservation, protection, and perpetuation of designated properties and areas.

c. To recommend to the City Council the acquisition by purchase, gift, or bequest of a fee or lesser interest, including preservation restrictions, in designated properties and adjacent or associated lands which are important for the preservations and use of the designated properties.

d. To recommend to the City Council the use of it's powers of eminent domain to maintain or preserve designated properties and adjacent or associated lands.

e. To recommend to the City Council the granting of use variations to the zoning ordinance for the purpose of promoting historical preservation or continuity.


f. To participate in the conduct of land use planning processes by the review and comment on documents or actions relating to designated areas and on comprehensive plans.

g. To recommend to the City Council the removal of blighting influences in designated areas, including signs, unsightly structures, and debris, incompatible with the physical well-being of the areas.

210.028 Communication with the State Historic Preservation Officer: Proposed site designations and design guidelines must be sent to the state historic preservation officer at the Minnesota historical society, after initial review by the City Council, who shall review and comment on the proposal within 60 days. By October 31 of each year each commission shall submit an annual report to the state historic preservation officer. The report must summarize the commission's activities including designations, reviews, and other activities during the previous 12 months.

Section 3. Effective Date: This Ordinance shall take effect and be in force from and after its passage and publication according to law.

ADOPTED by the City Council this 17th day of December, 1991.



David Johnson, Mayor

ATTEST:



Mary Kueffner, City Administrator

CITY OF LAKE ELMO
WASHINGTON, COUNTY
SUMMARY OF ORDINANCE 80- 62
HERITAGE PRESERVATION COMMISSION

On December 17, 1991, the Lake Elmo City Council adopted Ordinance 80- 62 relating to the establishment of a Heritage Preservation Commission.

On December 17, 1991, the Lake Elmo City Council received a summary of Ordinance 80- 62 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

Ordinance 80- 62 establishes a Heritage Preservation Commission in accordance with State Statute 471.193 (Municipal Heritage Preservation) and the powers of the City of Lake Elmo.

The purpose of this Heritage Preservation Commission is to engage in a comprehensive program of historic preservation and to preserve and promote Lake Elmo's historic resources.

This Ordinance defines and sets forth the guidelines relative to the composition, qualifications, removal, officers, annual meeting, annual work plan, regular meetings, special meetings, quorum, voting, proceedings, rules of procedure, agendas, records, training, powers, and communication with the State Historic Preservation Officer.

This Ordinance further directs the Historic Preservation Commission to promote historical preservation within the City of Lake Elmo. To receive and cause to be made public display artifacts of significance to the community and to appropriately receipt and secure them. To write or cause to be written, a pictorial history of the City of Lake Elmo. To establish and maintain liaison with civic, church, and other groups for the purpose of promoting historic preservation and timely securing artifacts. To promote gifting of artifacts, structures, or money to promote the activities involved in historical preservation.

A complete copy of Ordinance 80- 62 Historic Preservation Commission is on file in the office of the city administrator and can be viewed by the public during normal business hours.

Signed 
David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator