

A-1990 Mahtomedi Annexation

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice Chairman
Harold J. Dahl	Member
Idor Pederson	Ex-Officio Member
A. B. Schaefer	Ex-Officio Member

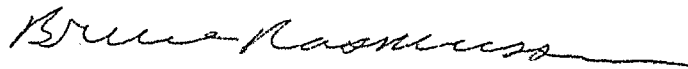
IN THE MATTER OF THE RESOLUTION FOR)
THE ANNEXATION OF THE TOWN OF LINCOLN) ANNEXATION ORDER
TO THE VILLAGE OF MAHTOMEDI, MINNESOTA)

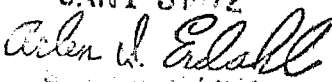
The annexation election in the above-entitled matter was duly held on January 10, 1972, pursuant to the Minnesota Municipal Commission's Order of December 1, 1971. The majority of the votes cast being "For Annexation,"

IT IS HEREBY ORDERED: That the annexation affirmed by the Minnesota Municipal Commission's Order of December 1, 1971 shall be effective as of the date of this annexation order.

Dated this 12th day of January, 1972

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101


Bruce Rasmussen
Executive Secretary

23283
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 31 1972

Arden J. Edsall
Secretary of State

A-1990 Mahtomedi Annexation

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Robert J. Ford	Vice Chairman
Harold J. Dahl	Member
Idor Pederson	Ex-Officio Member
A. B. Schaefer	Ex-Officio Member

IN THE MATTER OF THE RESOLUTION FOR) FINDINGS OF FACT,
ANNEXATION OF THE TOWN OF LINCOLN) CONCLUSIONS OF LAW,
TO THE VILLAGE OF MAHTOMEDI, MINNESOTA) AND ORDER

The above entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to filing of a resolution duly adopted by the Board of Supervisors of the Town of Lincoln requesting annexation to the Village of Mahtomedi. A hearing was duly held at the Town Hall at the Town of Lincoln on July 22, 1971. Lyle J. Eckberg of Eckberg, Lammers & Briggs, attorneys, Stillwater, Minnesota, appeared for and in behalf of the Town of Lincoln and Wilbur L. Goyer of the Village of Mahtomedi appeared in behalf of said Village.

There was a quorum present of the Minnesota Municipal Commission at said hearing and the Commission having duly considered the testimony of witnesses, the exhibits received in evidence, files and records, and arguments of counsel, make and enter the following Findings of Fact:

FINDINGS OF FACT

1. That the Town of Lincoln, County of Washington, State of Minnesota, had duly adopted a resolution and filed the

same requesting annexation of the entire territory of the Town to the Village of Mahtomedi; that said resolution fully complied with the statutory requirements; that due, timely, and adequate notice of hearing ordered by the Commission was published and served according to law; that the Village of Mahtomedi had prior to said hearing duly adopted and filed a resolution with the Minnesota Municipal Commission approving said annexation.

2. That the Town of Lincoln and the Village of Mahtomedi are wholly located within the County of Washington, State of Minnesota, and the Town of Lincoln surrounds and abuts the Village of Mahtomedi.

3. That the population of the Town of Lincoln according to the 1970 official census was 1,309 and that the population according to the 1960 official census was 1,266; that the population of the Village of Mahtomedi according to the 1970 official census was 2,640 and that the population according to the 1960 official census was 2,127.

4. That the area of the present Town of Lincoln contains approximately 1,500 acres; that the area of the Town of Lincoln ten years ago was 4,180 acres; that the Village of Mahtomedi presently contains 586 acres.

That in the last several years there have occurred numerous annexations of territory from the Town of Lincoln to other contiguous municipalities including the Village of White Bear Lake, Village of Mahtomedi; Village of Willernie and the Town of Grant.

5. That the area now contained in the Town of Lincoln contains approximately 800 acres of undeveloped land; the

Village of Mahtomedi contains very little undeveloped land; that the undeveloped land located within the present Town of Lincoln apparently will be developed as commercial, industrial, and residential lands; that the undeveloped area of the Village of Mahtomedi appears that it will be developed as residential land.

6. That the Village of Mahtomedi has adopted a comprehensive land use plan for the development of the area of the Village of Mahtomedi; that the Town of Lincoln has at the present time under consideration a comprehensive plan for the development of the property within the Town of Lincoln; that it appears that both plans are in accordance with the comprehensive plan adopted by the County of Washington.

7. That both the Village of Mahtomedi and the Town of Lincoln have adopted a Zoning Ordinance, Subdivision Regulations and Housing-Building Codes.

8. That a portion of White Bear Lake forms the Westerly boundary line of the Village and the Town and the greater part of the Village of Mahtomedi drains into White Bear Lake; that the Northerly portion of the Town of Lincoln also drains into White Bear Lake which is a part of the Rice Creek Watershed District; that the Southerly portion of a small portion of the Village and a large portion of the undeveloped portion of the Town lie within the St. Croix Watershed District; that the general topography of said area both of the Village and the Town is rolling and contains some low areas.

9. The Town of Lincoln provides the following services:

The Town has two elected Constables, both on call for patrolling as required and also is served by the Washington County Sheriff's Department.

The Town is served by the Willernie-Lincolntown Fire Department which equipment is owned by the Village of Willernie and the Town of Lincoln and is manned by a 21 man volunteer Fire Department. There also exists a rescue company which is under the control of the Fire Department. The Town has adequate pumpers and other fire protection equipment which is owned jointly, one-third by Willernie and two-thirds by the Town of Lincoln.

Ambulance service is provided for the area of the Town of Lincoln, Village of Mahtomedi, Village of Willernie, and other contiguous municipalities. The ambulance is owned and maintained by the Wildwood Lions Club. The Willernie-Lincolntown Fire Department operates the ambulance service for the benefit of the contiguous communities.

The Town has no sanitary sewer system or water system; however, two of the elementary schools in the Town are serviced by sanitary sewer systems furnished by the Village of Willernie and the Village of Mahtomedi.

The Town of Lincoln owns an interest in the building known as the Willernie-Lincolntown Hall and Fire Station and is owned three-fourths by the Town of Lincoln and one-fourth by the Village of Willernie.

The Town of Lincoln contracts for street improvements and maintenance and a considerable number of streets in the Town of Lincoln are blacktopped and improved streets.

The Town of Lincoln maintains no regular office hours, however, the Clerk is available on call and maintains an office in her home. The Town Board of Supervisors meet once regularly on the last Monday of each month, however, special meetings are called from time to time as the need occurs.

The Village of Mahtomedi has a full time Police Department consisting of four full time policemen and several part time police officers that are available on call and is also served by the Washington County Sheriff's Department.

The Village of Mahtomedi is served by its own Fire Department consisting of volunteers and has adequate fire equipment to provide fire protection for the area of the Village.

The Village of Mahtomedi is served by a sanitary sewer system which provides sewer services to the entire portion of the Village and also is served by a water system which serves the entire Village, and that it has adequate reserve capacity in said system to provide water services for additional area including certain portions of the Town of Lincoln.

The Village of Mahtomedi owns its own Fire Hall and Village Hall located within the Village.

The Village of Mahtomedi has one full time employee in the Village Hall that maintains regular office hours. The Village has regular scheduled meetings of the Village Council twice a month.

The Village of Mahtomedi maintains its own streets with its own personnel. They have three full time employees that provide supervision and maintenance of the streets, sanitary sewer system and water system.

The streets within the Village are practically all hard surface streets.

10. That a considerable number of smaller parcels of land have been annexed to the contiguous municipalities from the Town of Lincoln because of the lack of sanitary sewer services.

11. That the assessed valuation of the Town of Lincoln for 1960 for taxes payable in 1961 was \$452,162.00 and the assessed valuation for the Town of Lincoln for 1970 for the taxes payable in 1971 was \$541,315.00; and that the assessed valuation for the Village of Mahtomedi for the year 1960 for taxes payable in 1961 was \$703,353.00 and the assessed valuation for the year 1970 for taxes payable in 1971 was \$1,393,563.00.

That the bonded indebtedness of the Town of Lincoln is \$6,000.00 and the bonded indebtedness of the Village of Mahtomedi is \$880,000.00.

That the outstanding obligation of the Town of Lincoln is general obligation bonds issued for the construction of the Town Hall several years ago; and that the bonded indebtedness of the Village of Mahtomedi was for the installation of the sanitary sewer system and expansion of its water system and that the bonds for the Village of Mahtomedi are largely self-liquidating through the levy of special assessments and revenue from the water and sewer system.

12. The Town of Lincoln and the Village of Mahtomedi lie wholly within School District No. 832.

13. That the Town of Lincoln and the Village of Mahtomedi have cooperated in the past by consulting each other with reference to common problems such as surface water drainage, zoning, sanitary sewer and water, and have had an excellent working relationship.

14. That the area of the Village and Town and boundary line between them are difficult to determine because of the many annexations to the Village that have taken place in the past. One area of the Town is surrounded by the Village and the Town of Grant and cannot be reached without going through the Village.

CONCLUSIONS OF LAW

1. That the Minnesota Municipal Commission duly acquired and now has complete jurisdiction of the proceedings herein.

2. That the entire Town of Lincoln, being the area that is proposed for annexation to the Village of Mahtomedi, is so conditioned and so located as to be properly subjected to municipal government by the Village of Mahtomedi and is urban or suburban in character or is about to become urban or suburban in character.

3. That it is for the best interest of the area of the Town of Lincoln to be annexed to the Village of Mahtomedi to adequately protect the public health, safety and welfare, so that adequate and proper water and sewer facilities can be provided for the area; and that a considerable land development and construction is expected to occur and is now occurring within said area; that it is for the best interest of the area to be annexed;

4. That the Town of Lincoln and the Village of Mahtomedi both lie within two general water sheds and the development of a proper drainage system can very easily be effected by the two of them. That in order that a proper sewer and water system may be developed within the annexing area and to avoid any potential problems of environmental pollution, it is both practical and feasible that the system of the Village of Mahtomedi be further expanded into the annexing area and by accomplishing the annexation, the problem of environmental pollution in the annexing area will be minimized.

5. That by annexing the area to the Village of Mahtomedi that said annexation will have no detrimental effect upon other communities adjacent thereto or the school district. That in fact, said annexation will stabilize the boundaries of the area within the school district in that there will be better control and stability of the boundary lines of the annexed area.

6. That the need for governmental services can best be provided through annexation of the Town of Lincoln to the Village of Mahtomedi, and that the Town government is not adequate to deal with the problems of development; and that the Village of Mahtomedi can easily provide the municipal services that are required of the Town of Lincoln without adding a great number of personnel to the payroll or by the purchase of additional equipment.

7. It does not appear that there will be an increase in taxes for the annexing area, because of annexing the area to the Village of Mahtomedi.

8. The Minnesota Municipal Commission should issue an order approving the annexation herein requested, fixing a day for an annexation election, and establishing the population of the enlarged Village at 3,949 for all purposes until the next federal census.

O R D E R

IT IS HEREBY ORDERED: That the entire area of the Town of Lincoln, Washington County, Minnesota, be annexed to the Village of Mahtomedi, Washington County, Minnesota, subject to the annexation election herein ordered.

IT IS FURTHER ORDERED: That an annexation election be held pursuant to M.S. 414.031, Subd. 5, and the following particulars:

- a. The election shall be held on January 10, 1972
- b. The polling place shall be the Willernie-Lincolntown Town Hall
- c. The polls shall be open from 7:00 A.M. to 8:00 P.M.
- d. Mrs. Lydis Denslow is appointed Chief Election Judge and

Mrs. Polly Duvlea
Mrs. Margaret Smith
Mrs. Anne Stegmeir
Mrs. Leona Holly
Mrs. Mary Lou Buelen
Mrs. Rose Flaherty

are appointed Election Judges.

- e. The election shall be conducted by the Election Judges in accordance with the laws governing the election of town officers, insofar as practicable.
- f. The Chief Election Judge shall cause a copy of the order herein and a Notice of Election to be posted not less than 20 days before the election in three public places in the area to be

annexed, and submit proof thereof to the Secretary of the Minnesota Municipal Commission.

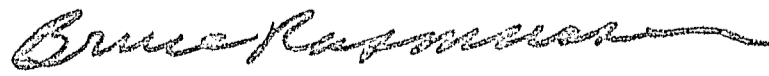
- g. The Chief Election Judge shall cause a Notice of Election to be published for two successive weeks in a newspaper qualified as a medium of official and legal publication of general circulation in the area to be annexed, and submit proof thereof to the Secretary of the Commission.
- h. The Chief Election Judge shall prepare the ballot, which shall bear the words "For Annexation" and "Against Annexation" with a square before each of the phrases in one of which the voter shall make a cross to express his choice.
- i. The ballots and election supplies shall be provided by the Town of Lincoln
- j. The Election Judges shall prepare and submit to the Secretary of the Commission a verified election certificate showing the time and place of the election and the results of their canvass of the ballots.

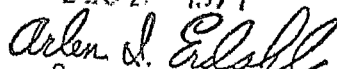
IT IS FURTHER ORDERED: That, subject to the annexation election herein ordered the population of the enlarged Village of Mahtomedi shall be 3,949 for all purposes until the next federal census.

IT IS FURTHER ORDERED: That, subject to the annexation election herein ordered and the rights of creditors all money, claims, and properties of the Town of Lincoln, including real estate owned, held, or possessed by the town, and any proceeds or taxes levied by the town, collected or uncollected shall become and be the property of the Village of Mahtomedi, with full power and authority to use and dispose of the same as the council of the village may deem best.

Dated this 1st day of December, 1971

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101


Bruce Rasmussen
Executive Secretary

#23283
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 2 - 1971

Secretary of State