



STATE OF MINNESOTA
MUNICIPAL BOARD

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

January 6, 1981

MEMORANDUM

TO: Parties of Record and Interested Parties

FROM: Patricia D. Lundy *pdl*
Assistant Executive Director

RE: Minnesota Municipal Board Docket No. A-3711 International Falls

This is to inform you that pursuant to Municipal Board Order dated October 7, 1980 in the above-described matter an election was duly held on the 4th day of November, 1980, in accordance with Minnesota Statutes 414.031, Subdivision 5.

The election results have been certified as follows and the International Falls annexation is therefore effective.

	<u>For Annexation</u>	<u>Against Annexation</u>
City of International Falls	1964	457
Area described in Article I of MMB Order dated 10/7/80	<u>16</u>	<u>12</u>
TOTAL VOTES	<u>1980</u>	<u>469</u>

PDL:mem



BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Innis E. Nesbitt	Ex-Officio Member
Carl Kjemperud	Ex-Officio Member

 IN THE MATTER OF THE RESOLUTION)
 FOR ANNEXATION OF CERTAIN LAND)
 TO THE CITY OF INTERNATIONAL FALLS)

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 July 21, 1980, at International Falls, Minnesota. The hearing was conducted by Thomas J. Simmons, Chairman, pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were Municipal Board Member Robert J. Ferderer and County Commissioners Innis E. Nesbitt and Carl Kjemperud, ex-officio members of the Board. The City of International Falls appeared by and through Joseph Boyle, the City of South International Falls appeared by and through Jerome Shermoen. 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

I. On June 2, 1980, a resolution of the annexing municipality was received by the Minnesota Municipal Board requesting the Board to order annexation of the area hereinafter described. This resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

Lots 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 47, 48 and 49, Auditor's Plat No. 22, a/k/a S $\frac{1}{2}$ -SW $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 35, Township 71 Range 24;

Lots 36, 37, 38, 39, 40, 41, 42, and 43, Auditor's Plat No. 22 a/k/a S $\frac{1}{2}$ -SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 35, Township 71, Range 24;

The S $\frac{1}{2}$ -SW $\frac{1}{4}$ -SE $\frac{1}{4}$ and that part of the S $\frac{1}{2}$ -SE $\frac{1}{4}$ -SE $\frac{1}{4}$ lying west of the Minnesota Highway No. 332, Section 35, Township 71, Range 24;

Lots 7, 8, 9, 10, 11, 12, 13 and 14, Auditor's Plat No. 22 a/k/a NW $\frac{1}{4}$ -NE $\frac{1}{4}$ or Government Lot 2, Section 2, Township 70 Range 24;

The NE $\frac{1}{4}$ -NE $\frac{1}{4}$ or Government Lot 1; the SE $\frac{1}{4}$ -NE $\frac{1}{4}$; the E $\frac{1}{2}$ -NE $\frac{1}{2}$ -SE $\frac{1}{4}$; and the E $\frac{1}{2}$ -SE $\frac{1}{4}$ -SE $\frac{1}{4}$ all in Section 2, Township 70 Range 24 including all public streets, avenues, and roads within the above described property.

The boundaries of the proposed area are as follows:

The Center Line of Third Avenue East (or the Burner Road) adjacent to Lots 25 - 30, Auditor's Plat No. 22.

The South line of Minnesota Highway No. 332 adjacent to Lots 30, 31, 33-38, 42 and 43, Auditor's Plat 22 and the $S\frac{1}{2}$ - $SW\frac{1}{4}$ - $SE\frac{1}{4}$ and that part of the $S\frac{1}{2}$ - $SE\frac{1}{4}$ - $SE\frac{1}{4}$ lying west of said highway, Section 35, Township 71 Range 24

The Centerline of Minnesota Highway No. 332 adjacent to the part of the $S\frac{1}{2}$ - $SE\frac{1}{4}$ - $SE\frac{1}{4}$, Section 35, Township 71, Range 24 lying west of said highway and adjacent to the $NE\frac{1}{4}$ - $NE\frac{1}{4}$ or Government Lot 1, $SE\frac{1}{4}$ - $NE\frac{1}{4}$, $E\frac{1}{2}$ - $NE\frac{1}{4}$ - $SE\frac{1}{4}$; and $E\frac{1}{2}$ - $SE\frac{1}{4}$ - $SE\frac{1}{4}$; All in Section 2, Township 70 Range 24

The South line of the $E\frac{1}{2}$ - $SE\frac{1}{4}$ - $SE\frac{1}{4}$, Section 2 Township 70, Range 24

The West line of the $E\frac{1}{2}$ - $SE\frac{1}{4}$ - $SE\frac{1}{4}$ and the $E\frac{1}{2}$ - $NE\frac{1}{4}$ - $SE\frac{1}{4}$, Section 2, Township 70, Range 24

The South Line of the $W\frac{1}{2}$ - $SE\frac{1}{4}$ - $NE\frac{1}{4}$, Section 2 Township 70, Range 24

The West line of the $SE\frac{1}{4}$ - $NE\frac{1}{4}$, Section 2 Township 70, Range 24

The South line of Lots 7-14, Auditor's Plat 22

The West Boundary line of Lot 14, Auditor's Plat 22

The South line of Lots 25, 31, 32, 33, 34, 35, 36-40, 42, 43, 46, 47, 48, west of the west line of Lot 14, Auditor's Plat 22 extended.

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

III. At the July 21, 1980 hearing the City of International Falls moved to reduce the area under consideration before the Municipal Board to the following described area, which is referred to as the area subject to annexation throughout the rest of this Findings of Fact, Conclusions of Law and Order:

Lots 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 47, 48 and 49, Auditor's Plat No. 22 a/k/a $S\frac{1}{2}$ - $SW\frac{1}{4}$ - $SW\frac{1}{4}$, Section 35, Township 71, Range 24;

AND

Lots 36, 37, 38, 39, 40, 41, 42 and 43, Auditor's Plat No. 22 a/k/a $S\frac{1}{2}$ - $SE\frac{1}{4}$ - $SE\frac{1}{4}$, Section 35, Township 71, Range 24;

AND

$S\frac{1}{2}$ - $SW\frac{1}{4}$ - $SE\frac{1}{4}$ and that part of the $S\frac{1}{2}$ - $SE\frac{1}{4}$ - $SE\frac{1}{4}$ lying west of the Minnesota Highway No. 332, Section 35, Township 71, Range 24.

IV. Geographic Features

A. The area subject to annexation is unincorporated and abuts the City of International Falls.

B. The total area of the City of International Falls is 1613 acres. The total area of the territory subject to annexation is 73 acres.

C. The perimeter of the area to be annexed is approximately 30% bordered by the municipality.

D. The natural terrain of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is generally level.

V. Population Data

A. The City of International Falls:

1. In 1970, there were 6339 residents.
2. The present estimated population is 6500.

B. The area subject to annexation:

1. In 1970, there were 53 residents.
2. The present estimated population is 60.

VI. There are no townships in the area as the areas outside of the cities within the county are unorganized.

VII. Development Issues

A. The pattern of physical development, including land already in use, and remaining for various uses.

1. Area in Use

- a. In the City of International Falls: residential, institutional, commercial, industrial, agricultural, and vacant land
- b. In the area subject to annexation: residential, commercial, industrial, and vacant land

2. Area Remaining for Various Uses

- a. In the area subject to annexation: residential, commercial, and industrial

B. Transportation:

1. The present transportation network is:

- a. In the City of International Falls: city, county, state, and federal roads; airport
- b. In the area subject to annexation: city, county, and state roads

C. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of International Falls:

- a. Zoning: yes
- b. Subdivision Resolutions: yes
- c. Comprehensive Plan: yes
- d. Official Map: yes
- e. Building Inspector: yes

2. In the County of Koochiching:

- a. Zoning: yes
- b. Comprehensive Plan: yes
- c. Capital Improvements Program: yes
- d. Fire Code: yes
- g. Building Inspector: yes
- h. Planning Commission: yes

3. There is no inconsistency between the proposed development and the planning and land use controls for the area.

VIII. Governmental Services:

- A. The City of International Falls provides its residents with the following services:
 - 1. Water: yes
 - 2. Sewer: yes
 - 3. Fire protection and rating: yes; 6
 - 4. Police protection: yes
 - 5. Street improvements: yes
 - 6. Street maintenance: yes
 - 7. Recreational: yes
 - 8. Administrative services: yes
- B. The City of International Falls provides the area subject to annexation with the following services:
 - 1. Water: yes
 - 2. Sewer: yes
 - 3. Fire protection and rating: by contact
 - 4. Recreational: yes
- C. A potential environmental problem and the need for additional services to resolve this problem is the sewerage of the area to avoid pollution through onsite septic systems.
- D. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include the extension of sewer and water, as well as other municipal services.
- D. The following services will be available to the annexed area within three years: sewer and water

IX. Tax Base

- A. In the City of International Falls, the tax base with a total assessed valuation of \$21,235,738 includes the following: residential property, commercial property, industrial property, vacant land and non-taxable property.
- B. In the area subject to annexation, the tax base includes the following: residential property, commercial property, industrial property, and vacant land.

X. Tax Data

- A. In the City of International Falls:
 - 1. Mill rate in 1980 is 32.343.
 - 2. Bonded indebtedness in 1979 is approximately \$3,000,000.
- B. In the area subject to annexation:
 - 1. Mill rate in 1980 is 97.276 for the total mill rate.
- C. Mill rate in the respective governmental units:
 - 1. County in 1980 is 47.164.
 - 2. School district in 1980 is 50.112.

XI. Annexation to the City of International Falls is the best alternative.

- A. There is no effect on area school districts or on adjacent communities if the proposed annexation is approved.
- B. There is no town government to deliver services to the area proposed for annexation.

C. Necessary governmental services could not best be provided by incorporation or annexation to another adjacent municipality.

D. Present assessed valuation of proposed annexation area: \$703,050.

XII. A majority of property owners in the area to be annexed have not petitioned the Minnesota Municipal Board requesting annexation.

CONCLUSIONS OF LAW

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

II. The area subject to annexation is now or is about to become urban or suburban in character.

III. Municipal government is required to protect the public health, safety, and welfare in the area subject to annexation.

IV. The best interest of the area subject to annexation will be furthered by annexation.

V. There is a reasonable relationship between the increase in revenue for the City of International Falls and the value of benefits conferred upon the area subject to annexation.

VI. Annexation of all or a part of the property to an adjacent municipality would not better serve the interests of the residents who reside in the area subject to annexation.

VII. Three years will be required to effectively provide full municipal services to the annexed area.

VIII. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

ORDER

I. IT IS HEREBY ORDERED: That the property described herein situated in the County of Koochiching, State Of Minnesota, be and same is hereby annexed to the City of International Falls, Minnesota, the same as if it had been originally made a part thereof:

Lots 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 47, 48, and 49, Auditor's Plat No. 22 a/k/a S $\frac{1}{2}$ -SW $\frac{1}{4}$ -SW $\frac{1}{4}$, Section 35, Township 71, Range 24;

AND

Lots 36, 37, 38, 39, 40, 41, 42, and 43, Auditor's Plat No. 22 a/k/a S $\frac{1}{2}$ -SE $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 35, Township 71, Range 24;

AND

S $\frac{1}{2}$ -SW $\frac{1}{4}$ -SE $\frac{1}{4}$ and that part of the S $\frac{1}{2}$ -SE $\frac{1}{4}$ -SE $\frac{1}{4}$ lying west of the Minnesota Highway No. 332, Section 35, Township 71, Range 24.

II. IT IS FURTHER ORDERED: On November 4, 1980 which is 28 days after the entry date on this order, a public election, to be conducted as provided by law, shall be held in the entire City of International Falls and the property described in Article I of this Order which is the area that has been determined by the Minnesota Municipal Board to be primarily and substantially interested in or affected by the Minnesota Municipal Board order. The ballot for said election shall conform substantially to the following: For Annexation Against Annexation. Further any person eligible to vote at a county or municipal election is eligible to vote at such election.

III. IT IS FURTHER ORDERED: That Sterling Houglum is hereby appointed as Chief election Judge and that Margaret Smrstik is hereby appointed as Assistant Chief Election Judge. Further, that the Union Hall, Community Hall--Library Building and Alexander Baker School, International Falls, Minnesota shall be the polling places for the City of International Falls and that the Ranier Community Building, Ranier, Minnesota shall be the polling place for the area described in Article I of this Order. Other election judges are as follows:

Election Judges for the City of International Falls

First Ward - Union Hall

Evelyn Hahle
Eva Balaski
Wilma Gookins
Bernice Ueland
Margaret Nordquist
Wilfred Smart
Gerry Smith
Patricia Borden
Ina Smith
Irene Eisensoph

Second Ward - Community Hall-Library Building

Julia Paulson
Kay Coulombe
Kerstin Ross
Helen Glennie
Madeline Baron
Edna Sabourin
Evelyn Hultman
Shirley Hull
Ann Makidon
Hannah M. Bernath

Third Ward - Alexander Baker School

Elizabeth Bradley
Vonda Boeckers
Donna Fredrickson
Lois Behrenbrinker
Norma Ruelle
Patricia Kjellgren
Marilyn Karpesh
Gertie Coran
Millie Lucachick
Minnie Sutherland

Election Judges for the Property Described in Article I of this order:

Daisy Bjork
Florence Vidor
Lois Cason
Katherine Allen
Pearl Lindstrom
Mary E. Holt
Rose Forsythe
Ann Glennie
Doris Morff
Mrs. Harold Tessier
Olive Wagness

The local judges shall conduct the election so far as practicable in accordance with the laws regulating special elections. Further, the referendum shall be conducted as provided for in Minnesota Statutes 414.031, Subd. 5. The polls shall be open from 7:00 AM to 8:00 PM.

IV. IT IS FURTHER ORDERED: That the population of the City of International Falls has increased by 60 persons.

V. IT IS FURTHER ORDERED: That the mill levy of the City of International Falls on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the mill levy of the property already within the City.

VI. IT IS FURTHER ORDERED: That the annexation herein be effective, provided that a majority of votes cast are "for annexation." The Municipal Board shall upon receipt of the certificate of election results, cause all parties of record to be notified of the election results.

VII. IT IS FURTHER ORDERED: That the effective date of this order is October 7, 1980.

Dated this 7th day of October, 1980

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

Terrence A. Merritt
Terrence A. Merritt
Executive Director