

**NOTICE OF ALBANY  
CITY COUNCIL MEETING**

There will be a regular meeting of the City Council in and for the City of Albany, Stearns County, Minnesota at 6:30 o'clock in the evening on Wednesday, November 17, 2021, in the Council Room at 400 Railroad Avenue for the said City.

**AGENDA**

1. Convene meeting
2. Pledge of Allegiance
3. Audit Bills
4. Act on regular Council minutes of the meeting held on November 3<sup>rd</sup>
5. Open Forum/Public comment (3 to 5 minutes max.)
6. Public Hearing proposed 2022 Capital Improvements on Midland Avenue, 2<sup>nd</sup> St., 3<sup>rd</sup> St., 4<sup>th</sup> St., 5<sup>th</sup> St., adjacent Alley Improvements full street and utility reconstruction.
  - Jeremy Mathiasen, City Engineer – present project information
  - Resolution 2021-27 ordering improvement and directing preparation of plans and specifications for the 2022 Midland Avenue Capital Improvements Project
7. David Belford, Baracoa American and Mexican Restaurant, 441 Railroad Avenue – discuss building permit application process and review
8. Public Hearing on proposed assessment for unpaid Water Usage and forfeited properties that have been sold within Whispering Oaks at Two River subdivision. Recommendation to certify to Stearns County for collection in 2022
  - Tom Schneider, Clerk/Adm.
9. Jeremy Mathiasen, City Engineer – project updates
  - Present quotes received for Golf View Lift Station Improvements
10. Reports of Boards and Department Heads
  - Councilor Keith Heitzman, Albany Golf Club Liaison – present AGC check book register
  - Joseph Mergen, Public Works Supervisor
  - Ozzie Carbajal, Police Chief
  - Tom Schneider, Clerk/Adm. – present the following:
    - Resolution 2021-28 designate election polling place (400 Railroad Avenue)
11. Mayor's announcements and letters
  - Annual Performance Review (Tom Schneider, Clerk/Adm.)
12. Mayor to announce next regular Council meeting date (December 1st) and adjourn

Tom Schneider  
Clerk/Adm.

Pursuant to due call and notice thereof a regular meeting of the Council in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Tom Kasner at 6:30 o'clock in the evening on Wednesday, November 3, 2021, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Keith Heitzman, Al Amdahl, John R. Harlander, and Adam Rushmeyer. None were absent.

Other's present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, the City Engineer with the firm of Stantec, Inc., St. Cloud, MN, and Ozzie Carbajal, Police Chief, and the following high school students: Emily Spanier, Annie Bettin, Abby Thelen, Abby Kalthoff, Josie Schmitt, Alaina Pullins, Noah Kalthoff, Megan Koglin, Lizzie Merdan, Hallie Hoffarth, and Rebecca Iverson.

The council recited the Pledge of Allegiance.

The council took notice of approval of payment of bills. After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to authorize electronic payments (payroll), transfers, and the payment of the following bills: Check Numbers 71375 to 71401. All voted for the motion and it carried.

Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the council held on October 20th and hearing none declared them approved.

Open forum/public comments: none.

Dannielle Zierden, Administration/Police Assistant, appeared before the council to discuss a proposed new accounting software system named Civic Systems, to replace the current software system to include accounts payable, accounts receivable, general ledger, payroll, and utility billing. Ms. Zierden noted the current software system is outdated, poor support assistance, and has not kept up with improving operating efficiencies of the software causing reporting to be delayed. Ms. Zierden noted other cities have been contacted who operate Civic Systems software including the city's auditor and information technology (IT) personnel who maintain the city's computer system; whereby each had no concerns or objections regarding the use of the software and compatibility. Ms. Zierden informed the council the annual software support is \$7,684 and total cost is \$49,900. Mr. Schneider also noted lasterfische software will be upgraded for an additional \$3,100+/- annually. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to approve the quote received from Civic Systems, LLC, Madison, WI, in the amount of \$49,900 contingent upon the city administrator reviewing the quote and contract receive with the city attorney. All voted for the motion and it carried.

Scott Hansen, School Board member, Albany Area High School, appeared before the council to update the council on the proposed redevelopment of the former hospital/clinic at 300 3<sup>rd</sup> Avenue. Mr. Hansen noted the property is under contract with Sand Companies, Waite Park, MN, to allow ample time for the school to determine if the property and building is suitable for redevelopment for the purpose of using the building for pre-kindergarten and early childhood programs. Mr. Hansen noted space needs, site options, financing options, and expansion ideas have been discussed and analyzed for the past three years due to enrollment growth, special education programming, all day kindergarten, intervention support, low class sizes, preschool programming, flexible learning spaces, etc. Mr. Hansen noted no official final decision has been made and meetings are ongoing to determine how to proceed to meet the expectations of the students and parents of the district. Mayor Tom Kasner thanked Mr. Hansen for appearing before the council with the update on the facility challenges facing the school district.

Mr. Mathiasen appeared before the council to update the council on the Golf View Drive Lift Station Improvements, 2021 Capital Improvements, 2022 Capital Improvements, and 1<sup>st</sup> Street and Railroad Avenue Intersection Improvements.

Chief Carbajal informed the council Patrol Officer Carter Fish successfully completed his field training exercises and will continue to receive ongoing training from himself and other staff in the department.

Mayor Tom Kasner, Albany Area Fire Board liaison, reported the new engine will be delivered to the fire department in the next two weeks. Mr. Kasner noted the cost of the new engine is \$490,000+/-.

The council took notice of a three-year fee quote from Schlenner Wenner & Co, St. Cloud, MN, the city auditor, for years ended 2021, 2022, and 2023. Mr. Schneider noted the fees range from \$30,600 to \$32,500 or a 3% increase each year. After due discussion, a motion was made by Mayor Tom Kasner and seconded by John R. Harlander to approve the three-year fee quote from Schlenner Wenner & Co, St. Cloud, MN. All voted for the motion and it carried.

Mr. Schneider informed the council he received notice of a public hearing from Albany Township on a request by We B Farming, LLC (Thomas and Dawn Blattner), 37367 CR 10, Albany, to rezone property from an Agricultural District A-40 to R5, a total of 62.9 acres. No action was taken by the council.

The council took notice of the 2022 City Employee Personnel Policy. Mr. Schneider informed the Council minor additions and corrections were made by the City Attorney, reviewed by the department heads, and recommended approval. After due discussion, a motion was made by Al Amdahl and seconded by Adam Rushmeyer to approve the 2022 City Employee Personnel Policy. All voted for the motion and it carried.

The council took notice of a transportation contract renewal between the City and Tri-County Action Program, Inc. for the period January 1, 2022 through December 31, 2022 at a lump sum payment of \$850. Mr. Schneider informed the council the bus service is provided to residents of the community one day a week for a limited amount of time. After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to approve the payment by the City of \$850 to Tri County Action Program and to approve the said contract. All voted for the motion and it carried.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, November 17, 2021, and adjourned the meeting at 7:40 PM.

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Tom Schneider  
Clerk/Adm.

## EXHIBIT A

### NOTICE OF PUBLIC HEARING

#### City of Albany, Minnesota

<b>Date, time and place:</b>	Notice is given that the City Council of the City of Albany, Minnesota (the "City"), will meet on Wednesday, November 17, 2021, at 6:30 p.m. or as soon as thereafter at the City Hall, 400 Railroad Ave, Albany, Minnesota to consider the Improvement referred to below.
<b>General nature of the Improvement:</b>	The Midland Avenue, 2 <sup>nd</sup> Street, 3 <sup>rd</sup> Street, 4 <sup>th</sup> Street, 5 <sup>th</sup> Street, adjacent Alley Improvements will consist of a full Street and Utility reconstruction (the "Improvement").
<b>Estimated cost of the proposed Improvement:</b>	The total estimated cost of the Improvement is \$2,515,330.
<b>Area proposed to be assessed:</b>	The area proposed to be assessed consists of every lot, piece or parcel of land abutting and benefited by the Improvement.
<b>Written or oral objections:</b>	Such persons as desire to be heard with reference to the Improvement will be heard at this meeting. Written and oral objections will be considered.
<b>Materials available at hearing:</b>	A reasonable estimate of the impact of the assessment will be available at the hearing, including a reasonable estimate of the total amount to be assessed and a description of the methodology used to calculate individual assessments for affected parcels.
<b>Legal Authority:</b>	The City Council proposes to proceed under the authority granted in Minnesota Statutes, Sections 429.011 to 429.111.

Published in the Star Post November 3<sup>rd</sup>, 2021 and November 10<sup>th</sup>, 2021.



**Legend**

- Project Locations
- Lake Wobegon Regional Trail
- Right of Way
- Surface Water
- Parcels

- Notes**
1. Coordinate System: NAD 1983 UTM Zone 15N
  2. Base features: Stanlec, MNDNR, Stearns County
  3. Orthoimagery © Microsoft Bing Maps



Project Location 193605394  
 Albany, MN Prepared by DME on 2021-09-10  
 Technical Review by JBM on 2021-09-10

Client/Project  
 City of Albany  
 2022 Proposed Project Location

Figure No.  
**1**  
 Title

**Project Location Map**

RESOLUTION 2021-27  
ORDERING IMPROVEMENT AND DIRECTING PREPARATION OF  
PLANS AND SPECIFICATIONS  
2022 Capital Improvements  
(Street and Utility Reconstruction Improvements)

WHEREAS, a resolution by the City Council of the City of Albany, Minnesota (the "City"), adopted on October 20, 2021, (the "Resolution"), fixed a date for a public hearing for consideration of certain improvements consisting of street, storm sewer, sanitary sewer, water main, water services and sewer services improvements, to wit: Midland Avenue (from 1<sup>st</sup> Street to 6<sup>th</sup> Street), 2<sup>nd</sup> Street, 3<sup>rd</sup> Street, 4<sup>th</sup> Street and 5<sup>th</sup> Street (each between Railroad Avenue and Midland Avenue), and adjacent alleys, as described in and in accordance with the preliminary report prepared by Stantec Consulting Services, Inc., consulting engineers for the City; and

WHEREAS, after due notice of such hearing, given in accordance with Minnesota Statutes, Chapter 429 (the "Act"), the hearing was held thereon on November 17, 2021 at which time the City Council heard all persons desiring to be heard on the matter and fully considered the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

1. It is advisable, expedient and necessary that said Improvement be constructed, and the Improvement is hereby ordered as proposed in the Resolution.
2. Stantec Consulting Services, Inc., consulting engineering to the City is hereby directed to prepare the final plans and specifications for the Improvement.
3. The Improvement shall be known as the 2022 Capital Improvements.

Adopted by the City Council on November 17, 2021.

\_\_\_\_\_  
Tom Kasner, Mayor

\_\_\_\_\_  
Tom Schneider, Clerk/Adm.

( S E A L )

NOTICE OF PUBLIC HEARING  
ON PROPOSED ASSESSMENT FOR  
UNPAID WATER USAGE

NOTICE IS HEREBY GIVEN that the Albany City Council will hold a public hearing at 6:30 PM or as soon as thereafter on **Wednesday, November 17, 2021** in the Council Room at 400 Railroad Avenue, Albany, MN to consider and possibly adopt the proposed assessment for unpaid water usage incurred in relation to Ordinance 30. Adoption by the City Council of the proposed assessment may occur at the hearing. The proposed assessment is as follows which includes administration fees:

<u>Property:</u>	<u>Amount:</u>
510 9 <sup>th</sup> Street	\$1,263.18

Written or oral objections will be considered at the public hearing.

Such assessment is proposed to be payable in one (1) installment. You may pay the entire assessment on such property to the City of Albany on or before November 17, 2021. If not paid by this date, the amount will be certified to the Stearns County Auditor-Treasurer for collection in 2022. You may at any time thereafter pay to the Stearns County Auditor-Treasurer the entire amount of the assessment.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Sections 429.081 by serving notice of the appeal upon the Mayor or City Administrator of the City within 30 days after the adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or City Administrator.

No such appeal as to the amount of an assessment as to a specific parcel of land may be made unless the owner has either filed a signed written objection to the assessment with the City Administrator prior to hearing or has presented the written objection to the presiding officer at the hearing.

Tom Schneider  
City Administrator

Published in the Star Post this 27th day of October, 2021.

NOTICE OF PUBLIC HEARING  
ON PROPOSED ASSESSMENT FOR  
WHISPERING OAKS AT TWO RIVER  
(Forfeited properties sold-assessment)

NOTICE IS HEREBY GIVEN that the Albany City Council will hold a public hearing at **6:30 PM or as soon as possible on Wednesday, November 17, 2021**, in the Council Room at 400 Railroad Avenue, Albany, MN to consider and possibly adopt the proposed assessment for single-family residential lots, forfeited properties that have been sold, within the Whispering Oaks at Two River for costs related to the installation of utilities, streets and other municipal improvements. Adoption by the City Council of the proposed assessment may occur at the hearing.

The proposed assessment for the benefitted properties is as follows:

<u>Property Address</u>	<u>Delinquent Amount</u>	<u>Remaining Amount</u>	<u>Total</u>
115 Whispering Oaks Drive	\$6,070.80	\$9,820.64	\$15,891.44
105 Schwinghammer Drive	\$8,770.80	\$9,820.64	\$18,591.44

Written or oral objections will be considered at the hearing, but the Council may consider any objections to the amount of the proposed individual assessments at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

Such assessment is proposed to be payable in one (1) installment. You may pay the entire assessment (total) on such property to the City of Albany on or before November 17, 2021. If not paid by this date, the remaining delinquent amount shall be payable in full with general taxes for the year 2022. The remaining amount shall be payable in equal annual installments including principal and interest extending over a period of seven (7) years, with interest at the rate of 4.0% per annum, in the amount annually required to pay the principal over such period at such rate, the first of said installments to be payable with general taxes for the year 2022, collectible with such taxes during the year 2022. You may at any time thereafter pay to the Stearns County Auditor-Treasurer the entire amount of the assessment.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Sections 429.081 by serving notice of the appeal upon the Mayor or City Administrator of the City within 30 days after the adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or City Administrator.

No such appeal as to the amount of an assessment as to a specific parcel of land may be made unless the owner has either filed a signed written objection to the assessment with the City Administrator prior to hearing or has presented the written objection to the presiding officer at the hearing.

Tom Schneider  
City Administrator

Published in the Albany Enterprise this 27th of October, 2021.



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To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	November 12, 2021

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**Reference:    Engineering Update for the 11/17/21 Council Meeting**

**2021 Capital Improvement Project**

Project is on hold until the spring of 2022.

**Golfview Lift Station Improvements**

Lift station improvement bids are due back to the City on Tuesday, November 16<sup>th</sup>. We should have a bid summary and award recommendation in time for the Council meeting.

**2022 Capital Improvement Project**

The public information hearing is set for Wednesday's council meeting. We'll review the improvement presentation and take testimony from residents. We are also scheduled to meet on Monday to talk about preliminary project assessments. A resolution is included in your packet if you choose to move forward with the project final design and preparation of plans and specifications.

**1<sup>st</sup> Street/TH 238 Improvements**

We are working through MnDOT's review comments and working towards our 90% complete plan set. A meeting is also scheduled this coming week with MnDOT to discuss ADA recommendations for the project.

Feel free to contact me at any time with project related questions.

[Jeremy.mathiasen@stantec.com](mailto:Jeremy.mathiasen@stantec.com)    320.529.4366



**Project Manual For**

## **Golfview Sanitary Lift Station Improvements**

**Prepared for:**

**City of Albany, Minnesota**



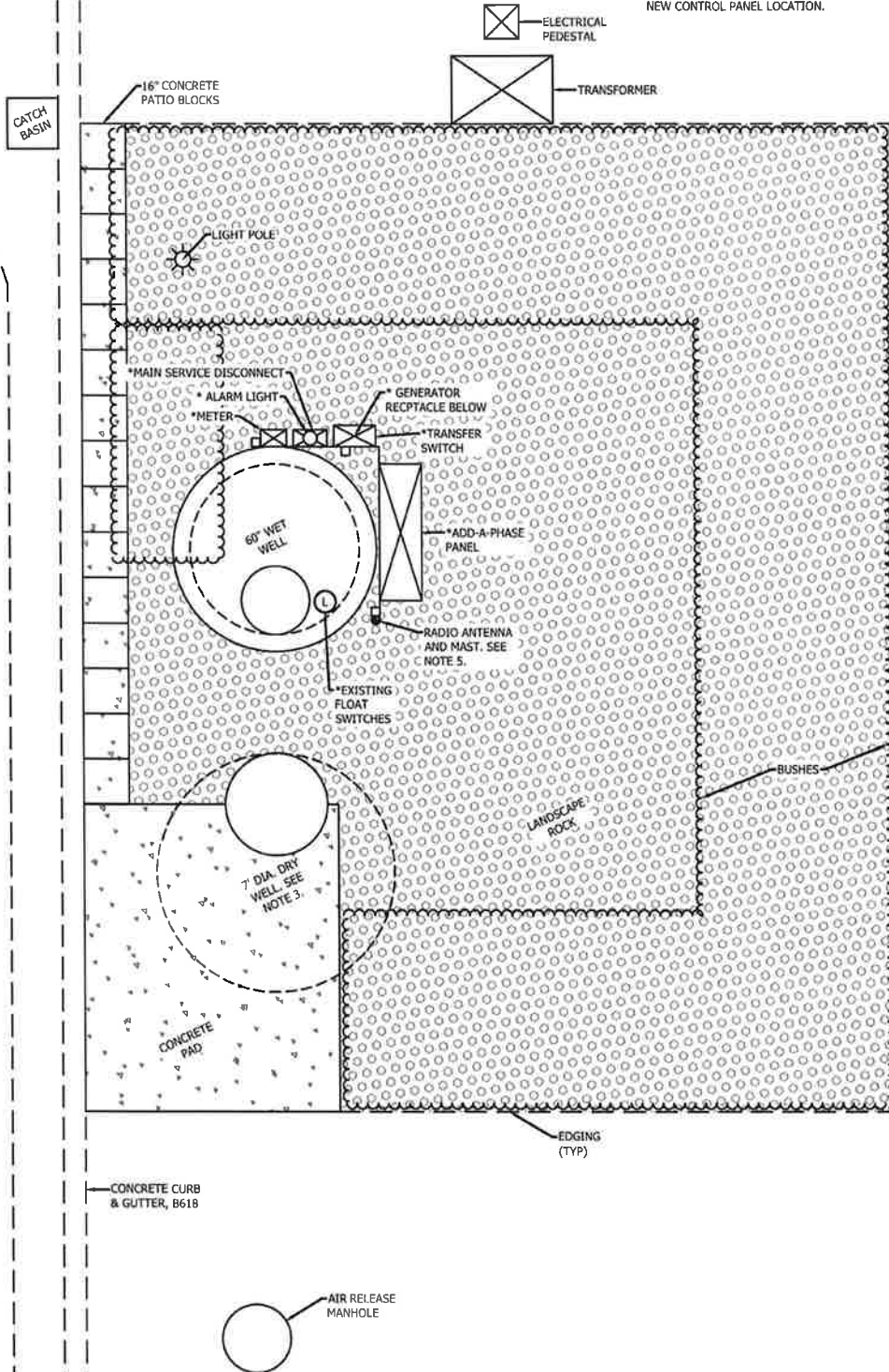
**October 2021**

**Stantec Project No. 173420038**

- NOTES:**
1. REMOVE ALL EQUIPMENT NOTED WITH AN ASTERISK (\*).
  2. REMOVE ALL ABANDONED CONDUIT, WIRE, DEVICES, AND MOUNTING HARDWARE.
  3. REMOVE EXISTING CONTROL PANEL AND TELEMETRY PANEL INSIDE THE DRY WELL. REMOVE ALL ABANDONED CONDUIT, WIRE, AND MOUNTING HARDWARE ASSOCIATED WITH THESE PANELS.
  4. BUSHES WILL REMAIN AND WILL BE TRIMMED BACK AS NEEDED BY OWNER.
  5. RELOCATE EXISTING RADIO ANTENNA AND MAST TO NEW CONTROL PANEL LOCATION.

*Golf View DR.*

BITUMINOUS STREET



EXISTING SITE PLAN AND DEMOLITION

CITY OF ALBANY, MINNESOTA  
 GOLFVIEW SANITARY LIFT STATION IMPROVEMENTS

FIGURE 1

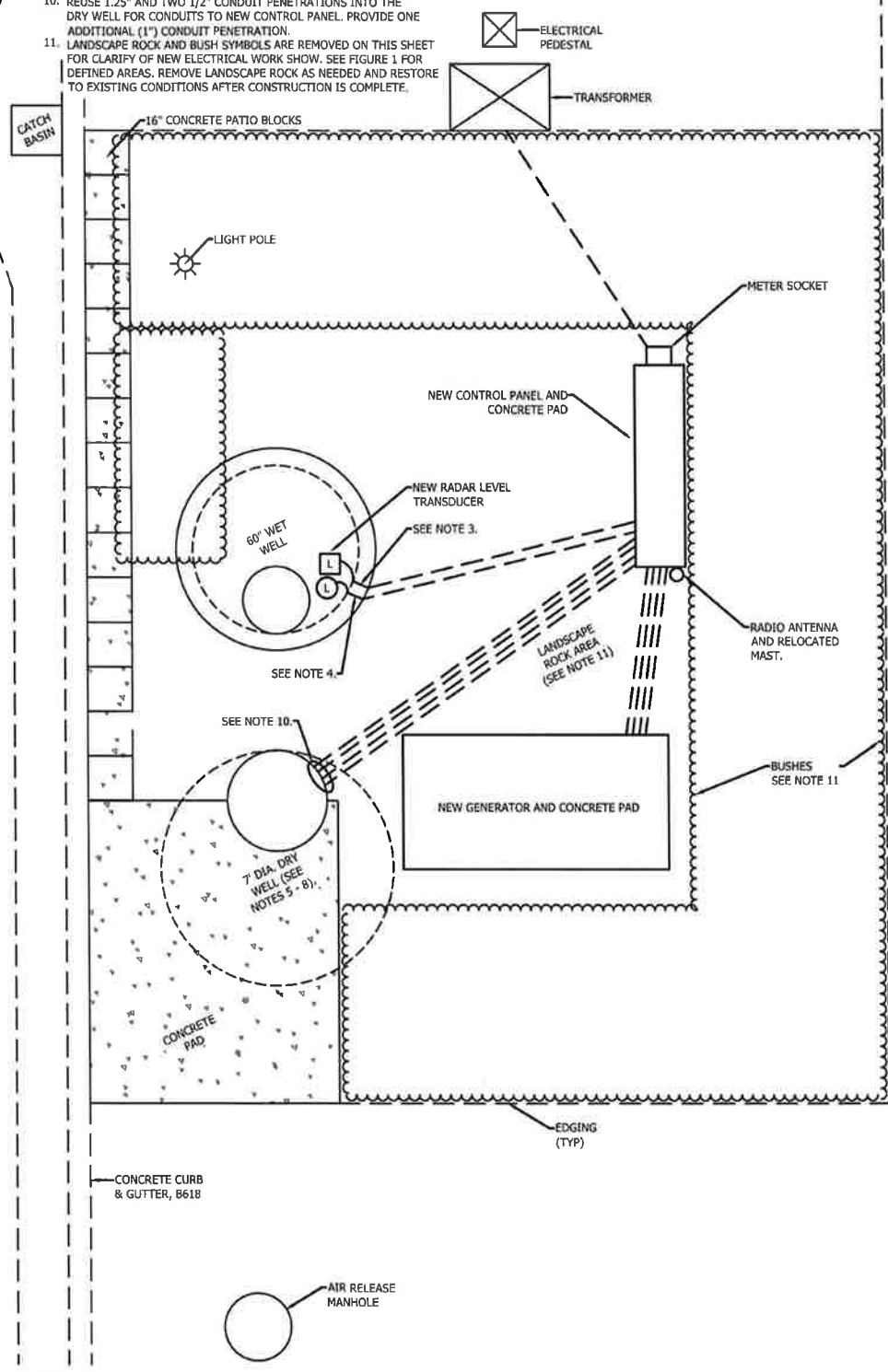


733 Marquette Avenue, Suite 1000  
 Minneapolis, MN 55402  
 www.stantec.com

**NOTES:**

1. EXACT LOCATION OF EQUIPMENT WILL BE DETERMINED DURING CONSTRUCTION.
2. SEE LINE DIAGRAM ON FIGURE 3 FOR CONDUIT AND WIRE INFORMATION.
3. CORE DRILL AND PATCH EXISTING WET WELL WALL FOR NEW CONDUIT PENETRATION
4. USE EXISTING WET WELL PENETRATION / CONDUIT FOR NEW FLOAT SWITCH WIRING. EXTEND CONDUIT TO NEW CONTROL PANEL.
5. FEED EXISTING CONTROL PANEL IN DRY WELL FROM NEW OUTDOOR CONTROL PANEL. SEE SPECIFICATION SECTION 40 95 13 FOR MODIFICATIONS TO THE EXISTING CONTROL PANEL.
6. PROVIDE NEW FLOOD ALARM FLOAT SWITCH IN THE DRY WELL NEAR THE EXISTING SUMP.
7. PROVIDE NEW REVERSE ACTING THERMOSTAT IN DRY WELL TO CONTROL THE EXISTING EXHAUST FAN. FAN SHALL RUN ON HIGH TEMP OR IF HATCH LID IS OPEN (UTILIZING EXISTING HATCH LIMIT SWITCH).
8. PROVIDE NEW VFDS (2) IN THE DRY WELL TO POWER THE TWO NEW PUMPS. ALSO PROVIDE LOAD CENTER IN DRY WELL.
9. SEE FIGURES 4 AND 5 FOR GENERATOR AND CONTROL PANEL CONCRETE PAD AND GAS PIPING DETAILS.
10. REUSE 1.25" AND TWO 1/2" CONDUIT PENETRATIONS INTO THE DRY WELL FOR CONDUITS TO NEW CONTROL PANEL. PROVIDE ONE ADDITIONAL (1") CONDUIT PENETRATION.
11. LANDSCAPE ROCK AND BUSH SYMBOLS ARE REMOVED ON THIS SHEET FOR CLARIFY OF NEW ELECTRICAL WORK SHOW. SEE FIGURE 1 FOR DEFINED AREAS. REMOVE LANDSCAPE ROCK AS NEEDED AND RESTORE TO EXISTING CONDITIONS AFTER CONSTRUCTION IS COMPLETE.

*Golfview Dr*



ILLUMINOUS STREET

**PROPOSED SITE PLAN**

CITY OF ALBANY, MINNESOTA  
 GOLFVIEW SANITARY LIFT STATION IMPROVEMENTS

FIGURE 2



P. O. Box 370  
Albany, Minnesota 56307

**RESOLUTION NO. 2021-28**

**A RESOLUTION TO DESIGNATE THE POLLING PLACE FOR 2021**

**WHEREAS**, THE CITY COUNCIL OF ALBANY, MINNESOTA, pursuant to Minnesota Statute §204B.16 POLLING PLACES; DESIGNATION, is required by December 31st of each year to designate by ordinance or resolution a polling place for each election precinct. The polling place designated in the resolution is the polling place for the following calendar year, unless a change is made.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALBANY, MINNESOTA AS FOLLOWS:

The City of Albany designates the Albany City Hall at 400 Railroad Avenue, Albany, MN, as the polling place for the 2022 Elections.

Passed by the City Council of the City of Albany this 17th day of November, 2021.

\_\_\_\_\_  
Tom Kasner, Mayor

\_\_\_\_\_  
Tom Schneider, Clerk/Adm.

( S E A L )

**204B.16 POLLING PLACES; DESIGNATION.**

Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must designate by ordinance or resolution a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made:

- (1) pursuant to section 204B.175;
- (2) because a polling place has become unavailable;
- (3) because a township designates one location for all state and federal elections and one location for all township only elections; and
- (4) pursuant to section 204B.14, subdivision 3.

(b) Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Subd. 1a. **Notice to voters.** If the location of a polling place has been changed, the governing body establishing the polling place shall send to every affected household with at least one registered voter in the precinct a nonforwardable mailed notice stating the location of the new polling place at least 25 days before the next election. The secretary of state shall prepare a sample of this notice. A notice that is returned as undeliverable must be forwarded immediately to the county auditor. This subdivision does not apply to a polling place location that is changed on election day under section 204B.175.

Subd. 2. [Repealed, 1994 c 607 s 7]

Subd. 3. **Designation effective until changed.** The designation of a polling place pursuant to this section shall remain effective until a different polling place is designated for that precinct. No designation of a new or different polling place shall become effective less than 90 days prior to an election, including school district elections or referenda, and no polling place changes may occur during the period between the state primary and the state general election, except that a new polling place may be designated to replace a polling place that has become unavailable for use.

Subd. 4. **Prohibited locations.** No polling place shall be designated in any place where intoxicating liquors or nonintoxicating malt beverages are served or in any adjoining room. No polling place shall be designated in any place in which substantial compliance with the requirements of this chapter cannot be attained.

Subd. 5. **Access by elderly and persons with disabilities.** Each polling place shall be accessible to and usable by elderly individuals and individuals with disabilities. A polling place is deemed to be accessible and usable if it complies with the standards in paragraphs (a) to (f).

(a) At least one set of doors must have a minimum width of 32 inches if the doors must be used to enter or leave the polling place.

(b) Any curb adjacent to the main entrance to a polling place must have curb cuts or temporary ramps. Where the main entrance is not the accessible entrance, any curb adjacent to the accessible entrance must also have curb cuts or temporary ramps.

(c) Where the main entrance is not the accessible entrance, a sign shall be posted at the main entrance giving directions to the accessible entrance.

(d) At least one set of stairs must have a temporary handrail and ramp if stairs must be used to enter or leave the polling place.

(e) No barrier in the polling place may impede the path of persons with disabilities to the voting booth.

(f) At least one parking space for persons with disabilities, which may be temporarily so designated by the municipality for the day of the election, must be available near the accessible entrance.

The doorway, handrails, ramps, and disabled parking provided pursuant to this subdivision must conform to the standards specified in the State Building Code for accessibility by persons with disabilities.

A governing body shall designate as polling places only those places which meet the standards prescribed in this subdivision unless no available place within a precinct is accessible or can be made accessible.

**Subd. 6. Public facilities.** Every statutory city, home rule charter city, county, town, school district, and other public agency, including the University of Minnesota and other public colleges and universities, shall make their facilities, including parking, available for the holding of city, county, school district, state, and federal elections, subject to the approval of the local election official. A charge for the use of the facilities may be imposed in an amount that does not exceed the lowest amount charged to any public or private group.

**Subd. 7. Appropriate facilities.** The facilities provided in accordance with subdivision 6 shall be sufficient in size to accommodate all election activities and the requirements of subdivision 5. The space must be separated from other activities within the building. The local election official may approve space in two connecting rooms for registration and balloting activities. Except in the event of an emergency making the approved space unusable, the public facility may not move the election from the space approved by the local election official without prior approval. In addition to the requirements of subdivision 5, the public facility must make remaining parking spaces not in use for regularly scheduled activities available for voters.

**History:** 1981 c 29 art 4 s 16; 1983 c 124 s 4; 1984 c 471 s 5; 1985 c 307 s 1; 1987 c 266 art 1 s 25; 1991 c 227 s 12,13; 1991 c 349 s 36,37; 1992 c 474 s 1; 1993 c 223 s 10; 1997 c 147 s 29,30; 2000 c 467 s 16; 2004 c 293 art 2 s 18; 2005 c 56 s 1; 2005 c 156 art 6 s 35,36; 2008 c 244 art 1 s 11; 2017 c 92 art 1 s 14; art 2 s 8; 1Sp2021 c 12 art 4 s 8