C-23-mm Branch/North Branch

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chair
Robert J. Ferderer	Vice Chair
John W. Carey	Commissioner

IN THE MATTER OF THE CONSOLIDATION PROCEEDINGS FOR THE CITIES OF BRANCH AND NORTH BRANCH PURSUANT TO MINNESOTA STATUTES 414	A M E N D E D MOTION TO INITIATE

WHEREAS, the City Council of the City of Branch, by resolution passed January ~~13~~ 22, 1992, and the City of North Branch, by resolution passed January ~~22~~ 13, 1992, and subsequently forwarded to the Minnesota Municipal Board, have indicated their desire to give the citizens of their respective communities the opportunity to express themselves on a proposed consolidation of the two cities pursuant to M.S. 414.041 and ensure for the residents of these cities the opportunity to participate in a referendum on this issue; and

WHEREAS, the City of North Branch and the City of Branch share common boundaries; now

THEREFORE, the Minnesota Municipal Board, pursuant to Minnesota Statutes 414.041, hereby initiates consolidation proceedings involving the Cities of Branch and North Branch.

Dated this 18th day of February, 1992.

MINNESOTA MUNICIPAL BOARD
Suite 475, McColl Building
St. Paul, Minnesota 55101

Patricia D. Lundy
Assistant Director

Amended Motion to Initiate
Dated this 24th day of March, 1992.

MINNESOTA MUNICIPAL BOARD
Suite 475, McColl Building
St. Paul, Minnesota 55101

Patricia D. Lundy
Assistant Director

RESOLUTION 92-4

A RESOLUTION BEFORE THE MINNESOTA MUNICIPAL BOARD REQUESTING ACTION ON BEHALF OF THE CITY OF NORTH BRANCH TO INITIATE PROCEEDINGS FOR CONSOLIDATION BY THE MUNICIPAL BOARD'S OWN MOTION

WHEREAS, The City of North Branch asserts that the issue of consolidation with the City of Branch has long been an unsettled question that has been the subject of much public and private debate, particularly over the last several years; and

WHEREAS, The City of North Branch believes it is in the best interests of the entire community to have the issue of consolidation formally studied under the provisions of Minnesota Law for consolidation; and

WHEREAS, the absence of a study indicating the benefits and problems concerning consolidation have resulted in an impediment towards an objective analysis of the issue; and

WHEREAS, It is the understanding of the City that a petition of 5% of the citizens of each city have requested the issue of consolidation be addressed before the Municipal Board; and

WHEREAS, It is felt that it is in the Cities' best interest to have the Municipal Board, on its own motion, order a consolidation study. This would leave the final decision with both the citizens by referendum and the city councils.

NOW THEREFORE BE IT RESOLVED by the North Branch City Council.

1. That the City of North Branch and the City of Branch share common boundaries in that the City of North Branch is completely surrounded by the City of Branch and a consolidation study would benefit the residents of both cities in determining the impacts of a proposed consolidation.

2. That the City of North Branch request the Minnesota Municipal Board to commence a consolidation proceeding on its own motion pursuant to Minnesota Statutes 414.041 Subd. 1(c) so that any order of consolidation would require the approval of the City Councils and a majority vote of the qualified voters of each municipality.

3. That the Minnesota Municipal Board proceed forthwith to select a consolidation commission, conduct its hearing and issue its order pursuant to Chapter 414 of Minnesota Statutes.

4. That this proceeding be initiated pursuant to Minnesota Statutes 414.041, and that the City Clerk be authorized and directed to submit a copy of this resolution to the Executive Director of the Minnesota Municipal Board, subject to a like resolution being submitted by the City of Branch, including a $200 fee to be shared equally by each municipality.

5. That the costs for a consolidation study be shared equally between the City of Branch and the City of North Branch.

6. That the following support information is being attached and shall be part of this resolution to the Minnesota Municipal Board:

   a. Corporate Boundary Map showing the property proposed for consolidation and its relationship to surrounding units of governments.
   b. Description of the boundaries which are subject to consolidation.
   c. List of parties entitled to receive notice under Minnesota Statutes 414.09.
   d. Plat maps of affected area.
   e. List of 10 members from the City of North Branch to be nominated to serve on the consolidation commission and three names from the county to be nominated to be chair of the consolidation commission for consideration by the Minnesota Municipal Board.

Ellis Johnson aye Bob Fredrickson aye
Ray Griffith aye Don White aye
Dick Anderson aye

Adopted this 13th day of January 1991.

Ellis Johnson
Mayor Ellis Johnson

Attest:
Joe Rudberg
Joe Rudberg Administrator

LEGAL DESCRIPTION OF THE CITY OF NORTH BRANCH

The City of North Branch: The N 1/2 of the NE 1/4 of Section 16, the S 1/2 of NE 1/4 of Section 16, T35, R21, excepting therefrom the following described parcel:

> Beginning at the southeast corner of said S 1/2 of NE 1/4; thence west, along the south line thereof, 417 feet 4 inches; thence north parallel with the east line thereof, 417 feet 4 inches; thence east, parallel with the south line thereof, 417 feet 4 inches; thence south, along the east line thereof, 417 feet 4 inches, to the point of beginning. Said parcel is subject to a public road dedicated, or to be dedicated over and across the north 33 feet thereof; said public road is included, for the purpose of this proceeding.

and that part of the S 1/2 of NW 1/4 of Section 16, T35, R21 lying east of the easterly right-of-way line of the Northern Pacific (now Burlington Northern) Railroad; subject to County Road No. 30 (formerly Highway No. 61) along the westerly portion thereof; except that part thereof described as follows:

> Commencing at the point of intersection of the easterly right-of-way line of County Road No. 30 with the north line of the SW 1/4 of NW 1/4; thence south 2 degree 48' west, along said easterly right-of-way line, 169 feet, to the point of beginning; thence continuing south 2 degree 48' west, along said easterly right-of-way line, 667 feet; thence south 86 degree 22' east, 225 feet; thence north 2 degree 48' east, 667 feet; thence north 86 degree 22' west, 225 feet, to the point of beginning of said excepted parcel;

and the NW 1/4 of the SE 1/4 of Section 16, T35, R21;

and the SW 1/4 of Section 16, T35, R21;

and the SE 1/4 of Section 17, T35, R21;

and that part of the SE 1/4 of the SW 1/4 of Section 17, T35, R21, lying easterly of the easterly right-of-way line of Interstate Highway I-35;

and the NE 1/4 of Section 20, T35, R21;

(continued)

and the N 1/2 of the N 1/2 of the NE 1/4 of SE 1/4 of Section 20, T35, R21; excepting therefrom the railroad right-of-way and public roads;

and the NW 1/4 of Section 21, T35, R21;

and that part of the NW 1/4 of the SE 1/4 of Section 21, T35, R21, Chisago County, Minnesota described as follows, to-wit:

> Beginning at the NW corner of said NW 1/4 of SE 1/4 of said Section 21; thence South on the West line of said NW 1/4 of SE 1/4 a distance of 28.33 rods; thence East parallel with the North line of said NW 1/4 of Se 1/4 a distance of 28.33 rods; thence North parallel with the West line of said NW 1/4 of SE 1/4 of SE 1/4 a distance of 28.33 rods to the North line of said NW 1/4 of SE 1/4; thence West on said North line a distance of 28.33 rods to the point of beginning, said parcel containing 5 acres, more or less. Subject to highway right-of-way on the North and West line thereof;

and the SW 1/4 of the NE 1/4 and the W 1/2 of the SE 1/4 of the NE 1/4 of Section 21, T35, R21;

and that part of Section 16, T35, R21, part of the SW 1/4 of the SE 1/4, described as follows:

> Beginning at the Sw corner of the SW 1/4 of the SE 1/4; thence North on the West line 700 feet; thence East at right angles 225 feet; thence South 700 feet to the South line of the SW 1/4 of the SE 1/4; thence West on the South line thereof 225 feet to the point of beginning.

STATE OF MINNESOTA

COUNTY OF CHISAGO

CITY OF BRANCH

Councilmember Strom offered the following Resolution and moved its adoption.

RESOLUTION # 01-06-92

A RESOLUTION BEFORE THE MINNESOTA MUNICIPAL BOARD REQUESTING ACTION ON BEHALF OF THE CITY OF BRANCH TO INITIATE PROCEEDINGS FOR CONSOLIDATION BY THE MUNICIPAL BOARD'S OWN MOTION.

WHEREAS, the issue of the Cities of Branch and North Branch consolidating has been a subject of public and private debate, and

WHEREAS, the absence of a study indicating the advantages or disadvantages to both Cities concerning consolidation has fostered a lack of objective analysis, and

WHEREAS, the City of Branch is aware that a petition of five percent (5%) of the citizens of each City have requested the issue of consolidation be addressed before the Municipal Board, and

WHEREAS, the City of Branch believes it is in the best interest of the entire community to have the issue of consolidation, under the provisions of Minnesota Law, formally studied to consider the following:

* Economic feasibility for taxpayers of Branch
* Efficiency of consolidation
* Actual cost effectiveness for each City, and

WHEREAS, the City of Branch believes that it is in the Cities best interest to have the Municipal Board, on its own motion, order a consolidation study. This would leave the final decision with both the citizens by referendum and the City Councils.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF BRANCH, MINNESOTA:

1. In the interest of all taxpayers, request the School Board of I.S.D. # 138 withdraw the petition to detach the High School property and annex to North Branch in the assumption that the proceedings may be irrelevant in the conclusion of the consolidation proceedings alleviating the cost to the taxpayers for the detachment/annexation.

2. That the City of Branch and the City of North Branch share common boundaries in that the City of North Branch is completely surrounded by the City of Branch and a consolidation study would benefit the residents of both cities in determining the impacts of a proposed consolidation.

3. That the City of Branch request the Minnesota Municipal Board to commence a consolidation proceeding on its own motion pursuant to Minnesota Statutes 414.041 Subd. 1(c) so that any order of consolidation would require the approval of the City Councils and a majority vote of the qualified voters of each municipality.

4. That the Minnesota Municipal Board proceed forthwith to select a consolidation commission, conduct its hearing, and issue its order pursuant to Chapter 414 of Minnesota Statutes.

5. That this proceeding be initiated pursuant to Minnesota Statutes 414.041, and that the City Clerk be authorized and directed to submit a copy of this Resolution to the Executive Director of the Minnesota Municipal Board, subject to a like Resolution being submitted by the City of North Branch, including a $200 fee to be shared equally by each municipality.

6. That the following support information is being attached and shall be part of this Resolution to the Minnesota Municipal Board:

   a. Corporate Boundary Map showing the property proposed for consolidation and its relationship to surrounding units of governments.
   b. Description of the boundaries which are subject to consolidation.
   c. List of parties entitled to receive notice under Minnesota Statutes 414.09.
   d. Plat maps of affected area.
   e. List of ten members from the City of Branch to be nominated to serve on the consolidation commission and three names from each City to be nominated to be chair of the consolidation commission for consideration by the Minnesota Municipal Board.

The foregoing motion was duly seconded by Councilmember Strom and being put to vote, members voted: AYE: 5 NAY: 0

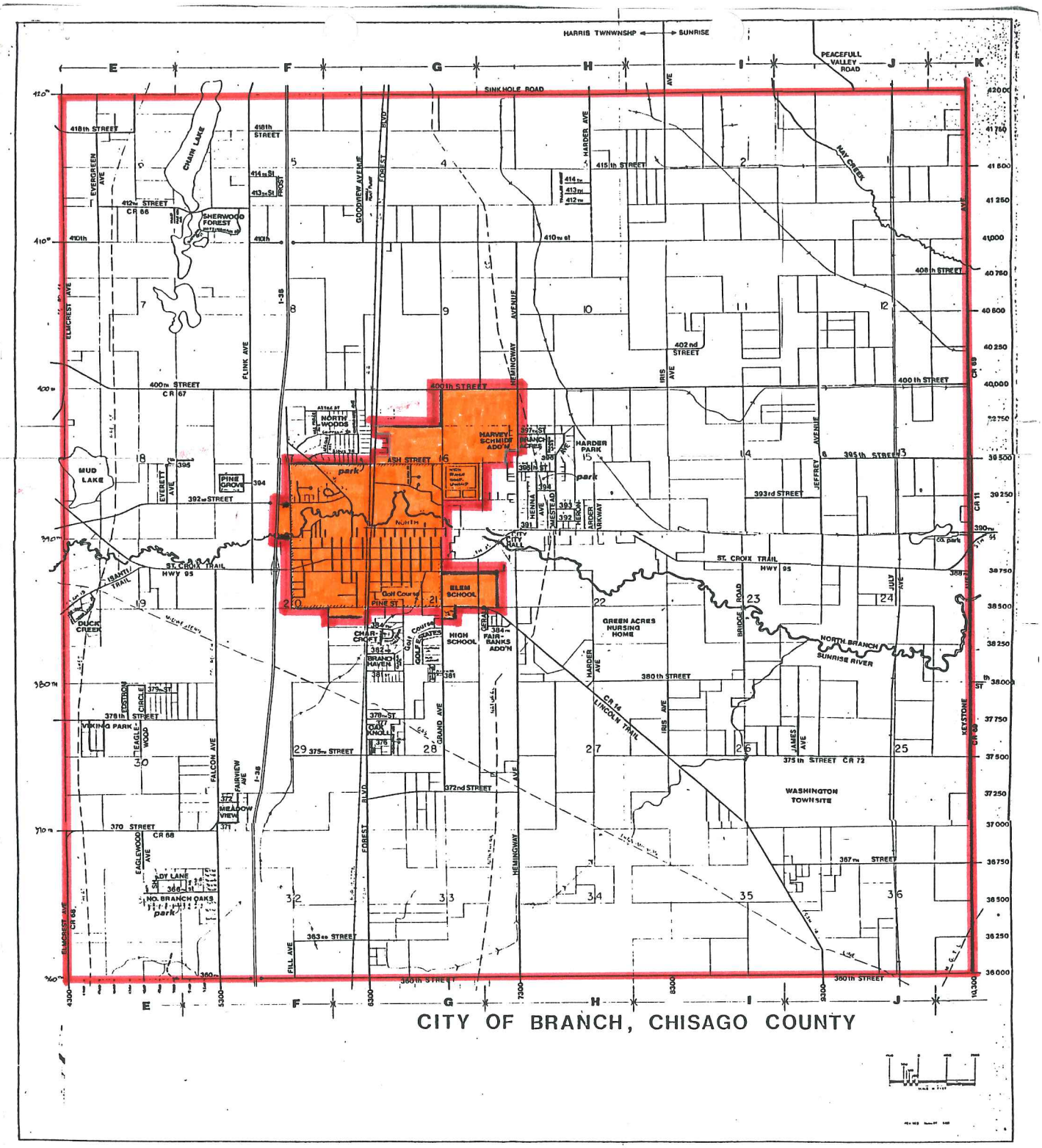
CHARLES HULT	AYE	ROGER ELSE	AYE
WILLIAM LEIGH	AYE	GREGORY STROM	AYE
MICHAEL VOLIGNY	AYE		

Passed and adopted this 22nd day of January, 1992.

CITY OF BRANCH

CHARLES HULT
MAYOR

ATTEST: Robert F. Morgan
ROBERT F. MORGAN
ADMINISTRATOR/CLERK



The City of Branch: Includes all of the property located in Sections One (1), through Thirty-[illegible] (36), Township 35, Range 21, exceptin[illegible] hose parcels described as follows:

The City of North Branch: The N½ of the NE¼ of Section 16, the S½ of NE¼ of Section 16, T35, R21, excepting therefrom the following described parcel:

Beginning at the southeast corner of said S½ of NE¼; thence west, along the south line thereof, 417 feet 4 inches; thence north parallel with the east line thereof, 417 feet 4 inches; thence east, parallel with the south line thereof, 417 feet 4 inches; thence south, along the east line thereof, 417 feet 4 inches, to the point of beginning. Said parcel is sibject to a public road dedicated, or to be dedicated over and across the north 33 feet thereof; said public road is included, for the purpose of this proceeding.

and that part of the S½ of NW¼ of Section 16, T35, R21 lying east of the easterly right-of-way line of the Northern Pacific (now Burlington Northern) Railroad; subject to County Road No. 30 (formerly Highway No. 61) along the westerly portion thereof; except that part thereof described as follows:

Commencing at the point of intersection of the easterly right-of-way line of County Road No. 30 with the north line of the SW¼ of NW¼; thence south 2° 48' west, along said easterly right-of-way line, 169 feet, to the point of beginning; thence continuing south 2° 48' west, along said easterly right-of-way line, 667 feet; thence south 86° 22' east, 225 feet; thence north 2° 48' east, 667 feet; thence north 86° 22' west, 225 feet, to the point of beginning of said excepted parcel;

and the NW¼ of the SE¼ of Section 16, T35, R21;

and the SW¼ of Section 16, T35, R21;

and the SE¼ of Section 17, T35, R21;

and that part of the SE¼ of the SW¼ of Section 17, T35, R21, lying easterly of the easterly right-of-way line of Interstate Highway I-35;

and the NE¼ of Section 20, T35, R21;

and the N½ of the N½ of the NE¼ of SE¼ of Section 20, T35, R21; excepting therefrom the railroad right-of-way and public roads;

and the NW¼ of Section 21, T35, R21;

and that part of the NW¼ of the SE¼ of Section 21, T35, R21, Chisago County, Minnesota described as follows, to-wit:

Beginning at the NW corner of said NW¼ of SE¼ of said Section 21; thence South on the West line of said NW¼ of SE¼ a distance of 28.33 rods; thence East parallel with the North line of said NW¼ of SE¼ a distance of 28.33 rods; thence North parallel with the West line of said NW¼ of SE¼ a distance of 28.33 rods to the North line of said NW¼ of SE¼; thence West on said North line a distance of 28.33 rods to the point of beginning, said parcel containing 5 acres, more or less. Subject to highway right-of-way on the North and West line thereof;

and the SW¼ of the NE¼ and the W½ of the SE¼ of the NE¼ of Section 21, T35, R21;

and that part of Section 16, T35, R21, part of the SW¼ of the SE¼, described as follows:

Beginning at the SW corner of the SW¼ of the SE¼; thence North on the West line 700 feet; thence East at right angles 225 feet; thence South 700 feet to the South line of the SW¼ of the SE¼; thence West on the South line thereof 225 feet to the point of beginning.

Parties entitled to notice under Minnesota Statutes 414.041 are:

Branch City Clerk/Administrator	Robert Morgan
Branch City Planning Commission	Dennis Johnson
North Branch Clerk/Administrator	Joe Rudberg
North Branch Planning Commission	Steven Elkins
Lent Township Clerk	Charles Peterson
Sunrise Township Clerk	Roger Anderson
Harris City Clerk	Dale Miller
Fish Lake Township Clerk	Carol Norling
Chisago Lake Township Clerk	Herbert Grossmann
North Branch Township Clerk	Kathleen Nordaune
Chisago County Board Chairman	Philip Leier