

A-1518 - See Memorandum

OF THE STATE OF MINNESOTA

Robert W. Johnson
Arthur R. Swan
Robert J. Ford
E. F. Robb, Jr.
Thomas L. Olson

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

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

APPEARANCES WERE MADE BY:

Curtis A. Pearson, First National Bank Bldg., Minneapolis,

Minnesota, who appeared as attorney for the City of Brooklyn Park.

Evidence was taken and testimony was heard from all those appearing and indicating a desire to be heard. Certain exhibits were received in evidence. The Commission having carefully considered all of the exhibits, evidence adduced, and testimony given, and being fully advised in the premises, does upon all the files, records, and proceedings herein, make the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

I.

The Resolution of the Village Council of the Village of Champlin, and the Resolution of the Town Board of Champlin Township for the consolidation of said Village with said Township were both filed pursuant to and in compliance with Minnesota Statutes, Chapter 414.021; and said resolutions are in all respects proper in form, contents, and execution.

II.

The resolution of the City Council of the City of Brooklyn Park for the annexation of the Township of Champlin was filed pursuant to and in compliance with Minnesota Statutes, Chapter 414.031; and said resolution is in all respects proper in form, contents, and execution.

III.

Hearings on the resolutions of the Village and Township of Champlin for consolidation and upon the resolution of the City of Brooklyn Park for annexation were consolidated for hearing. Notices of said hearings were duly given as required by statute. The commission convened with a lawful quorum at the scheduled hearings. All parties of record for and against said resolutions for consolidation and said resolution for annexation were present at, and

participated in, the hearings.

IV.

The area proposed for consolidation as a new municipality, includes all of the Village of Champlin and all of the Township of Champlin. The area proposed for annexation to the City of Brooklyn Park includes all of the Township of Champlin.

V.

The area of the Village of Champlin is 1,233 acres. The area of the Township of Champlin is 4,369 acres. The area of the City of Brooklyn Park is 17,097 acres.

VI.

The 1970 populations of the municipalities are as follows:

Brooklyn Park	22,661
Champlin Village	2,529
Champlin Township	2,700

The Metropolitan Council projects the 1985 populations to be as follows:

Brooklyn Park	46,412
Champlin Village	5,856
Champlin Township	5,145

VII.

Present general development in the municipalities is as follows:

Village of Champlin	- Urban
Township of Champlin	- Suburban and agricultural
Brooklyn Park	- Urban and suburban except for the area North of 85th Ave. which is about to become suburban.

VIII.

Present general land uses in the municipalities are as follows:

Village	- single family and multiple residential and commercial
Township	- single family residential and agricultural except for a few stores that serve residents.
Brooklyn Park	- in area abutting Township - Agricultural and single family residential.

IX.

The Township and Village of Champlin and the City of Brooklyn Park presently have suitable zoning ordinances, subdivision regulations and building codes. The type of control exercised over development in the Town and Village of Champlin is generally similar and compatible. The type of control exercised over development in that part of Brooklyn Park that abuts the Township of Champlin is not compatible with the existing development control regulations in the Township.

X.

The Town and Village of Champlin through their Planning Commissions, elected officials, professional engineering firm (the same firm represents both) legal counsel (The same firm represents both) and other appointed officials have worked, with a good deal of cooperation, together on matters of planning for the future of the area.

XI.

The Township and Village of Champlin are both presently served with adequate fire service by the City of Anoka. Brooklyn Park has its own fire department, but there is no firehouse North of 85th Avenue. The Township is most efficiently served by the City of Anoka service in terms of fire run time and distance.

XII.

The Village of Champlin and Brooklyn Park have full time police departments. The Township does not have a full time police department. Adequate service for the Township could be provided through the existing Village Police Department.

XIII.

The Village of Champlin serves 85% of its houses and 70% of its

area with Sanitary Sewer Service. Effluent is discharged through a crossing under the Mississippi River to a disposal plant at Anoka. Brooklyn Park provides Sanitary Sewer Service in an area that lies generally South of 85th Avenue North. The Town of Champlin is not presently served with sanitary sewer collection and treatment. Sanitary sewer service in the Township of Champlin area will be available when a proposed Metropolitan Sewer Board interceptor is constructed that will serve North Brooklyn Park, the Township of Champlin, and part of Maple Grove.

XIV.

Brooklyn Park and the Village of Champlin have existing park systems that provide recreation facilities. The Township of Champlin has segregated park funds and has recently purchased a large park site. Citizens appointed by the governing bodies of the Township and Village have been recently engaged in the development of a joint park plan.

XV.

The Metropolitan Sewer Board has jurisdiction over the entire area herein in matters relating to sanitary sewer.

XVI.

Assessed Valuation for 1970 is as follows:

Brooklyn Park	\$12,105,955.00
Township of Champlin	1,086,478.00
Village of Champlin	1,094,778.00

The trend of assessed valuation in the three municipalities, has been one of rapid and steady growth.

XVII.

The local mill rate for 1970 is as follows:

Brooklyn Park	47.95
Champlin Township	35.60
Champlin Village	42.94

XVIII.

The Village of Champlin and substantially all of the Township of Champlin and a part of Brooklyn Park lie in Anoka-Hennepin Independent School District No. 11. This suburban school district has experienced a rapid increase in mill rates in recent years.

XIX.

The bonded indebtedness of the three municipalities is as follows:

Village of Champlin	\$ 991,000.00
Brooklyn Park	8,223,000.00
Township of Champlin	None

XX.

There is a strong community of interest between citizens of the Township of Champlin and Village of Champlin as demonstrated in part by their common church memberships, common club memberships, use of common library facilities, similar shopping habits, similar traffic patterns, and common use of schools in the area. There is not a strong community of interest between the citizens of the Township of Champlin and Brooklyn Park.

XXI.

The Township of Champlin has special statutory powers granted to urban towns. Neither this form, nor any other form of township Government is adequate to deal with the future problems of the Township area. The Village form of Government will be adequate to deal with future problems in the Township area.

XXII.

Needed governmental services within the Township area can best be provided through consolidation of the Village and Township of Champlin.

XXIII.

Annexation of the Township by Brooklyn Park would prevent expansion of the existing Village of Champlin. This Village needs a larger base so as to provide more efficient and less costly needed governmental services such as a full time administrator.

XXIV.

The division of the Township and Village of Champlin into four wards for the election of councilmen is necessary to accord proper representation in a new consolidated municipality because of uneven population density in different parts of the area. The proposed ward boundaries as shown on Champlin's Exhibit H are reasonable and will accord proper representation.

CONCLUSIONS OF LAW

I.

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

II.

The Champlin Township area is now or is about to become urban or suburban in character.

III.

The Township form of government is not adequate to provide needed government services in Champlin Township

IV.

It is in the public interest that all of the Village of Champlin and all of the Township of Champlin be consolidated to a new, single municipality to be known as Champlin.

V.

It is not in the public interest that the City of Brooklyn Park

be empowered to annex the Township of Champlin, nor any portion thereof.

O R D E R

Based upon the written instruments contained in this file and upon the evidence adduced at the time of 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 1969, Chapter 414;

IT IS HEREBY ORDERED:

1. That the petition of the City of Brooklyn Park to annex the Township of Champlin be and hereby is in all respects denied.
2. That all of the Township of Champlin and all of the Village of Champlin, Hennepin County, Minnesota, be consolidated into a new municipality to be named Champlin.
3. That the first election of officers in the new Village shall be held on the 3rd day of November, 1970.
4. That the polling place for the first election of officers shall be the gymnasium in the elementary school for the voters residing in the old Village of Champlin, and the Township Hall for the voters residing in the old Township of Champlin.
5. That Doris Kemp shall be the acting Clerk for election purposes and shall conduct the election in accordance with Minnesota Statutes 1969, Section 414.09, Subdivision 3.
6. That Bernice Smith, Evelyn Dejarlais and Jennie Birdziak be the election judges for the first election of Village officers.
7. That the new Village for the purpose of election of councilmen, shall be divided into four Wards and the boundaries shall be as shown on the Township of Champlin's exhibit h on file herein;

that the notice of election published by the election clerk include descriptions of the ward boundaries.

8. All money, claims of property, including real estate, held, or possessed by the Township or Village of Champlin, and any proceeds or taxes levied by said Township or Village, collected or uncollected, shall become and be the property of the new Village of Champlin with full power and authority to use and dispose of the sums for public purposes as the Council of the new Village of Champlin may deem best.

9. The plan of Government for the new Village shall be Optional Plan "A".

10. The Secretary of the Minnesota Municipal Commission shall cause copies of this order to be mailed and filed as provided by law.

11. The consolidation shall be effective upon the election and qualification of new municipal officers.

Dated this 11th day of September, 1970

MINNESOTA MUNICIPAL COMMISSION
610 Capitol Square Building
St. Paul, Minnesota 55101



Bruce Rasmussen
Executive Secretary

C3-mt Champlin
A-1802 Brooklyn Park } Consolidated Hearing

MEMORANDUM

The Commission has today ordered the consolidation of the Town and Village of Champlin. The City of Brooklyn Park has been denied the annexation of the territory of the Town of Champlin. Another annexation of certain property to the City of Brooklyn Park has been rendered moot by our decision in this matter. This is the Perry annexation, designated as Commission File Docket A-1518.

The City of Brooklyn Park is conscientiously seeking to control urbanization in such a way as to eliminate urban sprawl. A wide range of devices is being used for this purpose; Zoning, subdivision regulations, developing a comprehensive plan, etc. A key device is controlling the timing of the extension of utilities and, at the present time, sanitary sewer lines are not being extended beyond 85th Street. Land is available for development South of 85th Street, and Brooklyn Park is seeking the development of this land before allowing development to occur to the North.

The Village of Champlin and the Township of Champlin have established an understanding for the need to carry out land use control and orderly development procedures for their area. They have established a community of interest and a compelling desire to govern themselves and to assume the responsibilities for their combined area. The Village of Champlin as it now exists is admittedly inadequate in size and in assessed valuation to provide the kind of services that are needed in today's society. Beyond that, they are not of sufficient size nor do they have the fiscal capability of representing their people in the decision-making processes that go on in the metropolitan area through the Metropolitan Council, Metro Sewer Board, Transit Commission, and various metropolitan bodies and in the state legislature. The need to increase the size of the Village of Champlin

to acquire this capability was a compelling force that the Commission had to consider.

The evidence established that the growth within the Champlin Township was occurring in the periphery of the Village of Champlin and moving from that area southeasterly as opposed to the growth occurring in the periphery on the boundary line between the Township of Champlin and the City of Brooklyn Park.

The proposition as submitted by the City of Brooklyn Park was indeed an attractive alternative. Their concept and their vision relating to the control of growth in order to foster and encourage orderly development of the area under their jurisdiction is one that the Commission through its experience has found very important. By presenting this alternative, Brooklyn Park crystalized the responsibility that every governmental unit must assume. We wish to commend the City of Brooklyn Park for their farsightedness and their insight into the problems of carrying out their responsibilities as a local governmental unit.

It is the Commission's considered judgment that in this instance, the consolidation of the Village of Champlin and the Township of Champlin into a single unit of government will create a viable unit of government. It is also the opinion of the Commission that the need to create this new larger unit overweighed the persuasive arguments on the part of the City of Brooklyn Park that they were in the best position to plan for and control the Township of Champlin. The above, coupled with the community of interest that was evident through the testimony between Champlin Township and the Village of Champlin, the commonality of purpose and direction and planning

that existed, the ability that was evident from the testimony for them to provide services in an economic, feasible matter, all dictated to the Commission the decision that has been made today.

The new Village of Champlin should consider the impact of its policies on its neighbors, particularly Brooklyn Park. We urge the two municipalities to plan jointly for the development of their part of north Hennepin. Consideration should be given as to whether further economies of scale could be achieved by a consolidation of the two governments.

BY THE PERMANENT MEMBERS OF THE COMMISSION