

Incorporation Fight Looms in Burnsville

A lively fight is shaping up south of the Minnesota River over the proposed incorporation of Burnsville, to be decided June 16 in an election ordered by the Minnesota Municipal Commission (MMC).

All of Burnsville Township, three sections of Eagan Township and a corner of Lebanon Township are included in the area covered by the incorporation election order.

What is described as a "protest meeting" has been called for today at Cedar Elementary School, Eagan, to register objections by local citizens to the commission's proposed merger.

The Eagan Town Board recently sought to block the election by appealing in Dakota County District Court for an injunction excluding Eagan from the incorporation.

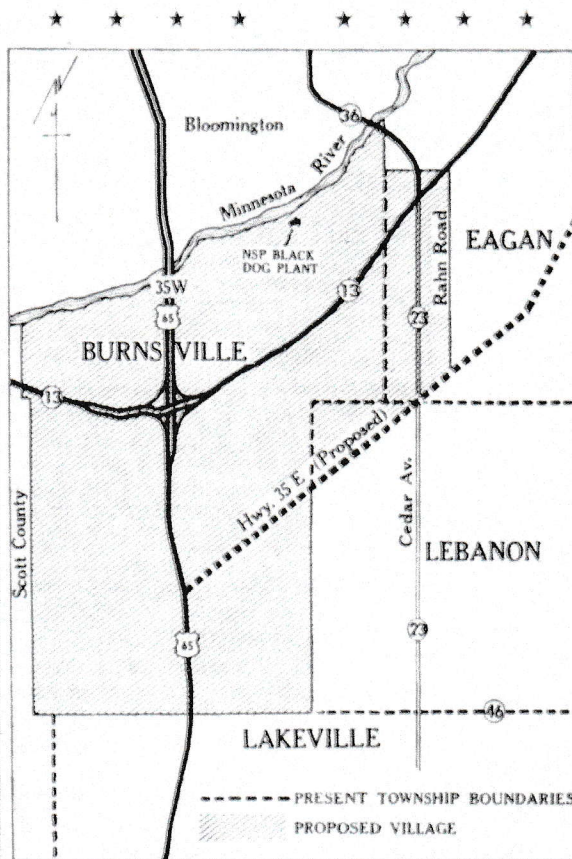
Judge Robert J. Bruenig denied the injunction, but did create a separate polling place and election judges for Eagan residents, so that they would not have to go to the Burnsville Town Hall to vote.

Still pending is a third motion by Eagan's attorney, Luther M. Stalland, for a declaratory judgment in which he asked the judge to void the MMC law and election order or to amend the order to exclude the three sections of Eagan from it.

"Eagan is faced with the same situation as when Bloomington tried to annex the (Northern States Power Co.) Black Dog plant," said Joseph J. Klein, Eagan Town Board member.

"For those who would try to justify it by saying this is an incorporation order, not an annexation order, let me remind them calling a lion a tiger does not change the nature of the beast," said Klein.

The three sections of Eagan being taken include about half its population and



PROPOSED INCORPORATION AREA

half its assessed valuation, Klein said.

"The rest of Eagan has been disenfranchised," he said, "from helping to decide the issue." Only those in the affected area of Eagan are permitted to vote on the issue.

In a "spiteful slap" at the people, said Klein, the MMC has offered Burnsville its long-awaited incorporation chance with complete disregard for the evidence presented at 14 hearings and costing nearly \$40,000.

Burnsville had asked only to incorporate along its present borders.

Both Burnsville and Eagan have a population potential of 84,000, Klein said. They have had a friendly working climate and respect for each other.

"Now MMC is again pitting neighbor against neighbor by offering one a room of the other's house," he said.

Community planners and town boards have agreed that the new four-lane Cedar Expressway should be the line between the two communities, he said, since it is located on the watershed divide between them and presents the most feasible handling of sewage and other municipal services.

The Burnsville Chamber of Commerce, which supports the incorporation, will hold a public meeting at 8 p.m. Thursday at Burnsville School to answer questions and discuss incorporation issues.

Residents of Eagan as well as Burnsville are invited to attend this meeting.