

BEFORE THE ACTING DIRECTOR OF THE OFFICE OF  
STRATEGIC AND LONG RANGE PLANNING  
OF THE STATE OF MINNESOTA

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IN THE MATTER OF THE PETITION FOR THE ) FINDINGS OF FACT  
DISSOLUTION OF THE CITY OF KINGSTON ) CONCLUSIONS OF LAW  
PURSUANT TO MINNESOTA STATUTES 414 ) AND ORDER

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The above-entitled matter came on for hearing before the Office of Strategic and Long Range Planning (hereinafter referred to as Minnesota Planning) pursuant to Minnesota Statutes 412.091 and Minnesota Statutes Chapter 414, as amended, on November 18, 2002 at Kingston, Minnesota. The hearing was conducted by Christine M. Scotillo, as director designee for Municipal Boundary Adjustments. The petitioners appeared by and through JoAnn Strand, Kingston City Clerk. The City of Kingston appeared by and through John Smith, Kingston City Mayor and the city council. Testimony was heard and record and exhibits were received.

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

FINDINGS OF FACT

1. On September 20, 2002, a petition by the requisite number of property owners for dissolution was received by Municipal Boundary Adjustments requesting the Director of Minnesota Planning to order an election on the question of dissolution of the City of Kingston (hereinafter referred to as "City"). The petition contained all the information required by statute,

including a description of the territory subject to dissolution, which is as follows:

The area proposed to be dissolved is the city of Kingston, Minnesota, which consists of the following sections, all located in Township 120 North, Range 29 West, Meeker County: Sections 15, 16 and 22.

2. Due, timely and adequate legal notice of the hearing was published, served and filed.
3. The City is located in Township 120 North, Range 29 West, in the County of Meeker, Minnesota.
4. Township 120 North, Range 29 West is an organized township, and the functions of local government in the township are performed by the Kingston Township Board.
5. If the voters approve the dissolution of the City of Kingston, all of the land in the existing City will be come part of Kingston Township.
6. The City does not own any city buildings. However, the City is presently building a municipal building by joint agreement with the Town of Kingston. When the City signed this joint agreement it advised the Township that it may not exist as a city in the future.
7. The City is approximately 321.23 acres in size, and had a population of approximately 141 in 1980; and of approximately 120 in 2000. In addition, there has been a rapid decline in businesses located within the City. Presently, only four businesses remain.
8. The City does not have a municipal well or provide sanitary sewer collection. The City does not own a sewage treatment plant. All residents have their own wells and septic systems. The City issues septic permits, but contracts with Meeker County for septic inspections.
9. The City does not have a fire department and contracts with the City of Dassel for fire protection, as does the Town of Kingston.
10. The City does not have a police department and receives police protection from

the Meeker County Sheriff's Department. The City is not charged for these services.

11. The City is presently responsible for approximately 1.2 miles of roadway and pays Meeker County \$400 per mile per year for maintenance of these roads.

12. The City has an agreement with Meeker County for building inspections and for the administration of zoning regulations.

13. One recreation/ballpark is maintained by the City and costs approximately \$1600 in expenses annually to maintain the park.

14. The City issues two liquor licenses but must rely on the Meeker County Sheriff's Department to police the licenses.

15. May 27, 2003, is considered by the parties as a favorable day for the referendum on the issue of the dissolution of the City of Kingston.

The ballots for the election shall bear the printed words, "For Dissolution" and "Against Dissolution," with a square before each phrase in which the voter may express a preference by a cross.

#### CONCLUSIONS OF LAW

1. Minnesota Planning duly acquired and now has jurisdiction of the within proceeding.

2. The City of Kingston is located in Township 120 North, Range 29 West.

3. The City of Kingston should conduct a referendum on the issue of dissolution of the City of Kingston on May 27, 2003.

4. An order should be issued by Minnesota Planning requiring the City of Kingston to schedule and conduct a special election on the question of the dissolution of the City of Kingston.

ORDER

1. IT IS HEREBY ORDERED: That the City of Kingston conduct an election on the question of dissolution of the City of Kingston on May 27, 2003.

2. IT IS FURTHER ORDERED: That the election be conducted as far as practical like other special elections of the City of Kingston.

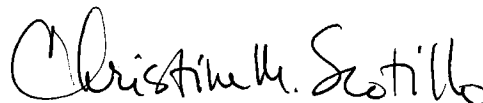
3. IT IS FURTHER ORDERED: That the City of Kingston cause to be printed the ballot for the election which shall bear the printed words, "For Dissolution" and "Against Dissolution," with a square before each phrase in which the voter may express a preference by a cross.

4. IT IS FURTHER ORDERED: That if a majority of those voting on the question favor dissolution, the clerk shall file a certificate of the results with Minnesota Planning, the Secretary of State, and the Meeker County Auditor.

5. IT IS FURTHER ORDERED: That if a majority of those voting on the question favor dissolution, the City of Kingston, Minnesota shall cease to exist six months after the date of the election.

Dated this 25 day of March, 2003.

For the Acting Director of the Office of Strategic &  
Long Range Planning  
658 Cedar Street - Room 300  
St. Paul, Minnesota 55155



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments