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C13-mt Cloquet & Knife Falls

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Robert W. Johnson  
Thomas J. Simmons  
Gerald J. Isaacs  
Wayne Purcell  
Ralph M. Hammitt

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

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IN THE MATTER OF THE JOINT RESOLUTION )  
FOR THE CONSOLIDATION OF THE CITY OF )  
CLOQUET AND THE TOWNSHIP OF KNIFE FALLS)

-----  
AMENDED  
FINDINGS OF FACT  
CONCLUSIONS OF LAW  
AND ORDER  
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The hearing in the above entitled matter was convened by a quorum of the Minnesota Municipal Commission on January 31, 1974 in the City of Cloquet Council Chambers, Carlton County, Minnesota. The hearing continued in the same location on February 1, 1974. Appearances were entered by Floyd D. Rudy, Attorney for the Town of Knife Falls; Harry Newby, Jr., Attorney for the City of Cloquet; Brian McAuliffe, Attorney for the Fond du Lac Band Reservation Business Committee; and a special appearance by Kent Tupper, Attorney for the Minnesota Chippewa Tribe Executive Council. Evidence was received and exhibits entered, and all persons were heard who desired to be heard. The Minnesota Municipal Commission, upon all records, files, evidence, arguments of Counsel, and being fully advised in the premises, hereby makes and issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Joint Resolution of the Town of Knife Falls and the City of Cloquet as to consolidation was filed with the Municipal Commission on August 23, 1973, amended on January 3, 1974, and was in all respects proper in form, contents, execution and filing.

2. Due, timely, and adequate legal notices of the hearing ordered by the Minnesota Municipal Commission were properly published, served and filed.

27189

3. The area proposed for consolidation is the entire Town of Knife Falls and the entire City of Cloquet.

4. Based upon the 1970 census, the population of the City of Cloquet is 8699 people, and the population of the Town of Knife Falls is 2740. The population of Cloquet is projected to remain comparatively stable, and its present population represents an increase of approximately 2000 people over the 1930 population. The population of the Town of Knife Falls is projected to increase in the future as people move into the Township to experience rural type living, and as other developments occur in the area. The Town has grown to its 1970 population of 2740 from 1605 in 1930.

5. The City of Cloquet contains 2520 acres, and is limited in the amount of land available for commercial or business development. The Town of Knife Falls contains approximately 20,160 acres.

6. The present pattern of development within the Township is restricted to residential development in certain platted areas located mainly South of the present City of Cloquet. Commercial development in the most desirable locations along State Highway 33 North and South of the present City of Cloquet is restricted because of the lack of acceptable water and sewer facilities. The Town does not have a municipal water or sewerage treatment facility. Development within the City of Cloquet is restricted by the lack of available commercial sites, and the lack of sites for residential construction. A shopping center development exists along Highway 33 near the South edge of the City.

7. The City of Cloquet Planning Commission is developing comprehensive plans for the development within the present City of Cloquet. This plan for development is capable of being expanded to

include the area currently within Knife Falls having the greatest potential for commercial-residential development. The Town of Knife Falls has comprehensive plans for sewer and water facilities, which are consistent with the Cloquet plans and facilities.

8. The City of Cloquet has a Zoning Ordinance, a sub-division regulation and a housing and building code. The Town of Knife Falls is included within the jurisdiction of the Zoning Ordinance and sub-division regulation of Carlton County.

9. Terrain within the proposed consolidated City is gently rolling topography and presents no problems to the consolidation of the two governmental bodies.

10. The City of Cloquet provides all governmental services within its boundaries, and does provide some water and sewer service to residents of the Town of Knife Falls, located immediately adjacent to, or near to, the present City boundaries. Police protection in the Town of Knife Falls is provided by two part-time constables and the Carlton County Sheriff; Fire protection is provided under the terms of a contract with the present City of Cloquet supplemented by volunteer personnel from the Town. The City of Cloquet maintains its own Engineering Department for all street improvements, street maintenance and other engineering services. These services are provided the Town of Knife Falls under contract with the Carlton County Engineering Department, and with private firms. The Town of Knife Falls does not provide any recreational facilities for its residents, while the City of Cloquet does have a Park Board that supervises certain parks and other recreational facilities within the City.

11. There is a problem within the Township of inadequate sewage

treatment facilities for some residents located in low areas, areas of low soil absorption capacity, or more densely populated areas. In these areas, there are problems in maintaining an effective and efficient septic system and drain field. These areas within the Township are in need of municipal treatment facilities with the exception of those residents that are connected to the City of Cloquet water and sewage systems, or residents of the Town of Knife Falls that have private wells and provide their own sewage treatment.

12. Cloquet has a bonded indebtedness of \$4,270,000.00 of which \$4,000,000.00 is for the construction of the Cloquet to Lake Superior water line. Knife Falls has no bonded indebtedness. The assessed value within Knife Falls is approximately 10% of that within the City of Cloquet, which has an assessed valuation for 1973 of \$31,761,399.00.

13. Both the City of Cloquet and all but a small portion of the Town of Knife Falls are within Independent School District #94 which has its main facilities in the City of Cloquet. A small portion of the Town of Knife Falls located in the Southeast corner is in the Carlton School District with its main facilities in Carlton, Minnesota. The consolidation will have no affect upon the involved School Districts, or on any adjacent communities.

14. The Town of Knife Falls is unable to provide the water and sewage facilities needed in portions of the Township, and the City of Cloquet does not have the needed development sites for continued growth. These services can best be provided through consolidation, which would fill the needs of both the existing governmental bodies.

15. Plans and programs have been developed by the City of Cloquet and the Town of Knife Falls both for providing the necessary governmental services in the area included in the consolidated City.

16. The ratio between the benefits resulting from tax supported municipal services to parcels of like and true value, situated in the proposed rural service district and the proposed urban service district, respectively is 1:4. That is, taxes in the rural service district should be 25% of full municipal taxes.

17. Merger of the City and Township into a single new community will not affect the rights of the Chippewa Tribe or the Fond du Lac Band for self government.

#### CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission has properly acquired, and now has jurisdiction of these proceedings.

2. The Township form of government is not adequate to provide needed governmental services in that the Town of Knife Falls and the City of Cloquet does not have space necessary for commercial and residential development.

3. It is in the public interest that all of the City of Cloquet and all of the Town of Knife Falls be consolidated to a new, single municipality to be known as Clouquet.

4. The proposed consolidation will have no impact on the rights of the reservation to retrocession.

#### ORDER

Based upon the written instruments contained in this file, and upon the evidence adduced at the time of the hearing, the exhibits

received in evidence, the Findings of Fact and Conclusions of Law, the Commission being fully advised in the premises and pursuant to Minnesota Statutes 1971, as amended, Chapter 414;

IT IS HEREBY ORDERED: That all of the Town of Knife Falls and all of the City of Cloquet, Carlton County, Minnesota, be and hereby is consolidated into a new municipality to be named Cloquet;

IT IS FURTHER ORDERED: That the Commission retain jurisdiction for the purpose of ordering the dates, polling places, the naming of clerks, election judges and any other relevant aspects to the election of officers of the new City;

IT IS FURTHER ORDERED: That except as to dates contained therein, the conditions and provisions of the attached joint resolution initiating the consolidation are hereby approved and are further incorporated into and made a part of this order to the extent that the Commission has the lawful authority;

IT IS FURTHER ORDERED: That the new city shall commence its existence effective <sup>December 31, 1974.</sup> ~~January 1, 1975.~~ Until such time the current municipal and township officers shall continue to exercise their powers and duties within their respective jurisdictions;

IT IS FURTHER ORDERED: That the population of the new City herein created shall be 11,439 for all purposes until the next Federal Census;

IT IS FURTHER ORDERED: That the Secretary of the Minnesota Municipal Commission shall cause copies of this Order to be mailed and filed as provided by law.

Dated this 12th day of June, 1974  
MINNESOTA MUNICIPAL COMMISSION  
304 Capitol Square Building  
St. Paul, Minnesota 55101  
*Howard L. Kaibel, Jr.*  
Howard L. Kaibel, Jr.  
Executive Secretary

# 27189  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
SEP 4 - 1974  
*Arlen J. Edsall*  
Secretary of State

Amended Order Dated this 30th day of August, 1974  
*Howard L. Kaibel, Jr.*  
Howard L. Kaibel, Jr.  
Executive Secretary