

I. CALL TO ORDER.

A regular meeting of the City Council of the City of Litchfield was held in the City Council Chambers at the City Hall on Monday, March 4, 2019, commencing at 5:30 p.m. Mayor Johnson called the meeting to order.

A. ROLL CALL:

Mayor	Keith Johnson	Present
Council Member-at-Large	Ron Dingmann	Present
Council Member Ward I	Eric Mathwig	Present
Council Member Ward II	Darlene Kotelnicki	Present
Council Member Ward III	Betty Allen	Present
Council Member Ward IV	Vern Loch, Jr.	Present
Council Member Ward V	Sara Miller	Present
City Administrator	Dave Cziok	Present
Assistant City Administrator	Joyce Spreiter	Present
Operations Coordinator	Mario Provencher	Present
Operations Engineer	Mike Geers	Present
City Attorney	Mark Wood	Present
Assistant City Engineer	Chuck DeWolf	Present
Independent Review	Cam Bonelli	Present
KLFD	Tim Bergstrom	Present

II. CONSENT AGENDA -

Each item on the Consent Agenda was considered. No items were added or deleted.

A. COUNCIL MINUTES TO APPROVE:

1. City Council Meeting – February 19, 2019
2. City Council Work Session – February 19, 2019

B. FINANCIAL REPORTS TO APPROVE: None.

C. CLAIMS TO AUTHORIZE FOR PAYMENT –

1. Computer List of Bills for \$6,883,273.27

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

1. Lawful Gambling Permit – Church of St. Philip

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-32
LAWFUL GAMBLING PERMIT FOR
AN EXEMPT ORGANIZATION CHURCH OF ST. PHILIP**

WHEREAS, an application for a lawful gambling license exemption was considered from the Church of St. Philip,

NOW, THEREFORE, BE IT RESOLVED to approve the application for an Exemption from a Lawful Gambling license for the Church of St. Philip on March 16, 2019 at Litchfield Eagles Club, 389 South CSAH 34, Litchfield, and to direct submittal of a copy of this resolution with their application to the State Gambling Control Division.

Adopted by the City Council this 4th day of March, 2019.

Resolution No. 19-3-32– Cont’d.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

G. OTHER ROUTINE MATTERS: None.

H. COMMUNICATIONS:

1. Minutes and Reports:

- a. Planning Commission – February 11, 2019
- b. Heritage Preservation Commission – February 25, 2019

After review, it was moved by Council Member Loch, seconded by Council Member Allen, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-39
APPROVING CONSENT AGENDA**

WHEREAS, the Consent Agenda has been assembled and presented, and

WHEREAS, all requests to have items removed have been duly noted,

NOW, THEREFORE, BE IT RESOLVED to approve the Consent Agenda as presented except for items, if any, which were requested to be removed for individual consideration.

Adopted by the City Council this 4th day of March, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

III. TIMED ITEMS – None.

IV. ACKNOWLEDGMENT OF AUDIENCE/PRESENTATIONS –

A. FIRE AND RESCUE ANNUAL REPORTS –

Rescue Chief Bollin provided his annual report to the Council. He discussed equipment needs and said they are working on proposals to replace the chassis on the LR3. He stated the Rescue Squad applied for a grant to purchase a LUCAS device which is a mechanical chest compression device. Bollin explained that the device provides for consistent chest compressions while in the field and during transport. Fire Chief Gilbertson provided his annual report to the Council. He said the Fire Department took delivery of the air compressor and fill station. He discussed the status of the SCBA equipment along with drills and training relating to the new equipment. Gilbertson said the budget was higher due to some repairs to vehicles. He recapped discussion from last year’s report that it was determined the SCBA tanks needed to be replaced due to the age and condition prior to replacement of the pumper truck which is next on the capital needs list. He discussed the efforts to keep the annual costs to townships level.

After review, it was moved by Mayor Johnson, seconded by Council Member Miller, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-31
APPROVE 2019 FIRE AND RESCUE SERVICE CONTRACTS**

WHEREAS, governmental units who contract with the City of Litchfield for Fire and Rescue Service met informally on February 5, 2019, with Litchfield Fire and Rescue Service personnel to consider 2018 annual reports, estimated 2019 billings (which are on file), present and future needs of the departments, and

WHEREAS, the contract holders were able to express any concerns, and

WHEREAS, 2019 Fire and Rescue Squad Contracts were distributed and are expected to be executed and returned after the townships have their annual meetings later in March,

NOW, THEREFORE, BE IT RESOLVED to approve the 2019 Fire and Rescue Service contracts and billings, and

BE IT FUTHER RESOLVED to direct the Mayor and Assistant City Administrator to sign said contracts on behalf of the City of Litchfield.

Adopted by the City Council this 4th day of March, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

V. COMMISSION RECOMMENDATIONS –

A. PLANNING COMMISSION –

- 1. Change of Zoning & Variance Requests – By Mike Braun at 715 E St. Paul St. -

Council Member Mathwig provided the findings and recommendations of the Planning Commission.

After review, it was moved by Council Member Mathwig, seconded by Council Member Loch, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-33
GRANT CHANGE OF ZONING TO MIKE BRAUN
FOR PROPERTY LOCATED AT 715 EAST ST PAUL STREET**

WHEREAS, the Planning Commission held a hearing on February 11, 2019, on a request for a change of zoning by Mike Braun from R-3, Residential District to I-1, Limited Industrial District, for property located at 715 East St Paul Street for the purpose of I-1 uses, and

WHEREAS, the Litchfield Planning Commission, upon review of their summation of the findings of facts, as follows, has recommended that this change of zoning request be granted and they referred the application to the City Council for final action, and

Resolution No. 19-3-33– Cont’d.

WHEREAS, there is a public need for additional land to be zoned as requested and this public need is best served by rezoning in this area, and

WHEREAS, granting this rezoning would conform to the presently accepted future land use plans for the City as well as present land uses, and

WHEREAS, granting this rezoning would not adversely affect property values of adjacent landowners to an unreasonable degree, and

WHEREAS, granting this rezoning would not impose other undue hardships on the adjacent landowners such as noise, lights, odors, traffic or other nuisances, and

WHEREAS, the necessary utilities are available to serve the area if the rezoning is granted, and

WHEREAS, there is not a reasonable alternative that eliminates the necessity for this rezoning, and

WHEREAS, an error or oversight in preparing the original zoning map which indicates that this zoning should have been included at that time is not applicable in this case, and

WHEREAS, this rezoning is needed by the public and not merely a convenience to the owner,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield to grant this Change of Zoning, and

BE IT FURTHER RESOLVED that this be the First Reading of Ordinance No. 794 to Amend the Zoning Ordinance 154.011 Boundaries of Official Zoning Map, Appendix B - Zoning Map, to Change the Zoning from R-3 to I-1, for the property described as follows:

That part of Lots 2, 3 and 4, Block 1, ISAACSON’S ADDITION, as of public record Meeker County, Minnesota, described as follows: Commencing at the Northwest corner of said Block 1; thence on assumed bearing of South 00 degrees 35 minutes 33 seconds East along the west line of said Block 1, a distance of 200.50 feet to the point of beginning of the tract of land herein described; thence North 89 degrees 17 minutes 38 seconds East, being parallel with the north line of East St. Paul Street, a distance of 136.99 feet; thence South 00 degrees 35 minutes 33 seconds East, parallel with said west line of Block 1, a distance of 215.59 feet to the northerly right of way line of East St. Paul Street; thence South 89 degrees 17 minutes 38 seconds West along last said line, a distance of 136.99 feet to the west line of said Block 1; thence North 00 degrees 35 minutes 33 seconds West along last said line, a distance of 215.59 feet to the point of beginning.

Adopted by the City Council this 4th day of March, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

After review, it was moved by Council Member Mathwig, seconded by Council Member Allen, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-34
GRANT VARIANCE TO MIKE BRAUN
FOR PROPERTY LOCATED AT 715 E ST PAUL ST**

WHEREAS, the Planning Commission held a hearing on February 11, 2019, on a request for a variance by Mike Braun to allow a reduction to the minimum lot size requirement in the I-1 District and to allow for a reduction in the required corner side yard setback, and

WHEREAS, the Litchfield Planning Commission, upon review of their summation of the findings of facts, as follows, has recommended that this variance be granted and they referred the application to the City Council for final action, and

WHEREAS, the variance is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan, and

WHEREAS, the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, and

WHEREAS, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and

WHEREAS, the variance will not alter the essential character of the locality, and

WHEREAS, the purpose of the request is not solely financial, and

WHEREAS, conditions have been placed on the variance request as follows:

1. All necessary permits must be obtained by the applicant.
2. Landscaping and fencing must be installed as shown on the site plan.
3. An eight (8) foot minimum concrete apron must be installed in front of each storage access point.
4. Detailed drainage calculations shall be submitted for review and approval. The calculations are required to show a net decrease in storm water (rate and volume) leaving the site after the improvements are completed compared to existing conditions. In addition, there needs to be a net decrease in phosphorus and total suspended solids leaving the site in the storm water.
5. Final construction plans for the project shall be submitted for review and approval.
6. The removal or relocation of any existing utility shall be coordinated with the appropriate utility company.

BE IT RESOLVED by the City Council of the City of Litchfield that a variance be granted to Mike Braun at 715 E St Paul St, to allow a reduction to the minimum lot size requirement in the I-1 District and to allow for a reduction in the required corner side yard setback. Property legally described as:

That part of Lots 2, 3 and 4, Block 1, ISAACSON'S ADDITION, as of public record Meeker County, Minnesota, described as follows: Commencing at the Northwest corner of said Block 1; thence on assumed bearing of South 00 degrees 35 minutes 33 seconds East along the west line of said Block 1, a distance of 200.50 feet to the point of beginning of the tract of land herein described; thence North 89 degrees 17 minutes 38 seconds East, being parallel with the north line of East St. Paul Street, a distance of 136.99 feet; thence South 00 degrees 35 minutes 33 seconds East, parallel with said west line of Block 1, a distance of 215.59 feet to the northerly right of way line of East St. Paul Street; thence South 89 degrees 17 minutes 38 seconds West along last said line, a distance of 136.99 feet to the west line of said Block 1; thence North 00 degrees 35 minutes 33 seconds West along last said line, a distance of 215.59 feet to the point of beginning.

Adopted by the City Council this 4th day of March, 2019.

Resolution No. 19-3-34– Cont’d.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

- 2. Conditional Use Request – By First District Association property bounded by South Austin Ave., Evergreen Park Blvd., West Darwin St., and South Swift Ave. –

Council Member Mathwig provided the findings and recommendations of the Planning Commission.

After review, it was moved by Council Member Mathwig, seconded by Mayor Johnson, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-35
GRANT CONDITIONAL USE PERMIT TO FIRST DISTRICT ASSOCIATION
FOR PROPERTY BOUNDED BY SOUTH AUSTIN AVE, WEST DARWIN ST,
EVERGREEN PARK BVD,
AND SOUTH SWIFT AVE
FOR CONSTRUCTION OF A PARKING LOT ON RESIDENTIALLY ZONED
PROPERTY**

WHEREAS, the Planning Commission held a hearing on February 11, 2019, for a Conditional Use Permit request by First District Association for property bounded by South Austin Ave, West Darwin St, Evergreen Park Blvd, and South Swift Ave, to allow construction of a parking lot on residentially zoned property, and

WHEREAS, the Litchfield Planning Commission has recommended that this Conditional Use Permit be granted, based upon the evidence presented on this case and the findings of facts, as follows, and be referred to the City Council for final action, and

WHEREAS, the Conditional Use Permit would conform to the conditions as outlined in the Zoning Ordinance, and

WHEREAS, the Conditional Use Permit would not have an adverse effect on the use, value or appearance, and of the uses already permitted in the area, and

WHEREAS, the Conditional Use Permit would not impede the normal and orderly development and improvement of the surrounding property, and

WHEREAS, the Conditional Use Permit would not be detrimental to the public welfare, safety, order, convenience, prosperity or general welfare of the community, and

WHEREAS, the Conditional Use Permit would have adequate utilities, access roads, drainage, parking and other facilities, and

WHEREAS, the Conditional Use Permit would not adversely affect the existing uses because of traffic generation, noise, glare, general unsightliness or other nuisance characteristics, and

WHEREAS, denying this Conditional Use Permit would not create a hardship for the use of the property,

WHEREAS, conditions have been placed upon this Conditional Use Permit as follows:

1. Trees shown on the site plan that was approved with the 2017 dryer variance must be planted along with this project. *(11 trees shown on plan along South Swift Ave. between West Ripley St. and West Darwin St., 5 exist. 7 trees shown on plan along West Ripley St. between South Swift Ave. and vacated South Miller Ave., 1 exists)*
2. Landscaping shown on current site plan must be planted as shown. Shrubs shall be of an evergreen variety and spaced to provide 100% screening of the parking lot upon planting.
3. If any of the trees or shrubs intended for screening do not thrive upon being planted, or are damaged in any way, they must be immediately replaced.
4. Parking lot lighting systems must be installed and directed away from neighboring residential properties.
5. Detailed drainage calculations shall be submitted for review and approval prior to construction.
6. All necessary permits shall be obtained by FDA.
7. Final construction plans and a Storm Water Pollution Prevention Plan (SWPPP) for the project shall be submitted for review and approval.
8. All sidewalk constructed/repaired in City right-of-way must be ADA compliant.
9. All bituminous street areas and sidewalk areas disturbed shall be replaced utilizing a pavement/sidewalk section that matches the existing street/sidewalk. Also, any curb and gutter disturbed along the street should be replaced to match the existing curb and gutter.
10. NPDES Construction Storm Water Permit shall be obtained for the project.
11. The removal of all existing utilities shall be coordinated with appropriate utility companies.
12. Removal/abandonment of existing sewer and water services within the property shall be done per City standards and coordinated with the City.
13. Water service may remain to provide for irrigation of the landscaping, subject to City Engineer approval.
14. Details on proposed crosswalk pavement markings shall be provided with construction plans.
15. Details on the proposed pedestrian signals shall be submitted for review and approval. FDA will be responsible for all operation, maintenance and replacement of the signals.
16. Any damage to adjacent streets, sidewalks and curb and gutter as a result of construction shall be corrected by FDA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Conditional Use Permit be granted to First District Association for property bounded by South Austin Ave, West Darwin St, Evergreen Park Blvd, and South Swift Ave, to allow construction of a parking lot on residentially zoned property. The legal description of this property is:

Parcel No. 27-1750000
Block A, Block B, Block C and Block D of Evergreen Park Addition to City of Litchfield.

Parcel No. 27-0846000
Lots 6 and 7, of Block 70 of Fuller's Addition to the Village of Litchfield, now City of Litchfield and Lots 3, 4, and 5 of Fullers Subdivision of Block 70, Weisel's addition to City of Litchfield.

Parcel No. 27-0010000
Beginning at a point on the East line of SW 1/4 of Section 11, Township 119, Range 31, where said line is intersected by North line of Darwin Street in Weisel's Addition to the City of Litchfield, 475 feet North and 60 feet West of the Southeast (SE) corner of said SW 1/4 of Section 11, thence due West 65 feet, thence due North 120 feet, thence due East 65 feet, thence due South 120 feet to place of beginning.

Also including:

Part of the Southeast Quarter of the Southwest Quarter (SE1/4 of the SW1/4), Section 11, Township 119, Range 31 described as follows: Beginning at a point on the East line of the SW1/4 of said Section 11, where said line is intersected by the North line of Darwin Street in Weisel's addition to the City of Litchfield, 475' North of the Southeast corner of said SW1/4 of Section 11; thence North on said line 120'; thence West 60' thence South 120'; thence East 60' to the place of beginning.

Meeker County, Minnesota

Adopted by the City Council on this 4th day of March, 2019.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

3. Variance Request – By First District Association at 101 S. Swift Ave. -

Council Member Mathwig provided the findings and recommendations of the Planning Commission.

After review, it was moved by Council Member Mathwig, seconded by Council Member Kotelnicki, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-36
GRANT VARIANCE TO FIRST DISTRICT ASSOCIATION
FOR PROPERTY LOCATED AT 101 SOUTH SWIFT AVENUE**

WHEREAS, the Planning Commission held a hearing on February 11, 2019, on a request for a variance by First District Association to allow for a reduction of 583 parking stalls to the minimum number of parking stalls required based on gross floor area of 767 stalls, and

WHEREAS, the Litchfield Planning Commission, upon review of their summation of the findings of facts, as follows, has recommended that this variance be granted and they referred the application to the City Council for final action, and

WHEREAS, the variance is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan, and

WHEREAS, the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, and

WHEREAS, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and

WHEREAS, the variance will not alter the essential character of the locality, and

WHEREAS, the purpose of the request is not solely financial, and

BE IT RESOLVED by the City Council of the City of Litchfield that a variance be granted to First District Association at 101 South Swift Avenue, to allow for a reduction to the minimum number of parking stalls required. Property legally described as:

Parcel No. 27-0849000. BLOCKS 71 &72 & 73 & 75 & LTS 1-14 & LTS 22-28 EX N20’ OF W20’ LTS 22 & 23 BLK 76 & LTS 1-3 & N2.5’ LT 4 & LTS 15-28 BLK 77 & PT VAC DARWIN & COMMERCIAL STS & PT VAC MILLER & RAMSEY AVES & PT VAC ALLEYS,
City of Litchfield, Meeker County, Minnesota

Adopted by the City Council this 4th day of March, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

B. HERITAGE PRESERVATION COMMISSION –

- 1. Certificate of Appropriateness Application – By Brooks Holmgren – 225 N Sibley Avenue –

Council Member Kotelnicki provided the findings and recommendations of the Heritage Preservation Commission.

After review, it was moved by Council Member Kotelnicki, seconded by Council Member Dingmann, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-38
GRANT CERTIFICATE OF APPROPRIATENESS
TO BROOKS HOLMGREN
FOR PROPERTY LOCATED AT 225 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Historic Preservation Commission held a hearing on Monday, February 25, 2019, to consider a Certificate of Appropriateness Application request and request for demolition of the middle and back portion of the existing structure by Brooks Holmgren, for property located at 225 North Sibley Avenue, and

WHEREAS, the Litchfield Historic Preservation Commission has recommended that this Certificate of Appropriateness Application and request for demolition be granted, based upon the summation of the checklist, as follows, and the findings under section 153.06 Findings (B) of City of Litchfield Ordinance 735, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the property to be used as it was historically or given a new use that requires minimal changes to its distinctive features, spaces, or spatial relationships, and

WHEREAS, the Certificate of Appropriateness would allow the property’s historic character to be retained and preserved, and

WHEREAS, the Certificate of Appropriateness would allow the property to be recognized as a physical record of its time, place and use, and

WHEREAS, changes to the property that have acquired historic significance in their own right will be retained and preserved, and

Resolution No. 19-3-38– Cont’d.

WHEREAS, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

WHEREAS, deteriorated historic features will not be repaired rather than replaced, and

WHEREAS, chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible, and

WHEREAS, new additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property, and

WHEREAS, new additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness and request of demolition of the middle and back portion of the existing structure be granted to Brooks Holmgren, for property located at 225 North Sibley Avenue.

Adopted by the City Council on this 4th day of March, 2019.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

2. Clock –

Council Member Kotelnicki addressed the Council concerning discussion in the community about adding a clock(s) downtown along with some discussion on fundraising. She said the HPC recommended the Council consider the request of the placement of clock(s) with conditions downtown on Sibley Avenue. She said there were 4 clocks downtown at one time. Kotelnicki explained that the clock(s) would need to resemble any of the 3 sided clocks located downtown historically. She said the HPC would prefer more than one clock. She provided the conditions which include the clock(s) would need to be privately financed, display the right time and be maintained. Conditions also include a request that wiring, conduit, and cement should be provided by the City. Lastly, the clock(s) would need to follow SHPO and MnDOT processes similar to other amenities and get the same approval. Council Member Kotelnicki recommended putting the infrastructure in for placement in the future for more than one clock. Timelines were discussed due to the current status of the proposed US Highway 12/MN State Highway 22 Reconstruction Project. It was noted that any changes at this point would require a change order. Council Members Kotelnicki and Allen declared a conflict of interest and sat in the audience.

After review, it was moved by Council Member Dingmann, seconded by Council Member Mathwig, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-40
AUTHORIZE CITY ENGINEER TO PROVIDE INFRASTRUCURE COSTS
RELATING TO CLOCK(S) PLACEMENT DOWNTOWN ON SIBLEY AVENUE**

WHEREAS, MnDOT is proposing the US Highway 12/MN State Highway 22 Reconstruction Project which includes downtown, and

Resolution No. 19-3-40– Cont’d.

WHEREAS, HPC recommends placements of clock(s) downtown with conditions for Council consideration, and

WHEREAS, one condition is that the clock(s) are to be privately financed, and

WHEREAS, another condition includes a request that wiring, conduit, and cement should be provided by the City, and

WHEREAS, the request to add infrastructure for future placement options may require a change order to the project at this time but would be more cost effective than adding at a later date, and

WHEREAS, the Council wishes to determine the costs involved prior to committing to the concept,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby authorizes the City Engineer to provide infrastructure costs estimates for the placement of clock(s) downtown on Sibley Avenue and report back to the Council the findings.

Adopted by the City Council on this 4th day of March, 2019.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye with the exception of Council Members Kotelnicki and Allen abstaining, whereupon the resolution was declared adopted.

VI. COMMITTEE REPORTS – None.

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS –

A. CEMETERY REQUEST –

Council Member Allen, representing the Cemetery Advisory Committee, addressed the Council concerning improvements needed at the cemetery. She discussed the monument being the first priority that needs addressing. She provided cost estimates to repair the stucco and for restoration of the monument. Allen also provided landscaping estimates. She explained the efforts to seek donations and as of now \$5,100 has been raised to fund said improvements. She discussed other cemetery improvements that needed addressing such as the holes throughout the cemetery. Council Member Allen said an additional \$2,000 has been raised to repair sunken graves for veterans. She also requested more trash cans for the cemetery.

Several members of the Grand Army of the Republic and the Cemetery Advisory Committee were present to address the Council concerning the cemetery. Jeanie Doran provided historical information concerning the monument and efforts of the Ladies of the Grand Army of the Republic in raising funds throughout the years to maintain the monument. Joanne Gabrielson discussed landscaping needs that she and Brenda Rick have planned for around the monument. She requested the city provide tilling of the area along with black dirt. She said she and Brenda would plant the plantings. Ms. Gabrielson estimated the planting and wood chip costs at approximately \$150. Connie Lies addressed the Council about a prior commitment of \$6,000 annually for the restoration of military graves and requested the Council continue the program.

She also discussed a previous commitment to provide small markers for charity burials, those who cannot afford burial, for permanent record that someone is buried there and to dignify the individuals.

City Administrator Cziok explained the cemetery is one of the funds that continually does not perform to where it is supposed to perform to. He provided options for the Council to consider to either continue discussions on raising the bar at this time and discuss proposed rate increases at another time or to wait and have a broader discussion at a future date. He understands raising the bar unfortunately the budget doesn't account for that now.

After review, it was moved by Mayor Johnson, seconded by Council Member Loch, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-41
APPROVE CEMETERY MONUMENT RESTORATION**

WHEREAS, Litchfield Cemetery Advisory Committee is requesting restoration of the cemetery monument, and

WHEREAS, a quote was received from Landmark Stucco, Inc. in the amount of \$5,950 for stucco repair to the monument, and

WHEREAS, a quote was received from Brodin Studios for restoration of the statute in the amount of \$1,800, and

WHEREAS, landscaping costs are estimated between \$500-\$2,500, and

WHEREAS, funds have been raised to date in the amount of \$5,100, and

WHEREAS, fundraising continues to be ongoing,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves restoration of the cemetery monument for an amount up to \$9,500 to include stucco repair, statute restoration and landscaping as stated above.

Adopted by the City Council on this 4th day of March, 2019.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

B. DISTRIBUTED GENERATION –

City Administrator Cziok explained that this is a requirement of State Statutes and in accordance with the Distributed Generation Rules adopted by the Council last year. He said this report would apply to the small solar or wind generators that would potentially be located in town noting that there are none at this point in time.

After review, it was moved by Council Member Dingmann, seconded by Council Member Mathwig, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-37
APPROVING THE CITY OF LITCHFIELD’S COGENERATION
AND SMALL POWER PRODUCTION TARIFF**

WHEREAS, the City of Litchfield’s rules and Minnesota Statutes Section 216B.164 require the utility to annually file a Cogeneration and Small Power Production Tariff with the Litchfield City Council

WHEREAS, Schedule 1 of this tariff shall provide the calculation of average retail utility energy rates, and

WHEREAS, Schedule 2 provides standard contracts to be used with qualifying facilities, and

WHEREAS, Schedule 3 provides the utility’s safety standards, required operating procedures for interconnected operations, and the functions to be performed by any control and protective apparatus, and

WHEREAS, Schedule 4 provides procedures for notifying qualifying facilities of periods when the City of Litchfield will not purchase energy or capacity, and

WHEREAS, Schedule 5 provides the estimated seasonal peak and off-peak system average incremental energy costs for the utility’s power supplier from which energy purchases are first avoided, as well as the power supplier’s net annual avoided capacity costs, and

WHEREAS, these filings shall be maintained at the City of Litchfield offices and shall be made available for public inspection during normal business hours,

NOW THEREFORE BE IT RESOLVED that the Litchfield City Council approves the following Cogeneration and Small Power Production Tariff for transactions following the date of adoption stated below.

Adopted by the City Council this 4th day of March, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

C. MNDOT –

City Administrator Cziok explained the outcome to the letter sent to MnDOT with suggested changes to the draft copy of the Cooperative Agreement reviewed by the Council previously. In reviewing the updated version of the Agreement, he said not many of the requests have been met. Expressing concern by administration, City Administrator Cziok wanted the Council to be aware that the City is required to provide the entire \$3.8 million dollars of its obligation to the project upfront, adding the City does not have a lot of recourse at that time. He explained some of that is a change in State Statute that MnDOT is working through requiring cities to pay upfront. He wants to make sure the Council expectations are being met before signing the agreement. Assistant City Engineer Chuck DeWolf outlined elements in the project including street façade, critical infrastructure and the construction process. No formal action was taken.

D. CITY WIDE CLEAN UP –

Mayor Johnson discussed scheduling the City wide clean-up event for 2019.

March 4, 2019

After review, it was moved by Council Member Allen, seconded by Council Member Miller, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-3-42
AUTHORIZE CITY WIDE CLEAN-UP EVENT FOR 2019**

WHEREAS, the City wishes to promote community beautification awareness, and

WHEREAS, a City wide clean-up event has been held for the several years and has proven to be successful,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby authorizes the City wide clean-up event to be scheduled for May 18, 2019.

Adopted by the City Council on this 4th day of March, 2019.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye, whereupon the resolution was declared adopted.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS – None.

XI. ADJOURNMENT –

The City Council meeting adjourned at 7:07 p.m. by unanimous consent.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR