

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Edward L. Henry	Vice-Chairman
Thomas R. Byrne	Member
Idor A. Pederson	Ex-Officio Member
Peter Tibbetts	Ex-Officio Member

IN THE MATTER OF THE PETITION FOR THE INCORPORATION OF THE  
VILLAGE OF WOODBURY

The above entitled matter came on for hearing before the Minnesota Municipal Commission, following the receipt of a petition for the incorporation of the Town of Woodbury. Hearings on said petition before the Commission were held in the Woodbury Community Club on July 12, 1966, September 20, 1966, and October 27, 1966.

There was a quorum of the Municipal Commission present at all hearings. The Commission, having duly considered the testimony of the witnesses, the exhibits received in evidence, files and records, arguments of counsel, makes and enters the following:

FINDINGS OF FACT

1. That adequate legal notice of the several hearings and adjourned hearings was given and petitioners were represented at all said hearings.
2. That the land petitioned to be incorporated as the Village of Woodbury is described as follows, to-wit:  

All those parts of Sections One (1) through Thirty-six (36), Township Twenty-eight (28) North of Range Twenty-one (21) West, which constitutes the present Town of Woodbury, Washington County, Minnesota
3. That the population of the area within the boundaries of the proposed incorporation as evidenced by the census taken prior to the time that the petition for incorporation was filed in January, 1966, is 4,396.
4. That the acreage contained in the platted area is 800 acres and that the unplatted area is 22,080 acres.

5. That the northwesterly area of the Town, Sections Six (6), Seven (7), Eight (8) and Seventeen (17), is largely platted and consists of residential homes; there is also located in Section Seven (7) an industrial park now in the process of being developed; commercial development exists along the Lower and Upper Afton Roads and along Minnesota Trunk Highway No. 12 and will continue to expand.

6. That the population of the Town has grown considerably is indicated by the fact that the federal census in 1950 indicated a population of 1,056; the federal census in 1960 indicated a population of 3,013; the incorporation census taken in January of 1966 indicated a population of 4,396.

7. That the population growth and building development have largely taken place in the last eight years; that the future growth of the area will continue at a rapid rate because of its location within the metropolitan area and the location of the freeway system, which will border a portion of the Town on the North and also intersect the Town; that the area at the present time contains both urban and rural development; that it appears that the urban development will continue at a greater rate in the future.

8. That the assessed value of the platted land within the area is \$377,346.00; that the assessed value of the unplatted land is \$1,122,245.00.

9. That the sanitary sewer system is connected with the City of St. Paul treatment plant through the Village of Maplewood; that the Town has limited additional sanitary sewer capacity to serve additional parts of the Town; that the water system which has been installed has additional capacity for expansion and growth in the Town; that said water system was designed so that it can be integrated with further urban growth in the Town.

10. That the Town has adopted a comprehensive land use plan and zoning ordinances which are in full force and effect; that a street plan has been adopted by the Town.

11. That the area is served by the Woodbury Volunteer Fire Department and that the fire station is located at 3060 Upper Afton Road and that plans have been developed for the location of another fire station at the intersection of Woodbury Drive and Upper Afton Road; that the department contains 42 men, all volunteers, and is organized into four companies; that it appears that adequate facilities are available to service that area; that the department has mutual aid agreements with all of the contiguous fire departments.

12. That the police protection of the area includes two constables on call as required, and that these constables also do a certain amount of patrolling each day; the Town is also served by the Washington County Sheriff's Office, which is available in any emergency on very short notice, from either the City of Stillwater or the Village of Cottage Grove.

13. That it is apparent that the Town will grow considerably in the next few years and will become more urban in character and that the Township form of government is inadequate to cope with the problems that have arisen and that will arise with the continued urbanization of the area proposed for incorporation.

14. That the center of the North lane of Minnesota Trunk Highway #12, serves as the North boundary line of the area proposed to be incorporated; that the East boundary line of the area proposed to be incorporated is the center line of County Road 15 and Minnesota Trunk Highway #95; that because of extension of these boundaries, it appears that the enforcement of traffic law on the highways that form the North and East boundaries of the area to be incorporated will become a problem in the future.

15. That it appears that because of the uneven distribution of population in the Town that to award proper representation to the urban and rural areas of the area proposed to be incorporated that three wards of equal population distribution should be created.

## CONCLUSIONS OF LAW

1. That the petition to incorporate the Town of Woodbury as the Village of Woodbury is required so that the area can properly be provided with governmental service because of the population growth in said area and rapid urbanization; that the Village form of government can more adequately protect the public health, safety and welfare of the residents of the area.

2. That the north boundary line of the area to be incorporated should be extended to the North right-of-way line of Minnesota Trunk Highway #12, as it is now located; that the East boundary line of the area should be extended to the East right-of-way line of County Road 15, and Minnesota Trunk Highway #95, so as to provide more efficient traffic law enforcement in these areas.

3. It is for the best interest of the area, because of the uneven population distribution, that three wards be created within the proposed village as follows:

WARD 1 - Shall consist of Section Six (6) and area North of said section to the North right-of-way of Minnesota Trunk Highway #12.

WARD 2 - Shall consist of Section Five (5) and the area North of said section to the North Right-of-way line of Minnesota Trunk Highway #12, and also Sections Seven (7), Eight (8), Seventeen (17) and Eighteen (18).

WARD 3 - Shall consist of all of remainder of the area to be incorporated.

That the Mayor and one trustee shall be elected at large.

The above three wards each contain approximately 1500 persons.

O R D E R

IT IS HEREBY ORDERED:

1. That the petition for the Incorporation of the Village of Woodbury is hereby granted.

2. That an election shall be held pursuant to Minnesota Statutes 414.02, to vote on the proposal whether the area shall be incorporated and that said ballots shall bear the words "For Incorporation" and "Against Incorporation", with a square before each of the phrases, in one of which the voters shall make a cross to express his opinion. That the ballot shall also contain the question as to whether or not Optional Plan A shall be adopted as the form of government and that the ballot shall bear the words, "If the incorporation is successful, should Optional Plan A (modifying the standard plan by providing for the appointment by the Council of the Clerk and Treasurer) be adopted as the form of government for the new village? Yes \_\_\_\_\_ No \_\_\_\_\_."

Such election shall be held on the 14th day of February, 1967, at the following designated polling places which shall be open from 7:00 o'clock A.M. to 8:00 o'clock P.M.

Precinct 1

Place: Woodbury Community Hall, located at the intersection of Lower Afton Road and Valley Creek Road.

Judges: Bernice Gausman, Newport, Minnesota  
Emily Hartung, Newport, Minnesota  
Carole Heinbech, Newport, Minnesota  
Marjorie Schultz, 3229 Foxboro Lane, St. Paul  
Genevieve Longseth, 3225 Windgate Road, St. Paul

Alternate Judges: Jean Moore, 3255 Foxboro Lane, St. Paul  
Jeanette Schilling, Newport, Minnesota

Clerks: Louise Schilling, Newport, Minnesota  
Evelyn Lindemann, Lake Elmo, Minnesota

Precinct 2

Place: Woodbury Volunteer Fire Department Building  
3060 Upper Afton Road

Judges: Clarie Forsberg, 3177 Edgewood Ave., St. Paul  
Elaine Chambers, 172 Meadow Lane, St. Paul  
Jeannine Schurrer, 116 Dell Lane, St. Paul  
Philomene Filbin, 401 Woodhill Drive, St. Paul  
Delores Mickelsen, 398 Pinewood Dr., St. Paul  
Patricia Jelk, 350 Pinewood Court, St. Paul

Alternate  
Judges: Gwen Labbs, 192 Hattie Lane, St. Paul  
Audrey Humphreys, 3006 Cedarwood, St. Paul

Clerks: Sandra Vick, 3144 Ridge Drive, St. Paul  
Jerral Fostrud, 371 Pinewood Drive, St. Paul

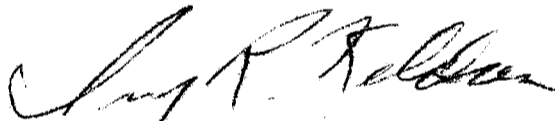
IT IS FURTHER ORDERED: That said election be conducted insofar as practicable in accordance with election of Town officers. The ballots and necessary supplies shall be provided by the Town of Woodbury.

IT IS FURTHER ORDERED: That the Town of Woodbury shall cause a copy of this Order to be posted not later than 20 days before the election in the area proposed to be incorporated and to be published in a medium of official and legal publication of general circulation in the area proposed for incorporation two successive weeks before the 14th day of February, 1967.

IT IS FURTHER ORDERED: That all proper expenses incurred in the election shall be borne by the Town of Woodbury.

Dated this 10th day of January, 1967

MINNESOTA MUNICIPAL COMMISSION  
459 Rice Street  
St. Paul, Minnesota 55103



Irving R. Keldsen  
S e c r e t a r y

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

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IN THE MATTER OF THE PETITION FOR THE INCORPORATION  
OF THE VILLAGE OF WOODBURY

ORDER OF INCORPORATION

The Minnesota Municipal Commission met on March 6, 1967, at 9:00 A.M. at 459 Rice Street, St. Paul, Minnesota, to canvas the results of the Woodbury election held February 14, 1967, as a result of an Order of the Commission dated January 10, 1967. The canvas showed that all statutory requirements had been met and that the incorporation had been favorably passed on by the electors, by a vote of 543 For Incorporation and 164 Against Incorporation. The canvas also showed 531 Votes for Optional Plan A as the form of government for the new village and 144 Votes Against Optional Plan A Government.

IT IS HEREBY ORDERED: That Woodbury be incorporated as a village as of March 7, 1967.

IT IS FURTHER ORDERED: That Optional Plan A be adopted as the form of government for the Village of Woodbury.

IT IS ORDERED: That the boundaries and wards of the proposed village shall be the same as stated in the order of the Commission dated January 10, 1967, ordering the election.

IT IS ORDERED: That the new village immediately proceed under 412.021 of Minnesota Statutes to set an election for first officers of the village on April 4, 1967, between the hours of 7:00 o'clock A.M. and 8:00 o'clock P.M. at the following places for the following terms:

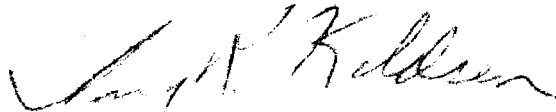
Mayor	Term to expire the first business day of January, 1968
One constable	Term to expire the first business day of January, 1968
One Justice of Peace	Term to expire the first business day of January, 1968
One Justice of Peace	Term to expire the first business day of January, 1969
One constable	Term to expire the first business day of January, 1969
Ward 1	One (1) trustee, with the term to expire on the first business day of January, 1970
Ward 2	One (1) trustee, with the term to expire on the first business day of January, 1968
Ward 3	One (1) trustee, with the term to expire on the first business day of January, 1969
A fourth trustee	To be elected at large - Term to expire on the first business day of January, 1969

Voting Places:

Ward 1	Woodbury Volunteer Fire Department 3060 Upper Afton Road
Wards 2 and 3	Woodbury Community Hall Intersection of Lower Afton Road and Valley Creek Road

IT IS FURTHER ORDERED: That a copy of this Order be filed with the Secretary of State and the Washington County Auditor, according to Minnesota Statutes 414.02.

Dated this 6th day of March, 1967  
MINNESOTA MUNICIPAL COMMISSION  
459 Rice Street  
St. Paul, Minnesota 55103



Irving R. Keldsen  
S e c r e t a r y