

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member
Gerald Hollenkamp	Ex-Officio Member
James Kennedy	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	<u>FINDINGS OF FACT,</u> <u>CONCLUSIONS OF LAW,</u> <u>AND ORDER</u>
BETWEEN THE CITY OF NORTHFIELD AND THE)	
TOWN OF WATERFORD FOR THE ORDERLY)	
ANNEXATION OF CERTAIN LAND TO THE)	
CITY OF NORTHFIELD)	

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on July 11, 1980, at Northfield, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners Gerald Hollenkamp and James Kennedy, ex-officio members of the Board. The City of Northfield appeared by and through Robert G. Lampe, the Township of Waterford appeared by and through John Dudley, Supervisor. Testimony was heard, and records and exhibits were received.

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

FINDINGS OF FACT

I. That a joint resolution for orderly annexation was adopted by the City of Northfield and the Township of Waterford and duly accepted by the Minnesota Municipal Board.

II. A resolution was filed by one of the signatories to the joint resolution, the City of Northfield, on May 20, 1980 requesting annexation of certain properties within the orderly annexation area. The resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

Twenty (20) acres of all that part east of the railroad right-of-way of the south $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 30, Township 112, Range 19.

III. Due, timely and adequate legal notice of the hearing was published, served and filed.

IV. Geographic Features

- A. The area subject to annexation is unincorporated and abuts the City of Northfield.
- B. The total area of the City of Northfield is approximately 3,500 acres. The total area of the territory subject to annexation is 20 acres.
- C. The perimeter of the area to be annexed is 11% bordered by the municipality.
- D. The natural terrain of the area including general topography, major watersheds, soil conditions, river, lakes and major bluffs is: Topography is rolling hills sloping to south, soil condition is good clay-sand-claysilt.

V. Population Data

- A. The City of Northfield:
 - 1. In 1970, there were 10,235 residents.
 - 2. The present estimated population is 12,783.
 - 3. By 2000, the projected population is 20,000.
- B. The area subject to annexation:
 - 1. In 1970, there were 0 residents.
 - 2. The present population is 0.
 - 3. By 2000, the projected population is 0.
- C. The Township of Waterford:
 - 1. In 1970, there were 536 residents.
 - 2. The present estimated population is 540.
 - 3. By 2000, the projected population is 580.

VI. Development Issues

- A. The pattern of physical development, including land already in use, in the process of being developed, and remaining for various uses.
 - 1. Area in Use
 - A. In the City of Northfield:
 - 1. Residential: 1,540 acres
 - 2. Institutional: 822 acres
 - 3. Commercial: 62 acres
 - 4. Industrial: 82 acres
 - 5. Agricultural and vacant land: 1,000 acres
 - 2. In the area subject to annexation:
 - 1. Residential: 0 acres
 - 2. Institutional: 0 acres
 - 3. Commercial: 0 acres
 - 4. Industrial: 0 acres
 - 5. Agricultural: 20 acres
 - 6. Vacant land: 0 acres
 - 3. In the Township of Waterford:
 - 1. Residential: 762 acres
 - 2. Institutional: 0 acres
 - 3. Commercial: 69 acres
 - 4. Industrial: 1 acre
 - 5. Agricultural: 8,049 acres
 - 6. Vacant land: 253 acres

2. Area Being Developed

a. In the City of Northfield:

1. Residential: 200 acres
2. Institutional: 0 acres
3. Commercial: 10 acres
4. Industrial: 100 acres
5. Agricultural: 0 acres

b. In the area subject to annexation:

1. Residential: 0 acres
2. Institutional: 0 acres
3. Commercial: 0 acres
4. Industrial: 20 acres
5. Agricultural: 0 acres

c. In the Township of Waterford:

1. Residential: 320 acres
2. Institutional: 0 acres
3. Commercial: 4 acres
4. Industrial: 0 acres
5. Agricultural: 0 acres

3. Area remaining for various uses:

a. In the City of Northfield:

1. Residential: 215 acres
2. Institutional: 0 acres
3. Commercial: 30 acres
4. Industrial: 120 acres
5. Agricultural: 0 acres

B. Transportation:

1. The present transportation network is: Four major Railroads.

a. In the City of Northfield: Two major highways, City transit system, City streets, Four major Railroads.

b. In the area subject to annexation: same as in the City

C. Land use controls and planning, including comprehensive plans, in the city and the area subject to annexation:

1. In the City of Northfield:

- a. Zoning: yes
- b. Subdivision Regulations: yes
- c. Comprehensive Plan: yes
- d. Official Map: no
- e. Capital improvements program: yes
- f. Fire Code: yes
- g. Building Inspector: yes
- h. Planning Commission: yes
- i. Other: Other municipal service

2. In the Township of Waterford:

- a. Zoning: yes
- b. Subdivision Regulations: yes
- c. Comprehensive Plan: yes
- d. Official Map: no
- e. Capital Improvements Program: no
- f. Fire Code: yes
- g. Building Inspector: yes
- h. Planning Commission: yes

3. In the County of Dakota:

- a. Zoning: no
- b. Subdivision Regulations: no
- c. Comprehensive Plan: yes
- d. Official Map: no
- e. Capital Improvements Program: yes
- f. Fire Code: no
- g. Building Inspector: no
- h. Planning Commission: yes

4. The Metropolitan Council provides the following planning and land use services: Technical information on request.

5. There is no inconsistency between the proposed development and the planning and land use controls for the area.

VII. Governmental Services

A. The Town of Waterford provides the area subject to annexation with the following services:

- 1. Water: no
- 2. Sewer: no
- 3. Fire protection and rating: yes
- 4. Police protection: yes
- 5. Street improvements: no
- 6. Street maintenance: no
- 7. Recreational: no
- 8. Administrative services: yes

B. The City of Northfield provides its residents with the following services:

- 1. Water: yes
- 2. Sewer: yes
- 3. Fire protection and rating: yes; Class 5
- 4. Police protection: yes
- 5. Street improvements: yes
- 6. Street maintenance: yes
- 7. Recreational: yes
- 8. Administrative services: yes

C. The City of Northfield provides the area subject to annexation with the following services:

- 1. Water: no
- 2. Sewer: no
- 3. Fire protection and rating: rural fire department
- 4. Police protection: on request
- 5. Street improvements: no
- 6. Street maintenance: no
- 7. Recreational: no
- 8. Administrative services: no

D. There are no existing or potential environmental problems.

E. Plans and programs by the annexing municipality to provide needed governmental services for the area proposed for annexation include: the extension of full municipal services upon request by the land owner.

F. The following services will be available to the annexed area within two years: City sewer and water. Police and fire protection are available immediately upon annexation.

VIII. Tax Base

A. In the City of Northfield: the tax base includes the following:

1. Residential property in Northfield was valued at \$18,753,608, generating \$510,586 in taxes or 64.4% of the total.
2. Commercial property in Northfield was valued at \$8,228,188, generating \$224,021 in taxes or 28.3% of the total.
3. Industrial property in Northfield was valued at \$1,564,018, generating \$42,582 in taxes or 5.4% of the total.
4. Agricultural property in Northfield was valued at \$221,990, generating \$6,044 in taxes or 0.7% of the total.
5. Vacant land in Northfield was valued at \$340,337, generating \$9,266 in taxes or 1.2% of the total.
6. Non-taxable property
 - a. Institutional use in Northfield included 659.4 acres worth, as developed, \$1,055,088.
 - b. Other non-taxable uses (such as roadways, parks) in Northfield included 500 acres.

B. In the Township of Waterford, the tax base includes the following:

1. Residential property in Waterford was valued at \$1,563 in taxes or 31.7% of the total.
2. Commercial property in Waterford was valued at \$312,809, generating \$595 in taxes or 12.1% of the total.
3. Industrial property in Waterford was valued at \$0, generating \$0 in taxes or 0% of the total.
4. Agricultural land in Waterford was valued at \$1,446,134, generating \$2,751 in taxes or 55.7% of the total.
5. Vacant land in Waterford was valued at \$14,269, generating \$27 in taxes or 0.5% of the total.

C. In the area subject to annexation, the tax base includes the following:

1. Agricultural property was valued at \$3,635, generating \$70 in taxes or 1.4% of the total.

IX. Tax Data

A. In the City of Northfield:

1. Mill rate in 1980 is 27.226.
2. Bonded indebtedness in 1979 was \$425,000.

B. In the Township of Waterford:

1. Mill rate in 1980 is 1.902.
2. Bonded indebtedness in 1980 is 0.

C. In the area subject to annexation:

1. Mill rate in 1980 is 1.902.
2. Bonded indebtedness in 1980 is 0.

D. Mill rate in the respective governmental units:

1. Dakota County in 1980 is 19.873.
2. School district in 1980 is 55.913.
3. Township in 1980 is 1.902.

- X. The city may bear increased costs as a result of this annexation.
- XI. Annexation to the City of Northfield is the best alternative.
 - A. No effect on area school districts and on adjacent communities if the proposed annexation is approved.
 - B. The town government is not adequate to deliver the needed services to the area proposed for annexation.
 - C. Necessary governmental services could not best be provided by incorporation or annexation to an adjacent municipality.
 - D. Present assessed valuation of the Town of Waterford: \$2,594,770.

Present assessed valuation of proposed annexation area: \$3,635.

New valuation of the Town of Waterford if entire area is annexed: \$2,591,135.
 - E. Waterford Township can continue to function without the area subject to annexation.
- XII. The annexation is consistent with the joint agreement
- XIII. That the area proposed for annexation when annexed will be excluded from the jurisdiction of the Metropolitan Council.

CONCLUSIONS OF LAW

- I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
- II. The area subject to annexation is now or is about to become urban or suburban in nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.
- III. The existing township form of government is not adequate to protect the public health, safety, and welfare.
- IV. The annexation would be in the best interests of the area proposed for annexation.
- V. The annexation is consistent with terms of the joint agreement.
- VI. Because of increased costs, the City of Northfield may qualify for a special levy.
- VII. Two years will be required to effectively provide full municipal services to the annexed area.
- VIII. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

- I. IT IS HEREBY ORDERED: That the property described herein situated in the County of Dakota, State of Minnesota, be and the same is hereby annexed to the City of Northfield, Minnesota, the same as if it had been originally made a part thereof:

Twenty (20) acres of all that part east of the Chicago, Milwaukee, St. Paul and Pacific Railroad right of way of the south $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 30, Township 112 north, Range 19 west.

II. IT IS FURTHER ORDERED: That the Minnesota Municipal Board hereby retains jurisdiction for the purpose of allowing a special levy pursuant to Minnesota Statutes 414.01, Subd. 15.

III. IT IS FURTHER ORDERED: That the mill levy of the City of Northfield on the property herein ordered annexed shall be increased in substantially equal proportions over a period of two years to equality with the mill levy of the property already within the City.

IV. IT IS FURTHER ORDERED: That the effective date of this order is August 27, 1980.

Dated this 27th day of August, 1980

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101


Terrence A. Merritt
Executive Director

MEMORANDUM

In entering its order annexing the property proposed for annexation, the Minnesota Municipal Board found that the evidence submitted at the hearing on July 11, 1980, satisfied the factors and criterion set forth in Minnesota Statutes 414.0325, Subd. 3, (1978).

This proceeding before the MMB, OA-136-1, is the second proceeding within approximately one year to come before the MMB involving the City of Northfield's expansion into the County of Dakota. To date the City of Northfield has not shown that it has a long term plan developed covering its future expansion into Dakota County. The MMB believes that such a plan is not only necessary for the City of Northfield, but also an integral planning tool for Dakota County, and the Metropolitan Council. The MMB hopes that should Northfield seek annexation of other land in Dakota County, it will have developed some form of plan that will address this concern of the Board.