

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Arthur R. Swan	Vice Chairman
Robert J. Ford	Member
I. A. Pederson	Ex-Officio Member
Peter E. Tibbetts	Ex-Officio Member

IN THE MATTER OF THE RESOLUTION OF THE VILLAGE OF HUGO AND THE RESOLUTION OF THE TOWN OF ONEKA FOR THE CONSOLIDATION OF SAID VILLAGE AND TOWN)))))	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
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The above entitled matter was initiated by resolutions of the Board of Supervisors of the Town of Oneka and the Village Council of the Village of Hugo, which resolutions were received by the Minnesota Municipal Commission on June 8, 1971. The Board of Commissioners of the County of Washington duly appointed Commissioners I. A. Pederson and Peter E. Tibbetts as ex-officio members of the Minnesota Municipal Commission.

The matter came on for hearing on July 7, 1971 at the Oneka Town Hall. Appearances were entered by Charles Johnson, Attorney for the Town of Oneka, and J. E. Cass and Howard R. Albertson for the Village of Hugo. The Minnesota Municipal Commission convened by lawful quorum at said hearing.

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

FINDINGS OF FACT

I.

The resolution of the Village of Hugo, and the resolution of the Town

Board of Oneka Township for the consolidation of said Village with said Township were both filed pursuant to and in compliance with Minnesota Statutes, 1969, Section 44.021; and said resolutions are in all respects proper in form, contents, and its execution.

II.

Notice of Hearing was duly given as required by Statute. The Commission convened with the lawful quorum at the hearing. All parties of record were present at, and participated in, the hearing.

III.

The areas proposed for consolidation as a new municipality includes all of the Village of Hugo and all of the Township of Oneka, County of Washington, State of Minnesota.

IV.

The area of the Village of Hugo is 787 acres and the Village is completely surrounded by the Township of Oneka which has an area of approximately 22,200 acres.

V.

The 1960 and 1970 populations of the municipalities were as follows:

	<u>1960</u>	<u>1970</u>
Village of Hugo	538	751
Township of Oneka	898	1,918

The 1985 projected populations of the two municipalities are as follows:

Village of Hugo	915
Township of Oneka	4,077

VI.

The Village of Hugo has an extensive business district along and near Highway #61 which runs through both the Village and the Township of Oneka. This district includes a motel, several restaurants, a supermarket, a bank

two service stations, a feed mill, a lumber yard, a commercial egg plant, part of which is located in Oneka Township, and several other small shops and businesses. Also located within the Hugo business district is a church, a fire station - Village Hall, a church playground and the American Legion Hall. All of the businesses and other organizations located within the Village serve the residents of both the Village and the Township.

Within Oneka there are several businesses, but there is no well-defined commercial area. The only park located in the Township is associated with the Withrow Elementary School located in the southeast area of the Township.

The pattern of development in the Village has been residential around the business core. There is some undeveloped land remaining in the Village. There are thirty-two (32) platted acres within the Village. One Hundred eighteen (118) acres of the Village are zoned for industrial use; one hundred (100) acres of the Village are zoned for commercial use; and the remainder, or approximately five hundred, sixty-nine (569) acres are zoned for residential use. The residential dwellings within the Village consist almost entirely of single family residences. With the exception of a mobile home park, the development of the Township of Oneka has been almost exclusively residential and farm, with some businesses located along Highway #61.

Both the Village and the Township are included in Planning District Two of the former Twin Cities Metropolitan Planning Commission, now the Metropolitan Council. The following statement appears on Page 35 of Report #3, December, 1969, Recommended Policy and Guide Plan, prepared by the Metropolitan Council: "Consolidation is certainly recommended in preference to incorporating Oneka as a separate Village, and is the proper ultimate solution."

Of importance in the development of both the Village and the Township

are the presence of the Forst Lake Interceptor which runs through the west area of both municipalities, the location of Interstate Highway 35E which is located in the Village of Lino Lakes, a short distance west of the Oneka Township line, and Highway #61 which prior to the construction of Highway 35E was the major north-south highway in this area. The presence of the sewer and the freeway make it likely that the Hugo - Oneka area will experience considerable and rapid growth within the near future.

The pattern of development has already begun to change in the southwest area of the Township between the south border of the Village and the north line of White Bear Lake Township. Along Highway #61 in this area is an industrial park and other parcels which the owners hope to develop for multi-residential or commercial purposes. Several property owners in this area have petitioned the Village of Hugo for annexation to the Village in order to take advantage of the Village water system and the proposed Village sewer system.

The Village has approximately five miles of road with 65 per cent of it paved. A majority of the Township roads are not paved.

The entire Village and most of the Township is within the Rice Creek Watershed. A part of the boundary between the town and village consists of Egg Lake.

VII.

The Village of Hugo has a volunteer fire department which is equipped with two pump-tank trucks, a jeep and an all-purpose rescue truck. The Village fire department is housed in a garage which is part of the Village Hall.

The Township has no fire department, and contracts with Hugo for fire protection on a year-to-year basis.

VIII.

The Village of Hugo and the Township of Oneka share the expenses of a part-time constable.

IX.

The Village of Hugo is served by a 6" x 8" water main system with a 100,000 gallon capacity water tank. The water is furnished by a deep well with a 300 - 400 gallon per hour capacity. With the addition of a storage tank at the south end of the Village, the present water system is capable of expansion to serve the area south of the Village presently included in the Township.

The Village has plans for the installation of a sewage system which has been approved by the Metropolitan Sewer Board.

X.

There are no public water or sewer facilities in the Township of Oneka. There are two areas of potential environmental pollution in the Township: Oak Shore Park, a platted residential development; and the northeast shore of Bald Eagle Lake.

XI.

The Village of Hugo owns a truck which is used to plow and maintain the Village streets. Oneka Township owns a truck, a grader, and a tractor which are used to maintain and plow Township roads.

The Village owns a Village Hall with adjoining garage housing the fire department. The Township owns a Town Hall and a garage used to store equipment.

XII.

The Village of Hugo has adopted the Uniform Building Code with certain modifications and has also adopted by reference the Comprehensive Model

Zoning Regulations Code recommended by the Washington County Advisory Planning Commission and it's model subdivision regulation ordinance.

Oneka Township has also adopted the Comprehensive Model Zoning Regulations Code. Most of the Township is zoned residential with some commercial and industrial property.

XIII.

The Village of Hugo is located completely within Independent School District 624. Oneka Township is split between Independant School District 624, 831, 832 and 834. A district 624 elementary school is located within the Village limits and a District 834 elementary school is within the Township.

XIV.

The assessed valuations of the village and town for 1970 and 1971 are as follows:

	<u>1970</u>	<u>1971</u>
Hugo Village	314,379	344,000
Oneka Township	911,095	1,092,238

The trend of the assessed valuation in both municipalities has been one of steady growth which is expected to accelerate greatly in the near future.

XV.

The local mill rates for 1970 and 1971 including the school district and county mill rates are as follows:

	<u>1970</u>	<u>1971</u>
Hugo Village - School District 624	400.30	430.37
Oneka Township - School District 624	374.30	401.06
School District 831	311.87	382.17
School District 832	398.32	437.58
School District 834	290.62	296.71

XVI.

The indebtedness of the two municipalities is as follows:

Hugo Village	\$55,000 - water bonds
Oneka Township	\$ 8,000 - (approximately) - truck

The Village of Hugo had \$61,966.00 invested in the water system sinking fund on June 1, 1971.

XVII.

The accelerating pace of development in the southeastern portion of the Township will require that water, sewer and other services be provided to that area soon. Similar services may not be necessary in the remainder of the Townships for an indeterminate period. Consequently, urban-rural service districts should be established as provided by Minnesota Statutes, 1971, Chapter 569. The proposed boundaries as described in Hugo's exhibit #6 are designed to promote the desired purpose and should be adopted.

In addition to the southeast part of the Township, the area described in Hugo Exhibit #6 includes the entire Village of Hugo and the mobile home park located in the Township adjacent to the north line of Hugo.

The area within the described urban district should be taxed at 100 per cent and the remainder of the newly consolidated municipality should be taxed at the rate of 80 per cent.

XVIII.

The division of the Township and the Village of Hugo into three wards for the election of councilmen is necessary to accord proper representation in the new consolidated municipality because of uneven population density in different parts of the area. In addition to the three councilmen elected by the wards, the mayor and one councilman should be elected at large. The proposed ward boundaries as shown and described in Oneka Exhibits 36 and 40 are reasonable and accord proper representation.

CONCLUSIONS OF LAW

I.

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

II.

The Township form of government is not adequate to provide needed governmental services in the Township of Oneka.

III.

The Village of Hugo required room for expansion and its present size will not permit efficient governmental function.

IV.

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

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, as amended, Chapter 414;

IT IS HEREBY ORDERED: That all of the Township of Oneka and all of the Village of Hugo, Washington County, Minnesota, be and hereby is consolidated into a new municipality to be named Hugo.

IT IS FURTHER ORDERED: That the first election of officers in the new Village Hall shall be held on the 2nd day of November, 1971.

IT IS FURTHER ORDERED: That the polling place for the first election of officers shall be in the Town Hall for the voters residing in the old

Township of Oneka and the Village Hall for the voters residing in the old Village of Hugo.

IT IS FURTHER ORDERED: That Robert Burkard, 227 Oneka, Hugo, Minnesota shall be the acting Clerk for election purposes and shall conduct the election in accordance with Minnesota Statutes 1969, Section 414.09, Subdivision 3.

IT IS FURTHER ORDERED: That the following persons be election judges for the first election of Village offices at the Village Hall:

- Fred E. Carpenter Hugo, Minnesota
- E. J. Cummings Hugo, Minnesota
- Mike Doherty Hugo, Minnesota
- Pat Granger Hugo, Minnesota

IT IS FURTHER ORDERED: That the following persons be the election judges for the installation of Village offices at the Township Hall:

- Mrs. Ruth Gibbs Hugo, Minnesota
- George Jungbluh Hugo, Minnesota
- Vern Peloquin Hugo, Minnesota
- Andrew Goiffon Hugo, Minnesota

IT IS FURTHER ORDERED: That the new Village for the purpose of the election of councilmen, shall be divided into three wards and the boundaries shall be as shown and described on Oneka Exhibits 37 and 40, on file herein; that the notice of election published by the election clerk include the description of the ward boundaries.

IT IS FURTHER ORDERED: That all money, claims of property, including real estate, held or possessed by the Township of Oneka or the Village of Hugo, 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 Hugo, with full power and authority to use and dispose of the funds for public purpose as the council for the new Village of Hugo may deem best.

IT IS FURTHER ORDERED: That the plan of government for the new Village shall be optional plan "A".

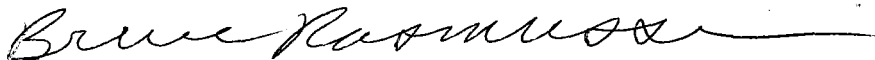
IT IS FURTHER ORDERED: That the population of the new Village herein created shall be 2,669 for all purposes until the next federal census.

IT IS FURTHER ORDERED: That the Secretary of the Minnesota Municipal Commission shall cause copies of this Order to be mailed and filed as provided by law.

IT IS FURTHER ORDERED: That the consolidation shall be effective upon the election and qualifications of the new municipal officers.

Dated this 13th day of September, 1971

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



Bruce Rasmussen
Executive Secretary

BEFORE THE MUNICIPAL COMMISSION
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VILLAGE OF HUGO AND THE RESOLUTION OF)	SUPPLEMENTAL ORDER
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OF SAID VILLAGE AND TOWN)	

The above entitled matter was initiated by resolutions of the Board of Supervisors of the Town of Oneka and the Village Council of the Village of Hugo, which resolutions were received by the Minnesota Municipal Commission on June 8, 1971. The Board of Commissioners of the County of Washington duly appointed Commissioners I. A. Pederson and Peter E. Tibbetts as ex-officio members of the Minnesota Municipal Commission.

The matter came on for hearing on July 7, 1971 at the Oneka Town Hall. Appearances were entered by Charles Johnson, Attorney for the Town of Oneka, and J. E. Cass and Howard R. Albertson for the Village of Hugo. The Minnesota Municipal Commission convened by lawful quorum at said hearing.

Evidence was taken and testimony heard from all of those appearing and indicating a desire to be heard. Certain exhibits were received in evidence. The Minnesota Municipal Commission having carefully considered all of the evidence included in all of the testimony and exhibits, being fully advised in the premises, upon all of the files, records, and proceedings herein, and made its Findings of Fact, Conclusions of Law, and Order on the 13th day of September, 1971. It appearing that the Order omitted to provide for the establishment of urban and rural taxing districts, the following Supplemental Order is made.

SUPPLEMENTAL ORDER

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 established on the 13th day of September, 1971, the Commission being fully advised in the premises and pursuant to Minnesota Statutes, 1969, as amended, Chapter 414;

IT IS FURTHER ORDERED: That urban and rural taxing districts having the areas described in Hugo Exhibit #6 shall be established as provided in Minnesota Statutes, 1971, Chapter 569; and, that the urban district of the newly consolidated municipality shall be taxed at the rate of 100%, and that the rural district of the newly consolidated municipality shall be taxed at the rate of 80% until said rates are amended as provided by law.

IT IS FURTHER ORDERED: That the Secretary of the Minnesota Municipal Commission shall cause copies of this Supplemental Order to be mailed and filed as provided by law.

Dated this 24th day of September, 1971.

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



Bruce Rasmussen
Executive Secretary