

BEFORE THE MUNICIPAL COMMISSION

OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Gerald J. Isaacs	Member
Robert C. Burman	Ex-Officio Member
Albert A. Kordiak	Ex-Officio Member

IN THE MATTER OF THE PETITION OF)	
CERTAIN PROPERTY OWNERS TO INCOR-)	<u>FINDINGS OF FACT,</u>
PORATE THE TOWN OF HAM LAKE IN)	<u>CONCLUSIONS OF LAW</u>
THE COUNTY OF ANOKA, MINNESOTA)	<u>AND ORDER</u>

WHEREAS, pursuant to Order of the Municipal Commission of the State of Minnesota, in the within matter, dated and entered the 13th day of November, 1973, the Township of Ham Lake, Anoka County, Minnesota, was ordered incorporated as the Village of Ham Lake, Anoka County, Minnesota; and

WHEREAS, pursuant to said Order, the first election of officers was duly held on the 8th day of January, 1974, and pursuant to Minnesota Statutes, said Ham Lake has since functioned and is now functioning as a statutory city; and

WHEREAS, pursuant to said Order, and proper notice thereof being duly published pursuant to the requirements of Minnesota Statutes Annotated, Chapter 414, as amended, a public supplementary hearing was duly held before the Municipal Commission of the State of Minnesota, on the 16th day of August, 1974, in the Ham Lake City Hall, Ham Lake, Anoka County, Minnesota, at 10:00 a.m., to determine whether a special levy should be authorized to meet increased costs due to the incorporation, pursuant to Minnesota Statutes Annotated 414.01, Subd. 15, at which time and place the said City of Ham Lake, Anoka County, Minnesota, appeared by Eldon Hentges, its Mayor, Anne D. Roseland, its Clerk, William Nelson, one of its Councilmen, Wilbur Matheson, its Building Inspector, Donald R. Hemauer, its accountant, and by Landol J. Locher, Attorney, of the firm of Babcock, Locher, Neilson & Mannella, Attorneys at Law, 118 East Main Street, Anoka, Minnesota 55303, and verbal and documentary

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evidence was given in support of a special levy to meet increased costs due to the incorporation of said Ham Lake, Anoka County, Minnesota, pursuant to Minnesota Statutes Annotated 414.01, Subd. 15, and

WHEREAS, at said public hearing several residents of said City of Ham Lake, Anoka County, Minnesota, were in attendance, but no one entered an appearance, appeared or spoke or offered into evidence any evidence, either verbal or documentary, in opposition to the evidence presented by said City of Ham Lake, Anoka County, Minnesota, to substantiate a special levy to meet increased costs due to incorporation.

NOW, THEREFORE, upon all the files, records and proceedings herein, the Municipal Commission of the State of Minnesota, having heard and considered all of the evidence adduced at said hearing, having considered the presentation and argument of counsel for the City of Ham Lake, Anoka County, Minnesota, and being duly advised in the premises, hereby makes the following: FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER:

FINDINGS OF FACT

I.

Proper notice was duly mailed and published of the public supplementary hearing to determine whether a special levy should be authorized to meet increased costs due to the incorporation of the City of Ham Lake, Anoka County, Minnesota, pursuant to Minnesota Statutes Annotated 414.01, Subd. 15.

II.

Evidence introduced by said City of Ham Lake, Anoka County, Minnesota, at said hearing substantiated that there is a need for a special levy to be authorized by the Municipal Commission of the State of Minnesota, to meet increased costs due to the incorporation

pursuant to Minnesota Statutes Annotated 414.01, Subd. 15.

III.

Said evidence of the City of Ham Lake, Anoka County, Minnesota, substantiated that the increased costs due to the incorporation are as follows:

<u>YEAR</u>	<u>RECOVERY OF INCORPORATION COSTS</u>	<u>ON-GOING COSTS</u>	<u>TOTAL SPECIAL LEVY</u>
1974/75	\$ 6,000.00	\$ 63,223.00	\$ 69,223.00
1975/76	6,000.00	67,016.00	73,016.00
1976/77	6,000.00	71,037.00	77,037.00
1977/78		75,299.00	75,299.00
1978/79		79,817.00	79,817.00
1979/80		84,606.00	84,606.00
1980/81		89,682.00	89,682.00
1981/82		95,063.00	95,063.00
1982/83		100,767.00	100,767.00
1983/84		106,813.00	106,813.00
1984/85		113,222.00	113,222.00
1985/86		120,015.00	120,015.00
1986/87		127,216.00	127,216.00
1987/88		134,849.00	134,849.00
1988/89		142,940.00	142,940.00

CONCLUSIONS OF LAW

I.

That the Municipal Commission of the State of Minnesota does hereby determine that a special levy should be authorized to meet increased costs due to the incorporation of the City of Ham Lake, Anoka County, Minnesota, pursuant to Minnesota Statutes Annotated 414.01, Subd. 15, in the years and sums as follows, and which special levy shall be in addition to and over and above any levy limits imposed or to be imposed upon the City of Ham Lake, Anoka County, Minnesota, by the laws of the State of Minnesota or otherwise as a matter of law:

<u>YEAR</u>	<u>TOTAL SPECIAL LEVY</u>
1975	\$ 69,223.00
1976	73,016.00
1977	77,037.00
1978	75,299.00

<u>YEAR</u>	<u>TOTAL SPECIAL LEVY</u>
1979	\$ 79,817.00
1980	84,606.00
1981	89,682.00
1982	95,063.00
1983	100,767.00
1984	106,813.00
1985	113,222.00
1986	120,015.00
1987	127,216.00
1988	134,849.00
1989	142,940.00

O R D E R

Upon the foregoing FINDINGS OF FACT and CONCLUSIONS OF LAW, and upon all of the testimony taken and exhibits received and upon the record herein, and the Municipal Commission of the State of Minnesota, being fully advised in the premises, pursuant to Minnesota Statutes Annotated Chapter 414, as amended:

IT IS HEREBY ORDERED: That a special levy is hereby authorized and granted to the City of Ham Lake, Anoka County, Minnesota, pursuant to Minnesota Statutes Annotated 414.01, Subd. 15, to meet increased costs due to the incorporation of Ham Lake, Anoka County, Minnesota for and to be collected in the years and sums as follows, and which special levy shall be in addition to and over and above any levy limits imposed or to be imposed upon the City of Ham Lake, Anoka County, Minnesota, by the laws of the State of Minnesota, as follows:

<u>YEAR</u>	<u>TOTAL SPECIAL LEVY</u>
1975	\$ 69,223.00
1976	73,016.00
1977	77,037.00
1978	75,299.00
1979	79,817.00
1980	84,606.00
1981	89,682.00
1982	95,063.00
1983	100,767.00
1984	106,813.00

<u>YEAR</u>	<u>TOTAL SPECIAL LEVY</u>
1985	\$ 113,222.00
1986	120,015.00
1987	127,216.00
1988	134,849.00
1989	142,940.00

Dated this 7th day of October, 1974

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

Howard L. Kaibel, Jr.
 Howard L. Kaibel, Jr.
 Executive Secretary

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STATE OF MINNESOTA
 DEPARTMENT OF STATE
 FILED

OCT 16 1974

Arlen J. Edvall
 Secretary of State