

276
Phone: 225-2428



STATE OF MINNESOTA
MUNICIPAL COMMISSION
304 Capitol Square Building
10th & Cedar Streets
St. Paul, Minnesota 55101
March 26, 1973

Mr. Larry Anderson
Assistant Secretary of State
State Office Building
St. Paul, Minnesota

Re: Municipal Commission Docket Number A-2056

Dear Mr. Anderson:

The ~~Supplementary~~ order of the Minnesota Municipal Commission makes the following changes in the population of the named units of government:

The population of Stillwater
is increased by 5

A new municipality named _____
has been created with a population of _____

The _____
has been dissolved.

Official Date of the Order March 22, 1973

Other _____

Howard L. Kaibel, Jr.
Executive Secretary

#25093
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 26 1973
Arden A. Edsall
Secretary of State

A-2056 Stillwater
(Feeley-Hooley)

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Robert W. Johnson
Robert J. Ford
Thomas J. Simmons
Peter E. Tibbetts
Don L. Cafferty

Chairman
Vice Chairman
Member
Ex-Officio Member
Ex-Officio Member

IN THE MATTER OF THE PETITION FOR)
THE ANNEXATION OF CERTAIN LAND TO)
THE CITY OF STILLWATER A-2056)

SUPPLEMENTARY ORDER

The Municipal Commission issued its Amended Findings of Fact, Conclusions of Law and Order on the above entitled matter on January 30, 1973. The Minnesota Municipal Commission on all records, files, arguments and proceedings herein, being fully advised in the premises, hereby issues its Supplementary

O R D E R

IT IS HEREBY ORDERED: That the Amended Order issued January 30, 1973 be revised to eliminate all reference to the "Long Lake Area" described therein, which property shall remain a part of the township.

IT IS FURTHER ORDERED: That the effective date of the annexation of the remaining "Feeley-Hooley Area" shall be the date of this Order.

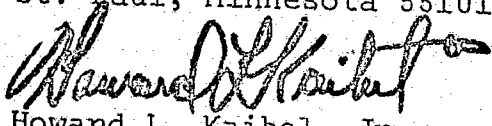
IT IS FURTHER ORDERED: That the annexation herein ordered was initiated by a unanimous petition of the property owners and an election is therefore unnecessary.

IT IS FURTHER ORDERED: That the population of the City of Stillwater be increased by 5 persons to 10,208 for all purposes until the next State or federal census.

Supplementary Order

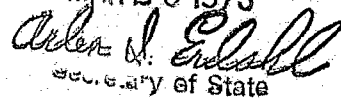
dated this 22nd day of March, 1973

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


Howard L. Kaibel, Jr.
Executive Secretary

#25093
STATE OF MINNESOTA
DEPARTMENT OF STATE
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MAR 26 1973


Arthur J. Ensell
Secretary of State

A-2056 Stillwater
(Feeley-Hooley)

M E M O R A N D U M

During the last two years the commission has devoted an enormous amount of its time and resources to the consideration of this boundary dispute between the City and Township of Stillwater. In that period we have held a total of 22 formal hearings and meetings, taking testimony, hearing arguments and deliberating. Many additional hours were spent in informal meetings and discussions with the parties attempting to resolve the conflict. The commission has consistently advocated some long range broader solution at the local level, without success.

In an attempt to achieve a more comprehensive solution, the commission initiated an expansion of the pending petition, putting all of Long Lake in one municipal jurisdiction and straightening out the city boundaries. This statutory power to expand an annexation is utilized infrequently and cautiously. The expansion resulted in subjecting the commission order to a referendum of residents annexed. This statutory referendum was vigorously objected to by virtually everyone involved. City and Township residents who have a substantial interest in the boundaries of their communities were not entitled to vote. Persons owning annexed property residing outside of the area annexed were also prohibited from participating. The original petitioners who unanimously sought to have their land included in the city, suddenly found their request subject to a veto of

residents in the expanded area.

The District Court ordered the commission to reopen the proceeding on March 1, 1973. (We note for the record that such reconsideration could have been accomplished without court action by a motion of the parties pursuant to Minnesota Municipal Commission Rule 14.) The commission did reopen and reconsider its decision hearing further argument from the parties.

After careful and lengthy deliberation, the commission has decided to rescind the proposed expansion and approve the annexation only of the petitioned property. We will next proceed to hear and decide the pending consolidation petition of the Township and the Village of Oak Park Heights.

The commission's action should not be taken as an indication that we have revised our expressed conclusion that Long Lake should ultimately be placed within one municipality and that the symmetry of municipal boundaries should be improved. We have continuing jurisdiction under the consolidation proceeding to determine what the boundaries should be. The commission is required under this section of the statute to determine what part of the area would be better served by the City of Stillwater as well as whether part of the area is not about to become urban or suburban in character and should thus remain in the township. A comprehensive determination of future boundaries will be forthcoming in that order.

Until this broader decision is reached, boundary questions will remain unsettled and other property owners may seek annexation to the city. Despite our strongly stated opposition to piecemeal annexation, the commission will continue to receive and consider petitions for annexation in this area.

25093

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAR 26 1973

Arden J. Erlsoll
Secretary of State