

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

December 11, 1980

Mr. C. A. Weivoda
City Administrator
City Hall
Albany, Minnesota 56307

Re: Docket Number A-3768

Ordinance Number 1980-5

City of Albany

Dear City Clerk:

The Minnesota Municipal Board has now processed and approved the above ordinance and filing fee in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation ordinance must be filed with the Township Clerk, County Auditor, Secretary of State and the Municipal Board. (Since the ordinance has already been filed with the Municipal Board, no additional copies are required.)

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy
Patricia D. Lundy
Assistant Executive Director

PDL:kj

cc: Secretary of State
County Auditor
Township
Attorney
Municipality

(REVISED 7/78)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1980
James Anderson
Secretary of State

#33133

Albany

ORDINANCE NUMBER 1980-5

AN ORDINANCE TO ANNEX TO THE CITY OF ALBANY,
STEARNS COUNTY, MINNESOTA CERTAIN UNINCORPORATED,
UNPLATTED LANDS NOT EXCEEDING 200 ACRES IN AREA
AND TOTALLY WITHIN THE INCORPORATED LIMITS OF
THE CITY

WHEREAS; a certain parcel of land, hereinafter described,
is totally within the city limits, and

WHEREAS; Chapter 414.330 Subdivision 4 of the Minnesota
State Statutes permits the city of annex any lands within its
incorporated limits by ordinance;

THEREFORE; the Council for the City of Albany, Stearns
County, Minnesota ordains:

SECTION I. The Albany City Council hereby determines
that:

- a) the annexation will be in the best interest of the
city and the land to be annexed.
- b) the territory herein described is totally within the
city limits and is urban in character.

SECTION II. Territory to be annexed.

The land being annexed lies totally within the city limits
and therefore the city limits are not extended by this annexation.

The unplatted land described as follows is hereby annexed and
included within the city as effectively as if it had been originally
a part thereof:

The territory to be annexed consists of 0.48 acres more or
less and is described as follows:

THE WESTERLY 160 FEET OF THE NORTHERLY 132 FEET
OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER
(SW $\frac{1}{4}$ SE $\frac{1}{4}$) OF SECTION 15, TOWNSHIP 125 NORTH, RANGE
31 WEST, STEARNS COUNTY, MINNESOTA.


SECTION III. Filing.

The city clerk is hereby directed to file certified copies of this ordinance with the Minnesota Secretary of State, the Minnesota Municipal Board, the Stearns County Auditor, and the Albany Town Clerk.

SECTION IV. Effective Date.

This ordinance will take effect upon its passage, publication and the filing of certified copies as provided for in Section III of this ordinance.

Passed by the Albany City Council this 5th day of November 1980.



Wallace Wedel, Mayor



CA Weivoda, City Clerk

Published in the November 18, 1980 issue of the Stearns Morrison Enterprise.

238

TOWNSHIP 125 NORTH, RANGE 31 WEST

.48 acres
W 160' of N132'
of SW 1/4 SE 1/4

CITY OF ALBANY
COUNTY OF STEARNS
STATE OF MINNESOTA

TERRITORY ANNEXED BY
THIS ACTION

160'
Josephine Silvers
132'
160'

SCHOOL

EASEMENT
BE OBTAINED

WELL &
WELL HOUSE

WELL HOUSE PROPERTY
PURCHASE UNDER
NEGOTIATION

CEM.

FIRST

157

18" STEEL
CASING

15
22

NOVEMBER 5, 1980

Pursuant to due call and notice thereof a special meeting of the Council in and for the City of Albany, Stearns County, Minnesota was called to order by Mayor Wallace Wedel at 7:30 o'clock in the evening on the 5th day of November 1980; in the councilroom for the said city.

Council members present were: Ralph Gorecki, Robley Evans, Robert Hanauer and Ervin Kuper. None were absent.

Roger Voit, chief of election judges, appeared before the council to forward the results of the November 4, 1980 local election. Mr. Voit advised that 840 votes were cast in the general election. For the local election 761 votes were cast for Wallace Wedel for Mayor; 659 for Ralph Gorecki for council member and 652 for Ervin Kuper for council member: whereupon, a motion was made by Robley Evans and seconded by Robert Hanauer to certify the election results. All voted for the motion and it carried.

A motion was made by Robert Hanauer and seconded by Ervin Kuper to ratify the purchase of the used Minnesota Department of Transportation dump truck from Boyer Ford in the amount of \$7,175.00. All voted for the motion and it carried.

The council took note of a price quote from Eiyneck Plumbing & Heating for the heating system for the warming house in the Lion's Park. The Council also noted a report by the chairman of the Park Board that the said bid was the only one available. After due consideration a motion was made by Ralph Gorecki and seconded by Robley Evans to accept the price bid from Eiyneck Plumbing to install and 82,000 btu hot air natural gas furnace in the warming house for a total price of \$849.95. All voted for the motion and it carried.

A motion was made by Ralph Gorecki and seconded by Ervin Kuper to renew the bingo license for the Father Piwz Council of the Knights of Columbus for one year. All voted for the motion and it carried.

The Council noted that the voters in Stearns County voted not to adopt the enforcement of the State Building Code; whereupon, a motion was made by Robert Hanauer and seconded by Robley Evans to repeal City Ordinance Number 1978-1 adopting the State Building Code pursuant to Chapter 287 Section 2 of the Laws of Minnesota 1979 Session. All voted for the motion and it carried.

Council member Ervin Kuper introduced the following resolution and moved for its adoption:

WHEREAS, the Minnesota Government Data Practices Act, Minnesota Statutes 15.1661 to 15.1699 as amended, requires the city to appoint a Responsible Authority to administer the requirements for collection, storage, use, and dissemination of data on individuals, government data, and summary data within this city and,

WHEREAS, the city council is concerned with the responsible use of city data and wishes to satisfy this concern by appointing an administratively qualified Responsible Authority as required under the Act and assigning duties to that individual;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALBANY, STEARNS COUNTY, MINNESOTA:

1. The city council of Albany, Stearns County, Minnesota appoints Clyde A. Weivoda as the Responsible Authority for the purposes of meeting all of the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes 15.1611 through 15.1699 as amended.

2. The Responsible Authority may designate a city employee or employees to assist in the administration and the enforcement of the duties of the Responsible Authority and to be in charge of individual files or systems containing government data and to receive and comply with requests for government data. If the responsible Authority appoints a designee or designees, the appointment must be in writing, and the city council shall be provided with a copy of the appointment. If designees are appointed, the Responsible Authority shall instruct them in the requirements of administering and enforcing the Minnesota Data Practices Act.

3. The duties of the Responsible Authority and designees are as follows:

a. The Responsible Authority shall prepare a public document containing his name, title, and address, and a description of each type or record, file, or process relating to private or confidential data on individuals retained by the city. In addition, the public document shall contain the of the data subject pursuant to the Minnesota Government Data Practices Act and the specific procedures in effect in the city for access by the data subjects to public or private data on individuals. Forms used to collect private data and confidential data shall be included in this document. The Responsible Authority shall update the public document annually and make any changes necessary to maintain its accuracy.

b. The Responsible Authority shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use by the public. Photographic, photostatic, microphotographic, or microfilmed records shall be considered as accessible for convenient use regardless of the size of these records.

c. The Responsible Authority shall establish procedures to insure that requests for government data are received and complied with in an appropriate and prompt manner.

d. The Responsible Authority shall establish procedures to assure that all data on individuals is accurate, complete, and current for the purposes for which it was collected; and establish appropriate security safeguards for all records containing data on individuals.

e. The Responsible Authority or designee shall, upon requests, by any person, permit that person to inspect and copy government data during the normal business hours of the city and at places provided by the Responsible Authority, and if the person requests, that person shall be informed of the data's meaning. The Responsible Authority or designee shall provide copies of government data upon request. The Responsible Authority or designee shall require the requesting person to pay the actual cost of making, certifying, and compiling the copies. If the Responsible Authority or designee is not able to provide copies at the time the request is made, the Responsible Authority or designee shall supply copies as soon as reasonably possible. If the Responsible Authority or designee determines that the requested government data is classified so as to deny the requesting person access, the Responsible Authority or designee shall so inform the requesting person orally at the time of the request, and in writing as soon thereafter as possible, and shall cite the statute, temporary classification, or federal law upon which the determination is made.

f. Upon requests to the Responsible Authority or designee, any individual shall be informed whether he is subject to stored data on individuals, and whether it is classified as public, private, or confidential. Upon further request, the individual who is the subject of stored private data on individuals shall be shown the data without any charge to him and, if he desires, shall be informed of the content and meaning of that data. The Responsible Authority or designee shall provide copies of the private data upon request by the individual subject of the data, and the cost of providing copies shall be borne by the individual. The Responsible Authority or designee shall comply immediately, if possible, with any request made by an individual under this paragraph, or within five days of the date of the request, excluding Saturdays, Sundays, and legal holidays, if immediate compliance is not possible. If the Responsible Authority or designee cannot comply with the request within that time, he shall so inform the individual, and may have an additional five days within which to comply with the request excluding Saturdays, Sundays, and legal holidays.

g. If an individual contests the accuracy or completeness of public or private data concerning himself, and notifies in writing the Responsible Authority describing the nature of the disagreement, the Responsible Authority shall within 30 days correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or notify the individual that the Responsible Authority believes the data to be correct. Data which is in a dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

h. The Responsible Authority or designee shall allow another Responsible Authority or designee access to data classified as not public only when the access is authorized or required by statute or federal law. The data shall retain the same classification in the hands of the agency receiving it as it had in the agency providing it. A change in classification is permitted is required by judicial or administrative rule pertaining to the conduct of legal action or with a specific statute to the data in the possession of the providing agency.

The Responsible Authority or designee when supplying government data under this provision may require the requesting Responsible Authority to pay the actual cost of supplying the data.

i. The Responsible Authority or designee shall prepare summary data from private or confidential data on individuals upon the request of any person, provided that the request is in writing and the cost of preparing the summary data is borne by the requesting person. The Responsible Authority may delegate the power to prepare summary data to the administrative office responsible for any central repository of summary data; or to a person outside of the city if the person, in writing, sets forth his purpose and agrees not to disclose the information, and the Responsible Authority reasonably determines that the access will not compromise private or confidential data on individuals.

j. The Responsible Authority shall, when appropriate, apply to the Commissioner of Administration for the classification of data or types of data on individuals as private or confidential, or of data not on individuals as non-public or protected non-public, on a temporary basis until a proposed statute can be acted upon by the legislature.

4. This resolution implementing the Minnesota Government Data Practices Act shall remain in force until modified by the city council.

Council member Ralph Gorecki seconded the motion to adopt the foregoing resolution. Voting for the motion were: Ralph Gorecki, Robley Evans, Robert Hanauer, Ervin Kuper and Wallace Wedel. None voted against and the Mayor Wallace Wedel declared the resolution adopted this fifty day of november, 1980.

Robert Hanauer introduced the following ordinance and moved for its adoption:

ORDINANCE NUMBER 1980-5

AN ORDINANCE TO ANNEX TO THE CITY OF ALBANY, STEARNS COUNTY, MINNESOTA CERTAIN UNINCORPORATED, UNPLATTED LANDS NOT EXCEEDING 200 ACRES IN AREA AND TOTALLY WITHIN THE INCORPORATED LIMITS OF THE CITY

WHEREAS; a certain parcel of land, hereinafter described, is totally within the city limits, and (of the Minnesota State Statutes)

WHEREAS; Chapter 414 Section 414.330 Subdivision 4^v permits the city to annex any lands within its incorporated limits by ordinance;

THEREFORE; the Council for the City of Albany, Stearns County, Minnesota ordains:

SECTION I. The Albany City Council hereby determines that:

- a) the annexation will be in the best interest of the city and the land to be annexed.
- b) the territory herein described is totally within the city limits and is urban in character.

SECTION II. Territory To Be Annexed.

The land being annexed lies totally within the city limits and therefore the city limits are not extended by this annexation. The unplatted land described as follows is hereby annexed and included within the city as effectively as if it had been originally a part thereof:

The territory to be annexed consists of 0.48 acres more or less and is described as follows:

THE WESTERLY 160 FEET OF THE NORTHERLY 132 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW $\frac{1}{4}$ SE $\frac{1}{4}$) OF SECTION 15, TOWNSHIP 125 NORTH, RANGE 31 WEST, STEARNS COUNTY, MINNESOTA.

SECTION III. Filing.

The city clerk is hereby directed to file certified copies of this ordinance with the Minnesota Secretary of State, the Minnesota Municipal Board, the Stearns County Auditor and the Albany Town Clerk.

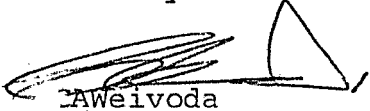
SECTION IV. Effective Date.

This ordinance will take effect upon its passage, publication and the filing of certified copies as provided for in Section III of this ordinance.

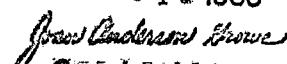
Ralph Gorecki seconded the motion to adopt Ordinance Number 1980-5. Voting for the motion were: Wallace Wedel, Ralph Gorecki, Robley Evans, Robert Hanauer, and Ervin Kuper. None voted against. The motion passed and Mayor Wedel declared the ordinance adopted.

Mayor Wedel announced that the next meeting of the council will take place at 7:30 o'clock in the evening on the 17th day of November, 1980.

Mayor Wedel adjourned the meeting at 10:45 p.m.


J. A. Weivoda
City Clerk

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 19 1980


Secretary of State

433/33
O.D.