

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, May 1, 2023, commencing at 5:30 p.m. Mayor Dingmann called the meeting to order.

A. ROLL CALL:

Mayor	Ron Dingmann	Present
Council Member-at-Large	Malinda Larson	Present
Council Member Ward I	Eric Mathwig	Excused
Council Member Ward II	Darlene Kotelnicki	Present
Council Member Ward III	Betty Allen	Present
Council Member Ward IV	John Carlson	Present
Council Member Ward V	Sara Miller	Excused
City Administrator	Dave Cziok	Present
Assistant City Administrator	Joyce Spreiter	Present
Operations Engineer	Mike Geers	Present
City Attorney	Mark Wood	Present
City Engineer	Chuck DeWolf	Present
Independent Review	Amy Wilde	Present
KLFD	Tim Bergstrom	Present

B. PLEDGE OF ALLEGIANCE

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 Minutes – April 17, 2023
2. Work Session – April 17, 2023

B. FINANCIAL REPORTS TO APPROVE:

1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT:

1. Computer List of Bills for \$1,130,891.76

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES: None.

G. OTHER ROUTINE MATTERS:

1. Accepting Statutory Tort Liability Limits –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-82
ACCEPTING STATUTORY TORT LIABILITY LIMITS**

WHEREAS, the City of Litchfield obtains liability coverage from the League of Minnesota Cities Insurance Trust (LMCIT), and

WHEREAS, the City of Litchfield must elect whether or not to waive the statutory tort liability limits to the extent of the coverage purchased, and

Resolution No. 23-5-82 – Cont’d.

WHEREAS, the City of Litchfield accepts liability coverage limits of \$1,500,000 from the League of Minnesota Insurance Trust (LMCIT),

NOW, THEREFORE, BE IT RESOLVED that the City of Litchfield does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

Adopted by the City Council this 1st day of May, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

2. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-86
EMPLOYMENT OFFER FOR
PART-TIME POSITIONS**

WHEREAS, the City needs employees for part-time positions; and

WHEREAS, the funds to fill these positions were approved in the 2023 Budget; and

WHEREAS, the supervisors will adjust the wage schedule for 2023 part-time employees to fill these positions, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Litchfield to offer 2023 part-time employment with the City of Litchfield, to the following:

<u>Department</u>	<u>Re-Hires</u>	<u>New Hires</u>
<u>Liquor Store</u>		Jordyn Copeland Erica Carlson
<u>Compost</u>	Dennis Kuhnau James Schmit Delos Steinhaus	
<u>Parks</u>	Jack McCann	
<u>Pro-Shop</u>	Shannon Bode	
<u>Golf Course</u>	Joe Langemo	James Kadelbach John Spreiter

Adopted by the City Council this 1st day of May, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS:

- 1. Minutes & Reports:
 - a. Heritage Preservation Commission – April 24, 2023
 - b. Housing Committee – April 25, 2023
 - c. Finance Committee – April 27, 2023

After review, it was moved by Council Member Larson, seconded by Council Member Carlson, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-87
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 1st day of May, 2023.

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. CITY WIDE CLEAN-UP PROJECT – Litchfield Lions –

Litchfield Lions Club President John Fitzgerald discussed a proposal to consider for a partnership with the City of Litchfield on the annual clean-up event. He outlined responsibilities for both the Lions Club and the City of Litchfield, a copy of which was included in the agenda and on file.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-88
AUTHORIZE CITY WIDE CLEAN-UP EVENT FOR 2023**

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; and

WHEREAS, the Litchfield Lions Club presented a proposal to administer and facilitate the annual event in the future,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby agrees to a partnership with the Litchfield Lions Club on the City wide clean-up event to be scheduled for the third Saturday in May every year; and

BE IT FURTHER RESOVLED THAT the Litchfield Lions Club will administer and facilitate the annual event,

AND BE IT FURTHER RESOVLED THAT the City of Litchfield continue to fund the event and will provide police and staff as needed.

Adopted by the City Council on this 1st day of May, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye with the exception of Council Member Carlson abstaining as a member of the Litchfield Lions, whereupon the resolution was declared adopted.

B. AED SMART MONITORING CABINETS – Litchfield Rotary –

Mark Nicholson, representing the Litchfield Rotary, and Litchfield Rotary President Colleen Erpelding were present to address the Council with a proposal for consideration on providing two additional AED Smart Monitoring Cabinets for placement in the City. Mr. Nicholson provided the details entailed.

After review, it was moved by Council Member Carlson, seconded by Council Member Larson, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-89
ACCEPTING LITCHFIELD ROTARY DONATION
OUTDOOR AED SMART MONITORED CABINETS**

WHEREAS, the City has partnered with Litchfield Rotary on several successful projects including the splash pad and canopy in Legion Memorial Park and the Prairie Park shelter and berm; and

WHEREAS, Litchfield Rotary donated an outdoor AED Smart Monitored Cabinet in Legion Memorial Park; and

WHEREAS, Litchfield Rotary wishes to donate two additional AED Smart Monitoring Cabinets to be placed at the Gilman Avenue softball fields and at South Park; and

WHEREAS, ongoing costs for the City include electric, monitoring, and batteries,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby agrees to continue a committed partnership and accepts the donation from the Litchfield Rotary Club for two AED Smart Monitored Cabinets and the installation at the Gilman Avenue softball fields and at South Park.

Adopted by the City Council on this 1st day of May, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

V. COMMISSION RECOMMENDATIONS –

A. HERITAGE PRESERVATION COMMISSION –

1. Certificate of Appropriateness Application – By OurTownStrong LLC –
109 North Sibley Ave.

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 Allen, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-83
GRANT CERTIFICATE OF APPROPRIATENESS
TO OURTOWNSTRONG LLC
FOR PROPERTY LOCATED AT 109 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, April 24, 2023, to consider a Certificate of Appropriateness Application request by OurTownStrong LLC, for property located at 109 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the restoration of exterior masonry including removal of deteriorated mortar and retuckpointing of new mortar, replacement of cracked bricks with matching bricks, acid wash of new mortar one to four weeks after installation, and repair of ornamental cornice crown and deteriorating areas of the cornice to match historic photos and historic design guidelines, 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, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

WHEREAS, deteriorated historic features will 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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to OurTownStrong LLC, for property located at 109 North Sibley Avenue on the conditions that the brick is to repointed and not tuckpointed, the mortar is to be tested for type and color, and acid wash will need to be done according to SOI guidelines and standards.

Adopted by the City Council on this 1st day of May, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

- 2. Certificate of Appropriateness Application – By OurTownStrong LLC – 113 North Sibley Ave.

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 Larson, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-84
GRANT CERTIFICATE OF APPROPRIATENESS
TO OURTOWNSTRONG LLC
FOR PROPERTY LOCATED AT 113 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, April 24, 2023, to consider a Certificate of Appropriateness Application request by OurTownStrong LLC, for property located at 113 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the removal of signboard to facilitate exterior masonry repair, restoration of exterior masonry including removal of deteriorated mortar and retuckpointing of new mortar, replacement of cracked bricks with matching bricks, acid wash of new mortar one to four weeks after installation, and repair of ornamental cornice crown and deteriorating areas of the cornice to match historic photos and historic design guidelines, 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, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

WHEREAS, deteriorated historic features will 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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to OurTownStrong LLC, for property located at 113 North Sibley Avenue on the conditions that the brick is to repointed and not tuckpointed, the mortar is to be tested for type and color, and acid wash will need to be done according to SOI guidelines and standards.

Adopted by the City Council on this 1st day of May, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

- 3. Certificate of Appropriateness Application – By American Legion Post – 222 North Sibley Ave.

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 Allen, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-85
GRANT CERTIFICATE OF APPROPRIATENESS
TO AMERICAN LEGION POST
FOR PROPERTY LOCATED AT 222 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, April 24, 2023, to consider a Certificate of Appropriateness Application request by American Legion Post, for property located at 222 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the repointing of west face of building including removal of mortar and bricks, installation of new mortar and brick to match existing type and color, and replacement of sealant around plywood window perimeter, 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, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

WHEREAS, deteriorated historic features will be repaired rather than replaced, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to American Legion Post, for property located at 222 North Sibley Avenue on the condition that the mortar on storefront and second story will need to be tested for type and color.

Adopted by the City Council on this 1st day of May, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

VI. COMMITTEE REPORTS –

A. HOUSING COMMITTEE –

Council Member Carlson explained that he isn’t on the Housing Task Force but is on the Housing Committee and provided a report on the progress of the Task Force. He shared that the Task Force developed a SWOT analysis to identify areas of focus resulting in an action plan which was included in the agenda packet for Council review. Carlson shared that everyone was in agreement that housing is just one of the many priorities facing the City, naming the LARC and infrastructure as a few. He reported that the City may need additional help to assist with the housing development process. Council Member Carlson explained that the action plan outlines the tasks and who will accomplish said tasks.

Council Member Kotelnicki shared that the Task Force is looking for City commitment and funding. Mayor Dingmann inquired about the availability of land. Council Member Kotelnicki responded that there are 70 lots to build on. City Administrator Cziok added those lots are mostly single family homes. He shared that there are some other priorities with lots not zoned to accommodate multi-housing. City Administrator Cziok responded to Council Member Allen’s inquiry that the current lots are developed with infrastructure.

Council Member Larson shared that she loved the timeline and that the Chamber and Visitor’s Bureau are involved as well in promoting the City. Council Member Dingmann inquired about the current policies in place and the developer packet. City Administrator Cziok said they are potentially outdated however updating may be a part of the process in putting together the developer packet.

Council Member Kotelnicki expressed concern about the timeline and that nothing would be done in 2024, possibly not until 2025. She discussed Small Cities Development Grants (SCDGs) available, and the process involved. She said Lisa Graphenteen could administer the program. Council Member Carlson inquired as to the cost of an SCDG to the City, in which City Administrator Cziok responded that typically the property owner has the match, and added the City has applied for said grants in the past. He shared that it is a competitive process. He expressed concern about the timing relating to the availability of local contractors with both a SCDG and a potential bonding bill for the downtown occurring at the same time.

The Council discussed assistance involving Hannah Rybak and other staff from WSB and Lisa Graphenteen. The City is expecting a proposal on additional WSB assistance.

It was moved by Council Member Larson, seconded by Council Member Carlson, to move forward with the Task Force action plan. Upon roll call vote, all members present voted aye, whereupon the motion carried.

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS –

A. HWY 12 CHANGEORDER –

City Engineer DeWolf outlined the proposed change orders from MnDOT concerning the TH12 project. He explained that MnDOT has not been willing to change their stance and plans to proceed according to the Cooperative Agreement which splits the cost 70% City and 30% State for the work along 4th Street. He reported on the current status of State Aid and that the change orders are eligible for State Aid funding.

After review, it was moved by Council Member Larson, seconded by Council Member Carlson, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-90
APPROVING MNDOT CHANGE ORDERS
TRUNK HIGHWAY 12 RECONSTRUCTION PROJECT**

WHEREAS, MnDOT initiated reconstruction of Trunk Highway 12, from 4th Street to East Commercial Drive and Depot Street to Holcombe Avenue within the City of Litchfield for roadway, drainage, and utility improvements; and

WHEREAS, there are two main change orders pertaining to the soil and ground water contamination along Fourth Street by the City garage and the removal of asbestos pipe along Fourth Street: and

WHEREAS, MnDOT is requesting approval for the change orders that will impact the cost to the City; and

WHEREAS, these change orders are State Aid eligible costs, and the City can utilize State Aid funds to cover the cost of these change orders; and

WHEREAS, the original State Aid advances for the TH 12 project will be fully repaid in 2024; and

WHEREAS, the Cooperative Agreement with MnDOT stipulates that the work along 4th Street shall be a cost split of 70% City and 30% State,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the change orders for the following items for the TH12 project:

- Soil and Ground Water Contamination – City cost: \$323,674.08
- Asbestos Pipe Removal – City cost: \$30,167.28
- Raise manhole castings and gate valves to match pavement – City cost: \$3,731.51
- Ramping bituminous until final layer of pavement was placed – City cost: \$677.08

BE IT FURTHER RESOLVED that the City utilize State Aid advances and extend the repayment into early 2026.

Adopted by the City Council on this 1st day of May, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

B. COMMERCIAL STREET STORM SEWER –

City Engineer DeWolf provided the results of the request for bids for the Commercial Street Storm Sewer project.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-5-91
ACCEPTING BIDS ON 2023 COMMERCIAL STREET AND HOLCOMBE AVENUE
DRAINAGE IMPROVEMENTS**

WHEREAS, pursuant to an advertisement for bids for the 2023 Commercial Street and Holcombe Avenue Drainage Improvements, bids were received on Tuesday, March 14, 2023, were opened and tabulated according to law and held over until Monday, May 1, 2023, and the following bids were received complying with the advertisement:

	<u>Net Bid</u>
Kuechle Underground, Inc. Kimball, MN	\$789,168.30
Duininck, Inc. Prinsburg, MN	\$835,466.03
Northdale Contruction Company, Inc. Albertville, MN	\$883,752.77
Geisliner & Sons Watkins, MN	\$884,673.50
Landwehr Construction, Inc. St. Cloud, MN	\$906,945.66
Minger Construction Co. Inc. Jordan, MN	\$949,637.38
R & R Excavating, Inc. Hutchinson, MN	\$987,614.13

AND WHEREAS, it appears that Kuechle Underground, Inc. of Kimball, MN is the lowest responsible bidder,

NOW, THEREFORE, BE IT RESOLVED by the City of Litchfield, Minnesota:

1. To give a conditional award to Kuechle Underground, Inc. of Kimball, MN conditioned on final review of the bid documents by the City’s staff, for the 2023 Commercial Street and Holcombe Avenue Drainage Improvements.
2. The Mayor and Assistant City Administrator are hereby authorized and directed to enter into a contract with Kuechle Underground, Inc. of Kimball, MN in the name of the City of Litchfield for the 2023 Commercial Street and Holcombe Avenue Drainage Improvements according to specifications on file on the office of the Assistant City Administrator.

Adopted by the City Council on this 1st day of May, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

C. LARC JOINT POWERS AGREEMENT –

City Administrator Cziok provided an explanation of the proposed Joint Powers Agreement between the City of Litchfield and Independent School District 465 which defines the responsibilities, rights, and obligations of the parties concerning the construction, improvements, operation, management, and maintenance of the Litchfield Area Recreation Center. He shared that the information provided in the agenda packet is for the Council to review and for whether or not they have any questions or concerns. He encouraged Council Members to reach out to LARC Committee Members if they had questions and concerns. No formal action was taken.

D. FUTURE WASTEWATER UPDATE –

City Administrator Cziok reported on progress made in planning for future wastewater projects. He would like to schedule an optional workshop for Council to review the latest information in detail. He shared that the Council will be asked to adopt a new SUI agreement, rate adjustments, and other authorizations. City Administrator Cziok will reach out to Council Members with dates and times for said work session. No formal action was taken.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS –

A. WORK SESSION –

1. Utility Rates –

The Council held a work session to discuss utility rates and an implementation schedule for individual rates. Minutes of the work session are on file. No formal action was taken.

XI. ADJOURNMENT –

It was moved by Council Member Allen, seconded by Council Member Larson, to adjourn the City Council meeting at 6:35 p.m. Motion Carried.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR