### TITLE 400

**BOARDS AND COMMISSIONS**

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1 See Charter Section 2.02 for general provisions.
401.01: **COMMISSION ESTABLISHED:** A Planning and Zoning Commission for Mounds View is hereby established. (Ord. 536, 4-25-94)

401.02: **MEMBERSHIP; TERMS; OATH; COMPENSATION:**

Subd. 1. Membership; Terms:

The Planning and Zoning Commission shall consist of seven (7) members from the resident population of Mounds View, other than persons elected to a public body, to be appointed by the City Council, and based on the recommendation of the Planning and Zoning Commission, from the applications submitted. The appointees shall have three (3) year staggered terms; at least two (2) of these terms, but not more than three (3) terms, shall expire each year on December 31. Based upon the recommendation of the Planning and Zoning Commission, the City Council, shall appoint a chairperson. (Ord. 626, 2-8-99; Ord. 678, 2-12-01; Ord. 706, 10-28-02; Ord. 741, 6-28-04)
Subd. 2. Oath and Taking of Office: The appointees shall be duly sworn and take office at
the first regular meeting of the Commission in the month of January each year. Both
original and successive appointees shall hold their offices until their successors are
appointed and qualified.

Subd. 3. Compensation: All members of the Commission shall serve without compensation.
(Ord. 536, 4-25-94)

401.03: REMOVAL FROM OFFICE; VACANCIES:

Subd. 1. Removal from Office:

a. An appointed member of the Commission may be removed from office for just
cause and on written charges by at least four-fifths (4/5) vote of the entire City Council,
but such member shall be entitled to a public hearing before such vote is taken. It shall
be the duty of the chairman of the Commission to notify the City Council promptly of
any vacancies occurring in membership.

b. In addition, an appointed member may be removed by the City Council for
nonattendance at Planning and Zoning Commission meetings, as provided in the by
laws adopted by the Planning and Zoning Commission, or if a Commission member does not
attend twenty (20) regularly scheduled meetings per year without the consent of the
Commission.

c. The Mayor, with approval of the City Council, shall fill such vacancies for the
unexpired term of the original appointment. (Ord. 629, 5-10-99)

Subd. 2. Termination of Appointment: Any Commission member desiring to terminate
their appointment to the Commission before the expiration of the term shall give written
notification to the Planning and Zoning Commission Chairman of that intention.
(Ord. 536, 4-25-94)

401.04: POWERS AND DUTIES: The Commission shall be the City planning agency as
authorized by the Minnesota Statutes\(^1\) and the City Charter.\(^2\) It shall have the duties and powers
which are assigned to it by this Code. (Ord. 536, 4-25-94)

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\(^1\) M.S.A. §462.354, subdivision 1.

\(^2\) See Charter Section 2.02.

City of Mounds View
401.05: **CONFLICT OF INTEREST:** No person shall be appointed with private or personal interest likely to conflict with the general public interest. If any person appointed shall find that their private or personal interests are involved in any matter coming before the Commission, they shall disqualify themselves from taking part in action on the matter; alternatively, they may be disqualified by a two-thirds (2/3) majority vote of the Commissioners in attendance. (Ord. 536, 4-25-94)

401.06: **ORGANIZATION; MEETINGS:**

Subd. 1. Officers: At the first regular meeting in January, the Commission shall elect a vice chairman from among its appointed members for a term of one year. The Commission may create and fill such other offices from its members, as it may determine, to transact Commission business.

Subd. 2. Regular Meetings: Regular meetings shall be held for the purposes of convening public hearings and conducting business which requires a vote of the Planning and Zoning Commission. The Commission shall hold at least one (1) regular meeting each month on a day and at a time and a place which the Commission shall fix by resolution.

Subd. 3. Agenda Sessions: An Agenda Session is an informal session of the Planning Commission, typically held immediately following adjournment of a Regular or Special meeting, at which time the Planning Commission may review minutes, informally review proposed or pending planning cases or ordinance amendments, and to perform other matters not requiring a vote of the Commission. (Ord. 629, 5-10-99)

Subd. 4. Special Meetings: Special meetings can be proposed during any regular meeting by any Commission member or at the request of the Director of Community Development, yet must be approved by a majority vote of the Commission. Emergency special meetings may be called via written notice to the Director of Community Development by the Chairperson or two (2) Commission members, or by the Director of Community Development. The Director of Community Development shall post and mail a notice of any special meeting in accordance with state statutes. (Ord. 629, 5-10-99)

Subd. 5. Quorum: A majority of the appointed voting Commission members shall constitute a quorum.

Subd. 6. Voting Privileges: Each of the appointed members shall have equal voting privileges.
Subd. 7. Bylaws: The Commission shall adopt bylaws for its governance and for the transaction of its business. The bylaws shall be reviewed on an annual basis at the first regular meeting in February.

Subd. 8. Records: A recording secretary, who may be recommended by the Planning and Zoning Commission for appointment, shall keep a record of attendance at Commission meetings and a record of resolutions, votes and abstentions on each question requiring a vote. The record of the Commission shall be a public record. (Ord. 536, 4-25-94)

401.07: **EMPLOYMENT OF EXPERTS; EXPENDITURES:** The Commission may request from the City Council the employment of such staff, technicians and experts as may be deemed proper and may request such other funds as may be necessary and proper for the conduct of its affairs. (Ord. 536, 4-25-94)

401.08: **ANNUAL REPORT:** The City Council may request an annual report from the Planning and Zoning Commission of its works during the preceding year. (Ord. 536, 4-25-94)

401.09: **COMPREHENSIVE PLAN ADOPTED:** The City hereby adopts as its Comprehensive Plan for future development and growth within the City that certain document hereafter to be referred to as the *COMPREHENSIVE PLAN FOR THE CITY OF MOUNDS VIEW*, dated 1979, and such Comprehensive Plan is incorporated herein by reference. A copy of the City’s Comprehensive Plan is on file in the office of the Clerk-Administrator. (Ord. 536, 4-25-94)

401.10: **REVIEW OF PROPOSED PLATS:** Before the preliminary approval is given to any proposed platting or property in the Municipality, the preliminary plat shall be submitted to the Planning and Zoning Commission for study and recommendation along with written reports and recommendations on the plat from the Director of Public Works/City Engineer and City Attorney. The recommendations on and approval of plats by the Planning and Zoning Commission shall be in accordance with Title 1200 of this Code. (Ord. 536, 4-25-94)
401.11: ZONING:

Subd. 1. Zoning Plan\(^1\): The Commission, upon its own motion, may, and upon instruction by the Council shall, prepare a revised Zoning Plan for the Municipality. Before recommending such Plan to the Council, the Commission shall hold at least one (1) public hearing thereon after a published notice of such hearing appears in the legal newspaper at least ten (10) days prior to the hearing. The same procedure shall apply for the preparation of an overall street plan or acquisition of lands for other public purposes.

Subd. 2. Rezoning of Property: See Section 1125.01 of this Code for procedure. (Ord. 536, 4-25-94)

401.12: AVAILABILITY OF CITY RECORDS: Upon the request of the Planning and Zoning Commission, the City Administrator or a designee shall furnish, within a reasonable time, such records or information as may be required for the work of the Commission. (Ord. 536, 4-25-94; Amended, Ord. 844, 5-20-10)

\(^1\) See Title 1100 of this Code for zoning regulations.

City of Mounds View
CHAPTER 402

BOARD OF ADJUSTMENT AND APPEALS

SECTION:

402.01: Board Established; Membership

402.01: BOARD ESTABLISHED; MEMBERSHIP: A Board of Adjustments and Appeals, consisting of all appointment members of the Planning and Zoning Commission, is hereby established. The Board shall function under and be governed by the provisions of Section 1125.02 of this Code. (1988 Code §32.10)
CHAPTER 403

HUMAN RIGHTS COMMISSION

SECTION:

403.01: Public Policy
403.02: Commission Established; Purpose; Membership
403.03: Duties
403.04: Meetings

403.01: **PUBLIC POLICY:** It is hereby declared that it is the public policy of Mounds View to fulfill its responsibility in securing for all citizens equal opportunity in housing, employment, public accommodations, public services and education and to work consistently to improve the human relations climate in Mounds View. (1988 Code §31.01)

403.02: **COMMISSION ESTABLISHED; PURPOSE; MEMBERSHIP:**

Subd. 1. Commission Established; Purpose: There is hereby established a Human Rights Commission. The purpose of the Commission is to secure for all citizens equal opportunity in employment, housing, public accommodations, public services and education.

Subd. 2. Membership: The Commission shall consist of the members of the City Council. (1988 Code §31.01)
403.03: **DUTIES:** In fulfillment of its purpose, the Commission’s duties and responsibilities shall be to:

Subd. 1. Adopt bylaws and rules for the conduct of its affairs, including the election, assumption of duties and definition of responsibilities of officers and committees.

Subd. 2. Enlist the cooperation of agencies, organizations and individuals in the community in an active program directed to create equal opportunity and eliminate discrimination and inequalities.

Subd. 3. Investigate human relations and civil rights problems brought to the attention of the City. (1988 Code §31.01)

403.04: **MEETINGS:** The Commission shall meet at least once a year in the month of January and may meet thereafter upon call by the Mayor. (1988 Code §31.01)
CHAPTER 404

POLICE CIVIL SERVICE COMMISSION

SECTION:

404.01: Commission Established
404.02: Membership; Oath; Term; Compensation
404.03: Meetings
404.04: Powers and Duties
404.05: Expenses

404.01: **COMMISSION ESTABLISHED:** There is hereby created a Police Civil Service Commission of three (3) members, to be known as the Police Civil Service Commission. (1988 Code §30.01; Amended, Ord. 741, 6-28-04)

404.02: **MEMBERSHIP; OATH; TERM; COMPENSATION:**

Subd. 1. Appointments and Terms: Each member shall be appointed by the City Council from applications submitted. When first appointed, one (1) Commissioner shall be appointed for one (1) year, who shall be president of the Commission, one (1) for two (2) years and one (1) for three (3) years. Each Commissioner shall hold their office until a successor is duly appointed and qualified. There shall thereafter be one (1) member of the Commission appointed each year for a term of three (3) years, and each shall, during the last year of their term, be president of the Commission. (Amended, Ord. 741, 6-28-04)

Subd. 2. Oath: Each Commissioner, before entering upon their duties, shall subscribe and file with the Clerk-Administrator an oath for the faithful discharge of their duties. (1988 Code §30.02)

Subd. 3. Holding Other Offices: No Commissioner shall, during the term of their membership in said body, hold any other office or employment under the City, except the office of notary public or member of a civil service commission for firemen or other Municipal personnel. (1988 Code §30.02; 1993 Code)
404.03: **MEETINGS:** The Commission shall meet immediately after its appointment and thereafter annually on the first Monday in February. The Commission shall also, from time to time, fix the times of its meetings and adopt, amend and alter rules for its procedure. (1988 Code §30.03)

404.04: **POWERS AND DUTIES:**

Subd. 1. **General Supervision of Police Department:** The Commission shall have absolute control and supervision of the employment, promotion, discharge and suspension of all members of the Police Department and all grades and departments thereof in this Municipality.

Subd. 2. **Position Grades:** The Commission shall, immediately after its appointment, establish grades for the employees in the Police Department and shall classify every employee now in such service in the respective classification thus established.

Subd. 3. **Service Register:** The Commission shall keep a service register of all persons in the service in these classifications, giving their names, ages, compensation, past employment, duties and such other facts and data with reference to each employee as the Commission may deem useful. (1988 Code §30.05)

Subd. 4. **Rules:**

a. The Commission shall, immediately after its appointment and, from time to time, thereafter, make, amend, alter and change rules to promote efficiency in the Police Department services and carry out the purpose of this Chapter. The rules shall provide, among other things, for:

(1) The classification of all offices and employments in the Police Department.

(2) Public competitive examinations to test the relative fitness of applicants.

(3) Public advertisement of all examinations at least ten (10) days in advance in a newspaper of general circulation in the City and posting advertisement for ten (10) days in the Municipal Hall and at each station house.

(4) The creation and maintenance of a list of eligible candidates after successful examination in order of their standing in the examination and without reference to the time of examination. Such lists shall be embraced in an eligible register. The Commission may by rule provide for striking any name from the eligible register after it has been two (2) years thereon.
(5) The rejection of candidates or eligibles who, after the entry of their names, shall fail to comply with the reasonable rules and requirements of the Commission or otherwise or who have been guilty of criminal, infamous or disgraceful conduct or of any wilful misrepresentation, deception or fraud in connection with their applications for employment.

(6) The certification of the three (3) names standing highest on the appropriate list to fill any vacancy, (except where the provisions of the Minnesota Veterans Preference Law provides otherwise).

(7) Temporary employment, without examination, with the consent in each case of the Commission, in cases of emergency, but no such temporary employment shall continue more than thirty (30) days nor shall successive temporary employments be permitted for the same position.

(8) Promotion based on competitive examination and upon records of efficiency, character, conduct and seniority.

(9) Suspension with or without pay, for not longer than sixty (60) days and leave of absence, with or without pay.

(10) Such other rules not inconsistent with the provisions of this Chapter as may, from time to time, be found necessary to secure the purposes of this Chapter.

b. Copies of all rules adopted by the Commission shall be kept posted in the Police station house, and no rule of general application with reference to employment, promotion, discharge or suspension shall become effective until so posted. (1988 Code §30.06)

404.05: **EXPENSES:** The Council shall pay from the Treasury all necessary expenses incurred by the Commission in the performance of its duties. (1988 Code §30.04)
CHAPTER 405

PARKS AND RECREATION AND FORESTRY COMMISSION
(Ord. 714, 5/12/03)

SECTION:

405.01: Commission Established; Purpose
405.02: Membership; Oath; Compensation
405.03: Terms and Vacancies
405.04: Conflicts of Interest
405.05: Removal from Office
405.06: Organization and Meetings
405.07: Powers and Duties
405.08: Budget and Finances
405.09: Rules and Regulations

405.01: Commission Established; Purpose: There is hereby established a Parks and Recreation and Forestry Commission for the purpose of advising the Council on the operation of public recreation, parks, and playgrounds, pursuant to the authority of this Chapter. The Parks and Recreation and Forestry Commission is referred to herein as “the Commission”. (1988 Code §34.01; Ord. 714, 5-12-03)

405.02: Membership; Oath; Compensation:

Subd. 1. Appointment of Members: The Commission shall consist of nine (9) members appointed by the City Council and based on the recommendation of the Parks and Recreation Commission, from the applications submitted. Based upon the recommendation of the Parks and Recreation Commission, the City Council shall appoint a chairperson. (1988 Code §34.02; Ord. 627, 2-8-99; Ord. 707, 10-28-02; Ord. 714, 5-12-03; Ord. 741, 6-28-04; Ord. 877, 02-07-13)

Subd. 2. Oath of Office: Every appointed member shall, before entering upon the discharge of their duties, take an oath that they will faithfully discharge the duties of their office. (1988 Code §34.03)

Subd. 3. Compensation: Members of the Commission shall serve without compensation. (1988 Code §34.04)

1 See Chapter 905 of this Code for parks, playgrounds and recreation.

City of Mounds View
405.03: **TERMS AND VACANCIES:**

Subd. 1. Terms: Members of the Commission shall serve three (3) year staggered terms, with terms expiring December 31 of each year. In order to establish appropriate staggering of terms for the commission members, appointments to a term of less than three (3) years are permissible. Both original and successive appointees shall hold their offices until their successors are appointed and qualified. (Ord. 456, 2-27-89; Ord. 646, 1-10-00)

Subd. 2. Vacancies: Vacancies during the term shall be filled by the Mayor with the approval of the majority of the Council for the unexpired portion of the term. (1988 Code §34.03)

405.04: **CONFLICTS OF INTEREST:** No member shall be personally interested in any contracts in which the Commission may enter. (1988 Code §34.03)

405.05: **REMOVAL FROM OFFICE:**

Subd. 1. Removal for Just Cause: An appointed member of the Commission may be removed from office for just cause and on written charges by at least four-fifths (4/5) of the entire City Council. Such member may be entitled to a public hearing before such vote is taken.

Subd. 2. Removal for Nonattendance: In addition, an appointed member may be removed by the City Council for nonattendance at Parks and Recreation Commission meetings if a Commission member does not attend (9) nine regularly scheduled meetings per year.

Subd. 3. Vacancies Filled: It shall be the duty of the Chairman of the Commission to notify the City Council promptly of any vacancies occurring in membership. The Mayor, with approval of the City Council, shall fill such vacancies, for the unexpired term of the original appointment. (1988 Code §34.05)
405.06: **ORGANIZATION AND MEETINGS:**

Subd. 1. Officers: The Commission shall select a Vice Chairman and Secretary. The Vice Chairman shall be selected from its membership and shall serve for a term of one (1) year. The Secretary may be selected from the Commission or City staff. (Amended, Ord. 714, 5-12-03)

Subd. 2. Attorney and Engineer: The Municipal Attorney shall act as attorney for the Commission and the Director of Public Works/City Engineer shall act as its engineer.

Subd. 3. Rules of Procedure: At its first meeting, the Commission shall adopt rules of procedure and elect the two (2) officers. It shall amend the rules, from time to time, as is necessary. (1988 Code §34.06)

Subd. 4. Meetings: The Commission shall establish regular meeting dates, but special meetings may be called by any officer of the Commission upon seven (7) days’ notice to all members. The Commission shall hold at least twelve (12) regular meetings each calendar year. (Amended, Ord. 714, 5-12-03)

Subd. 5. Quorum: A majority of the appointed members shall constitute a quorum. (1988 Code §34.07)

405.07: **POWERS AND DUTIES:** In order to carry on the recreation provided herein, the duties of the Commission shall include: (Amended, Ord. 714, 5-12-03)

Subd. 1. Operation of City Parks and Playgrounds: Under the direction of the City Council, advise City staff to operate a program of public recreation and playgrounds upon property which is owned or otherwise made available to the Municipality for such public recreation purpose.

Subd. 2. Lease and Acquisition of Property:

a. Recommend to the Council the leasing or acquisition of real or personal property for public recreational use as it deems desirable but shall not have the authority to acquire land or construct buildings in its own name. Any equipment or recreational facilities shall belong to the Municipality.

b. Advise the Council of leasing real or personal property or both for public recreation use for periods of not longer than one (1) year.
Subd. 3. Maintenance and Care of Public Recreation Property: Maintain and care for all property which it has acquired and which has been assigned to it for public recreation purposes. (Amended, Ord. 714, 5-12-03)

Subd. 4. Inventories of Services: Make periodic inventories of recreation and park services which exist or may be needed and to interpret the needs of the public to the Council.

Subd. 5. Cooperation with Other Agencies: Cooperate with other park and recreation departments, schools and private agencies for establishment of a joint powers agreement to provide parks and recreation services to the City residents.

Subd. 6. Policies and Functions of Department: Interpret the policies and functions of the Park and Recreation Department to the public.

Subd. 7. Capital Improvement Plans and Budgets: Advise the Council and administrator in the preparation of the annual budget and long range capital improvement programs.

Subd. 8. Rules and Regulations: Formulate and prescribe reasonable rules and regulations for the use of the general public of any facilities in any park area.

Subd. 9. Construction of Improvements: Advise the Council on maintaining and constructing roadways, paths, buildings, fountains, docks, boat houses, bath houses, refreshment booths, community center, pavilions and other necessary structures and improvements in parks. The Commission may advise the Council on making contracts and leases for the construction and operation of these facilities for terms not exceeding ten (10) years. Every such contract and lease shall provide that the structure shall be operated for the public use and convenience, and that the charges shall be reasonable, and it shall reserve to the Commission power to prescribe reasonable rules and regulations, from time to time, for the conduct of the privilege. (Amended, Ord. 714, 5-12-03)

Subd. 10. Communication: Communicate regularly with the City Council and Planning and Zoning Commission through joint meetings and meeting minutes.

Subd. 11. Athletic Awareness: Be aware of the role and services provided by athletic organizations within the community.

Subd. 12. Sanitation and Reforestation Programs: Advise the City Council regarding sanitation and reforestation programs within the City.

Subd. 13. Other Duties: Do whatever other acts are reasonable, necessary and proper to carry out its prescribed powers and functions as set forth herein. (1988 Code §34.09)
405.08: **BUDGET AND FINANCES:**

Subd. 1. Annual Presentation of Proposed Budget: The Commission, through the City Parks and Recreation Division staff, should present, no later than August 1 of each year, a proposed budget, in such details as the Council shall require, of the financial needs for the ensuing fiscal year to operate and maintain the parks and open spaces, as well as provide recreation programs. (Amended, Ord. 714, 5-12-03)

Subd. 2. Fees and Charges: The Commission shall advise the Council to establish charges or fees for the restricted use of any facilities or to make any phase of the recreation program wholly or partially self-sustaining. (1988 Code §34.08)

405.09: **RULES AND REGULATIONS:** The Council may establish such rules and regulations for the administration of this Chapter as it may deem necessary and may delegate such rule-making authority to the Commission, and the Commission shall have power to make such rules and regulations pursuant to delegated authority as it deems necessary for the purpose of performing its duties as herein set forth. (1988 Code §34.10)
CHAPTER 406
MOUNDS VIEW FESTIVITIES COMMISSION

SECTION:

406.01: Purpose
406.02: Membership and Compensation
406.03: Terms and Vacancies
406.04: Conflicts of Interest
406.05: Removal from Office
406.06: Organization; Meetings; Duties

406.01: PURPOSE: The purpose of the Mounds View Festivities Commission is to promote an annual community-wide special event. (1988 Code §35.01)

406.02: MEMBERSHIP AND COMPENSATION:

Subd. 1. Appointment: A nine (9) member voting board will be appointed by the Mayor with the approval of the City Council and shall operate under this Chapter. (1988 Code §35.02)

Subd. 2. Oath: Every appointed member shall, before entering upon the discharge of their duties, take an oath that they will faithfully discharge the duties of their office. (1988 Code §35.04)

Subd. 3. Compensation: Members of the Commission shall serve without compensation. (1988 Code §35.05)

406.03: TERMS AND VACANCIES:

Subd. 1. Terms: Members of the Commission shall serve three (3) year staggered terms, with terms expiring September 30 of each year. All appointments are to be made each year at the first regular meeting of the Council in October. Both original and successive appointees shall hold their offices until their successors are appointed and qualified.

Subd. 2. Vacancies: Vacancies during the term shall be filled by the Mayor with the approval of the majority of the Council for the unexpired portion of the term. (1988 Code §35.04)
406.04:  **CONFLICTS OF INTEREST:** No member shall be personally interested in any contracts in which the Commission may enter. (1988 Code §34.04)

406.05:  **REMOVAL FROM OFFICE:** Any member of the Commission may be removed if said member misses two (2) consecutive meetings without a valid reason and for cause duly found by a two-thirds (2/3) vote of the Commission and consent of the Council. (1988 Code §35.06)

406.06:  **ORGANIZATION; MEETINGS; DUTIES:**

Subd. 1. Meetings: The Commission shall meet the first Tuesday of each month or as deemed necessary by the chairperson.

Subd. 2. Agenda: An agenda will be prepared and be distributed to members prior to meeting. Meeting dates must be posted twenty four (24) hours before the meeting.

Subd. 3. Quorum: Quorum shall be five (5) appointed members.

Subd. 4. Officers: The first meeting in September shall include:

   a. Election of Chairman (Chairman must be someone who has served at least one (1) year on the Commission).

   b. Vice Chairman, Secretary and Treasurer shall be appointed by the chairman with approval of the Commission.

Subd. 5. Review of Bylaws: The first meeting in September shall include review of bylaws. Bylaw changes, if any, should be read and suggested at a meeting and can be voted on at the following meeting and changed by a two-thirds (2/3) vote of the members present, subject to approval of the City Council.

Subd. 6. Budget: Budget shall be prepared and submitted to the Council for approval by September meeting and shall include projected revenues and expenditures. The Commission shall recommend to the Council uses for any donations or revenues generated by the Commission. (1988 Code §35.03)
CHAPTER 408
ECONOMIC DEVELOPMENT COMMISSION

SECTION:

408.01: Establishment
408.02: Purpose
408.03: Composition, Members, Qualification of Members, Terms of Office
408.04: Conflict of Interest
408.05: Compensation
408.06: Vacancies
408.07: Organization, Meetings
408.08: Expenditures
408.09: Duties of the Commission

408.01: ESTABLISHMENT: The Economic Development Commission is hereby established. The Economic Development Commission is referred to herein as the “Commission”. (Ord. 542, 6-27-94)

408.02: PURPOSE: The Commission shall serve as an advisory commission to the Economic Development Authority, hereinafter the “Authority”, on matters relating to fostering a positive economic climate, encouraging economic development and enhancing the tax base of the City. The Commission shall also make recommendations to the Authority regarding retention and expansion of existing businesses, attraction of desirable new businesses, redevelopment and rehabilitation opportunities, and other appropriate economic development strategies. (Ord. 542, 6-27-94)
408.03: **COMPOSITION, MEMBERS, QUALIFICATION OF MEMBERS, TERMS OF OFFICE:** (Ord. 677, 2-12-01)

The Commission shall be composed of seven (7) equal voting members, including three (3) business representatives and four (4) residents, appointed by the Authority Board of Commissioners based on the recommendation of the Economic Development Commission, from the applications submitted. Members shall have diverse qualifications with practical experience consisting of, not limited to, but including one (1) of the following areas: economics, finance, accounting, real estate, social services and marketing. For the purpose of initiating the Commission, the terms of all members shall expire December 31, 1994. (Amended, Ord. 741, 6-28-04)

Beginning January 1995, three (3) members shall serve a one (1) year term, two (2) members shall serve two (2) year terms and (2) members shall serve three (3) year terms. Thereafter, members shall serve three (3) year staggered terms, with terms expiring December 31 of each year. At least two (2) of these terms, but not more than three (3) terms shall expire each year. The appointees shall be duly sworn and take office at the first regular meeting of the Commission in the month of January each year. Both original and successive appointees shall hold their offices until their successors are appointed and qualified. (Ord. 546, 7-25-94; Ord. 677, 2-12-01)

408.04: **CONFLICT OF INTEREST:** No person shall be appointed with private or personal interest likely to conflict with the general public interest. If any person appointed shall find that their private or personal interests are involved in any matter coming before the Commission, they shall disqualify themselves from taking part in action on the matter; alternatively, they may be disqualified by a two-thirds (2/3) majority vote of the Commissioners in attendance. (Ord. 542, 6-27-94)

408.05: **COMPENSATION:** Members of the Commission shall serve without compensation. (Ord. 542, 6-27-94)
408.06: **VACANCIES:**

Subd. 1. **Termination of Appointment:** Any Commission member designating to terminate their appointment to the Commissioner before the expiration of their term shall give written notification to the Commission chairperson of their intentions. It should be the duty of the chairperson of the Commission to notify the Authority promptly of any vacancies. The Authority president, with approval of a majority of the Authority Board of Commissioners, shall appoint a new member from applications received for the unfulfilled portion of the term.

Subd. 2. **Removal from Office:** Any member of the Commission may be removed from office for just cause and on written charges by at least four-fifths (4/5) of the entire Authority. Such member may be entitled to a public hearing before such a vote is taken. An appointed member may also be removed by the Authority for nonattendance at Commission meetings if a Commissioner is absent from five (5) regularly scheduled meetings per year or from three (3) consecutive meetings, without the consent of the Commission. (Ord. 542, 6-27-94)

408.07: **ORGANIZATION, MEETINGS:**

Subd. 1. **Organization:** At the first regular meeting of the year, the Commission shall appoint a chairperson from among its voting members. This appointment shall be subject to Authority approval and shall consist of a one (1) year term. The position of chair shall rotate among members, with no Commissioner serving in that capacity for more than two (2) consecutive terms. The Commission shall also elect a vice-chair from among its appointed members for a term of one (1) year. The Commission may create and fill such other offices from its members as it may determine to transact Commission business.

Subd. 2. **Regular Meetings:** The Commission shall hold at least one (1) regular meeting each month at a time which the Commission shall fix by resolution.

Subd. 3. **Special Meetings:** Special meetings may be called by the chairperson or by any two (2) members of the Commission by a written notice filed with the City Administrator who then shall notify all members of the Commission of the time and date of the special meeting, at least three (3) days before the meeting date. (Amended, Ord. 844, 5-20-10)

Subd. 4. **Quorum:** A majority of the appointed voting Commission members shall constitute a quorum.

Subd. 5. **Voting Privileges:** Each of the appointed members shall have equal voting privileges.
Subd. 6. **Bylaws:** The Commission shall adopt bylaws for its governance and for the transaction of its business. The bylaws will be reviewed on an annual basis at the first regular meeting in February.

Subd. 7. **Records:** A recording secretary shall keep a record of attendance at Commission meetings, a record of resolutions and votes and abstentions on each question requiring a vote. The record of the Commission shall be a public record.

Subd. 8. **Report:** The Authority may request an annual report from the Commission without having received consent of its content by a majority of the Commission members at a regular or special meeting of the Commission. (Ord. 542, 6-27-94)

**408.08: EXPENDITURES:** The Commission may request from the Authority such funds as may be necessary and proper for the conduct of its duties. (Ord. 542, 6-27-94)

**408.09: DUTIES OF THE COMMISSION:** In order to carry on its purpose, the Commission shall:

Subd. 1. Confer with and advise the Authority on all matters concerning the industrial and commercial development and redevelopment of the City.

Subd. 2. Publicize, with the consent of the Authority, the industrial and commercial advantages and opportunities of the City.

Subd. 3. Collect data and information as to the type of industries and commerce best suited to the City.

Subd. 4. Survey the overall condition of the City from the standpoint of determining whether the City has a community climate for industry and to determine the general receptiveness of the City of particular types of industry.

Subd. 5. Publicize information as to the general advantages of industrial and commercial development and redevelopment in a community.

Subd. 6. Cooperate with all industries and businesses in the City and in the solution of any community problems which they may have, and to encourage the expansion, development and management of such industries and business so as to promote the general welfare of the City.

Subd. 7. Coordinate the Economic Development activities of the various groups active in the City.
Subd. 8. Recommend zoning changes and development of areas suitable for industrial and commercial development and redevelopment to the Planning Commission.

Subd. 9. Develop, compile, coordinate and publicize information such as, but not limited to the following:

a. Existing industrial and commercial concerns within the City, their addresses, types of business, number of employees and whether each serves local, regional or national markets.

b. Available industrial and commercial sites including number of acres and square footage, approximate price, existing zoning and proximity to highways.

c. Available buildings for industrial and commercial operations, including type of buildings, number of square feet, existing zoning and proximity to highways.

d. Transportation facilities, including railroads, motor carriers, water transportation, air transportation and highway facilities that serve the area.

e. Electric power available.

f. Fuels available for industrial and commercial use.

g. Sewage disposal facilities.

h. Water supply facilities.

i. Community facilities such as fire, police and educational.

j. Recreational facilities.

k. Going wage rate in the City for the trades, skilled and semi-skilled and white collar workers.

l. Availability of labor.

m. General community attitude toward industrial and commercial expansion, development, redevelopment and attraction.

n. Experience and programs of surrounding communities in regards to industrial and commercial expansion, development, redevelopment and attraction.

o. Financial and technical resources available to new and existing businesses at the local, County, State and national levels for economic expansion and vitality.

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Subd. 10. Recommend Authority and Planning Commission policies and particular actions in regards to industrial and commercial expansion development, redevelopment and attraction.

Subd. 11. Cooperate with and use the services of the Minnesota Department of Trade and Economic Development, Minnesota Housing Finance Authority and any other organizations at the national, State, County and local levels that are deemed conducive to the overall vitality of the City.

Subd. 12. The Commission shall have the power to appoint task forces of a size and nature it may deem necessary and may enlist the aid of persons and/or organizations who are not members of the Commission.

Subd. 13. The Commission shall have no power to make contracts, levy taxes, borrow money or condemn property, but shall have the full power and responsibility to investigate the necessity and recommend the taking of these and any other actions related to the industrial and commercial development and redevelopment by the Authority and all other officers of the City responsible to formulate the terms of and the procedure for taking such action.

Subd. 14. Review the City’s existing housing stock analysis and make recommendations to the Authority regarding mechanisms for the rehabilitation of said housing stock. (Ord. 542, 6-27-94)