



STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

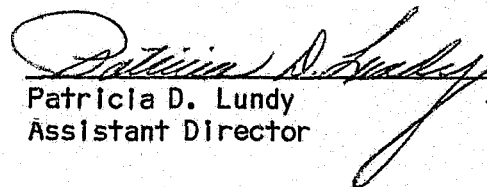
June 30, 1986

Secretary of State
c/o Donna Scott
State Office Building
St. Paul, Minnesota 55155

Re: Municipal Board Docket Number: D-218 Minnetrista/A-4258 St. Bonifacius

The subject order of the Minnesota Municipal Board makes no changes in the population of the City of Minnetrista.

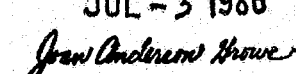
Official date of the Order is June 30, 1986.


Patricia D. Lundy
Assistant Director

PDL:sg

cc: Wallace O. Dahl, Director
L.G.A. & A. Division
Department of Revenue
2nd Floor Centennial Building

R. Thomas Gillaspy, Ph.D.
State Demographer
200 Capitol Square Building

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STATE OF MINNESOTA
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Secretary of State

D-218 Minnetrista
A-4258 St. Bonifacius

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
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Jan Anderson Howe
Secretary of State

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Kenneth F. Sette Chair
Shirley J. Mihelich Vice Chair

IN THE MATTER OF THE PETITION FOR THE)
DETACHMENT OF CERTAIN LAND FROM THE)
CITY OF MINNETRISTA AND ANNEXATION TO)
THE CITY OF ST. BONIFACIUS PURSUANT)
TO MINNESOTA STATUTES 414.061)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on December 6, 1985 at St. Bonifacius, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were Kenneth F. Sette, Chair, Richard A. Sand, then Vice Chair, and Shirley J. Mihelich, then Commissioner. The City of Minnetrista appeared by and through Thomas Radio, City Attorney, the City of St. Bonifacius appeared by and through R. Lawrence Harris, City Attorney, and the petitioners appeared by and through Michael Gavin, Attorney at Law. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence together with all records, files and proceedings, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On September 13, 1985, a petition for concurrent detachment and annexation by all of the property owners was filed with the Minnesota

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STATE OF MINNESOTA
COUNTY OF...

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Municipal Board.

The petition contained all of the information required by statute including a description of the area proposed for concurrent detachment and annexation which is as follows:

That part of the South Half of the Northwest Quarter (S 1/2 of NW 1/4) of Section Thirty-two (32), Township One Hundred Seventeen (117) North, Range Twenty-four (24) West, described as follows: Beginning at a point on the Southerly line of State Highway No. 7, distant 133 feet East to the centerline of County State Aid Highway No. 92 (previously known as County Highway No. 148) as now laid out and constructed; thence Easterly along the Southerly line of State Highway No. 7 a distance of 210 feet; thence Southerly along a line parallel with the East line of County State Aid Highway No. 92 a distance of 160 feet; thence Westerly to the East line of County State Aid Highway No. 92 along a line parallel with the South line of State Highway No. 7; thence Northerly along said East line 60 feet to a point 175 feet South of the centerline of State Highway No. 7; thence Northeasterly to the point of beginning.

EXCEPT that part of the above-described tract which lies West of a line drawn parallel with and distant 50.0 feet East of the centerline of County State Aid Highway No. 92.

A resolution supporting the concurrent detachment and annexation was not received from the City of Minnetrista. The City of St. Bonifacius indicated its support for the annexation of the subject area at the hearing.

2. Due, timely and adequate legal notice of the hearing was published, served and filed.

3. The area proposed for concurrent detachment and annexation is presently within the City of Minnetrista, abuts the City of St. Bonifacius, and is approximately 1.03 acres in size. The perimeter of the subject area is approximately 75% bordered by St. Bonifacius.

4. The City of St. Bonifacius had a population of 685 in 1970, 857 in 1980, and its current population is 1,040.

5. The City of Minnetrista had a population of 2,878 in 1970, 3,236 in 1980, and its current population is 3,425.

6. The subject area had no population in 1970 or 1980 and has no present population. It is projected in five years to have no population.

7. The subject area is not adjacent to any waterways, rivers, or protected wetlands. The area is generally flat with soils that are unusable for a drain field.

The subject area is in the Minnehaha Creek Watershed District.

8. The City of St. Bonifacius has a total acreage of 650 with 267.5 acres platted and 382.5 acres unplatted.

Of those acres, approximately 94.2 acres are in residential use, approximately 152.1 acres are in institutional use, which also includes streets and railroads, approximately 16.3 acres in commercial use, approximately 4.9 acres in industrial use, and approximately 382.5 acres that are vacant land with some used for agricultural purposes.

Of the remaining undeveloped land within the City of St. Bonifacius, there is approximately 287 acres planned for residential use, approximately 33 acres planned for commercial use, and approximately 63 acres planned for industrial use.

9. The City of Minnetrista has a total acreage of approximately 16,805, 25% of which is platted and the remaining 75% is unplatted.

Approximately 1,840.88 acres are in residential use, approximately 570.70 acres are in institutional use, which includes both streets and railroads, approximately 65.85 acres in commercial use, approximately 35.35 acres in industrial use, approximately 15,118.549 acres are in agricultural

use, which excludes surface water area, and approximately 1.86 acres are vacant.

In the City of Minnetrista, there remains undeveloped land for the following: approximately 3,320 acres for residential use, approximately 720 acres for institutional use, approximately 60 acres planned for commercial use, approximately 170 acres for industrial use, and approximately 11,311 acres for agricultural use.

10. Presently in the City of Minnetrista there is 16.3 total acres of commercial use, 22.08 acres zoned for commercial use, and an additional 60 acres planned for commercial use.

11. The City of St. Bonifacius has 1 mile of highway road, 6 miles of streets, and 1.1 miles of county roads within its boundaries.

12. The City of Minnetrista has 4.4 miles of highway roads, 42 miles of streets, and 25.4 miles of county roads within its boundaries.

13. The subject area has 210 feet of highway road and 60 feet of county road within it.

14. Due to a high water table, and the type of soils within the subject area, a standard septic system drainfield is not feasible to service any commercial development in the subject area.

15. The City of St. Bonifacius has a zoning ordinance, subdivision regulations, official map, capital improvements program and budget, fire code, Minnesota Building Code, Minnesota Plumbing Code, sanitation ordinance, and a comprehensive plan.

16. The City of Minnetrista has a zoning ordinance, subdivision regulations, official map, fire code, Minnesota Building Code, Minnesota

Plumbing Code, sanitation ordinance, and a comprehensive plan.

17. The current zoning of the subject area is C-2 (business).

18. It is anticipated that the land will continue to be zoned commercial if it is made part of the City of St. Bonifacius.

19. Presently, the property owner's company, Cunningham Outdoor Advertising, Inc., is located within the City of St. Bonifacius. He uses St. Bonifacius water in the mixing of the paste used in his business. He intends to move his business to the subject area and wants to receive water from the City of St. Bonifacius. Further, the petitioner wishes to install a sprinkler system which is generally more easily serviced by a municipal water system.

20. The City of St. Bonifacius provides its residents with water, sanitary sewer and waste water treatment, storm sewer, solid waste collection and disposal, fire protection, police protection, street improvements and maintenance, administrative services, recreational opportunities, and health inspection.

Presently the City of St. Bonifacius provides the subject area with storm sewer, fire protection through its contract with the City of Minnetrista, and police protection.

21. The City of Minnetrista provides its residents with water, sanitary sewer and waste water treatment, fire protection through a contract with the City of St. Bonifacius, police protection, street improvements and maintenance, administrative services, recreational opportunities, and health inspection.

22. The City of St. Bonifacius will provide the subject area, if it becomes a part of the City of St. Bonifacius, with water, sanitary sewer and

waste water treatment, storm sewer, solid waste collection and disposal, fire protection, police protection, administrative services, recreational opportunities, and health inspection.

23. The City of St. Bonifacius does not allow on-site wells and the City of Minnetrista does allow on-site wells.

24. The City of St. Bonifacius does not allow on-site septic systems while the City of Minnetrista allows a mound-type septic system.

25. The City of Minnetrista and the City of St. Bonifacius have a joint powers police agreement. The City of Minnetrista contractually provides snowplowing to the City of St. Bonifacius. The City of St. Bonifacius contractually provides fire protection to the City of Minnetrista.

26. The City of St. Bonifacius has a policy of not extending its water service to land outside of the city limits.

27. The City of St. Bonifacius and the City of Minnetrista each have sufficient residential equivalency connections that would allow either to provide sanitary sewer service to the subject area.

28. The sanitary sewer line adjacent to the subject area is owned by the Metropolitan Waste Control Commission. Either the City of St. Bonifacius or the City of Minnetrista could request a permit to connect to this line to provide sanitary sewer service to the subject area.

29. The City of St. Bonifacius has a water main adjacent to the subject area.

30. The City of Minnetrista provides municipal water service only in the urban portion of the city located in the eastern part of the city, and over 1.5 miles from the subject area. Developed land not within the City of

Minnetrista's urban area and east of the City of St. Bonifacius is serviced by on-site wells.

31. The assessed valuation of the City of St. Bonifacius in 1985 was \$5,569,989.00.

32. The assessed valuation of the City of Minnetrista in 1985 was \$36,251,708.00.

33. The assessed valuation of the subject area in 1985 was \$22,876.00.

34. The mill rate for the county in the City of St. Bonifacius in 1985 was 29.262. The City of St. Bonifacius has a local government mill levy of 28.828. School District No. 110 is 51.053 and the Special Taxing District has a mill levy of 2.135.

35. The City of Minnetrista has a local government mill rate of 15.47.

36. The City of St. Bonifacius has a fire insurance rating for 1984 of 6.

37. The City of St. Bonifacius has a total bonded indebtedness, as of 1984, of \$499,000.00.

38. The City of Minnetrista has a total bonded indebtedness, as of 1984, of \$3,006,000.00.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

2. Concurrent detachment and annexation of the subject area is in the best interests of the property.

3. The City of St. Bonifacius can provide the subject area with the necessary governmental services.

4. The City of Minnetrista can continue to survive without the subject area.

5. The Minnesota Municipal Board should issue an order approving the concurrent detachment and annexation of the subject area from the City of Minnetrista to the City of St. Bonifacius.

ORDER

1. IT IS HEREBY ORDERED: That the property described herein in Findings of Fact 1 be, and the same hereby is, detached from the City of Minnetrista and annexed to the City of St. Bonifacius, the same as if it had originally been a part thereof.

2. IT IS FURTHER ORDERED: That the effective date of this order is June 30, 1986.

Dated this 30th day of June, 1986.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101


Terrence A. Merritt
Executive Director

D-218 Minnetrista
A-4258 St. Bonifacius

MEMORANDUM

The Minnesota Municipal Board takes this opportunity to urge the Cities of Minnetrista and St. Bonifacius to deal with several issues before them.

The first issue is that portion of County State Aid Highway No. 92 lying west of the subject area which will now be completely surrounded by the City of St. Bonifacius. It is the board's feeling that the parties can address this matter jointly by resolution should they choose to continue their general spirit of cooperation. Further, the board more importantly feels that the Cities of Minnetrista and St. Bonifacius need to meet to discuss the property within the City of Minnetrista lying east of the subject area so that it can be most economically served.

The board anticipates discussions may give the communities an opportunity to again re-examine those areas that lend themselves to cooperation, so that the over-all cost of government for their citizens is kept at its lowest possible level.

The board is confident that the respect and general spirit of cooperation that exists between these two communities will continue and serve as the basis for continued discussions on issues of mutual concern.

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Jan Anderson Howe
Secretary of State

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