

**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, June 5, 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	Present
Council Member Ward II	Darlene Kotelnicki	Present
Council Member Ward III	Betty Allen	Present
Council Member Ward IV	John Carlson	Excused
Council Member Ward V	Sara Miller	Present at 5:44pm
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	Brent Schacherer	Present
KLFD	Tim Bergstrom	Present

**B. PLEDGE OF ALLEGIANCE**

**II. CONSENT AGENDA -**

Each item on the Consent Agenda was considered. Item F.2 Temporary On-Sale Liquor License was removed for further discussion. (See IX. Additional Items A.2.) No items were added or deleted.

**A. COUNCIL MINUTES TO APPROVE:**

1. City Council Minutes – May 15, 2023
2. Work Session – May 30, 2023

**B. FINANCIAL REPORTS TO APPROVE:**

1. Electronic and Wire Transfer Report

**C. CLAIMS TO AUTHORIZE FOR PAYMENT:**

1. Computer List of Bills for \$1,431,975.60

**D. OTHER PAYMENTS: None.**

**E. ORDINANCES – SECOND READINGS: None.**

**F. LICENSES:**

1. Sales on Public Property
2. Temporary On-Sale Liquor License – Litchfield Baseball Association

**G. OTHER ROUTINE MATTERS:**

1. Employment Offer –

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-99  
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>Streets</u>	Cade Marquardt	
<u>Parks</u>	Jacob Elwell Calvin Jones Jack McCann Connor Taber Wyatt Larson Dennis Jaster Jacob Dietel	Jocilyn Olson
<u>Cemetery</u>	Marshall Carlson Duane Hickler	
<u>Pro-Shop</u>	Lydia Asmus Maeve Hanson Alyssa Olson Jennifer Ball Kaity Kusler Ty Olson	
<u>Golf Course</u>	Ava Provencher	

Adopted by the City Council this 5<sup>th</sup> day of June, 2023.

Attest:

Approved:

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ASSISTANT CITY ADMINISTRATOR

\_\_\_\_\_  
MAYOR

H. COMMUNICATIONS:

1. Minutes & Reports:

- a. Heritage Preservation Commission – May 22, 2023

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-101  
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 5th day of June, 2023.

Attest:

Approved:

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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. MEEKER COUNTY HAZARD MITIGATION PLAN –**

Meeker County Emergency Management Director Stephanie Johnson provided an overview relating to the Meeker County Hazard Mitigation Plan. She explained that it is intended to lessen the effects of a potential hazard on life and/or property. She shared the planning process which includes a required plan update every 5 years with FEMA approval in order to maintain eligibility for federal mitigation act funding programs. Ms. Johnson said communities can participate with their respective county in the planning process or develop their own plan in which the City of Litchfield elected to participate with Meeker County.

Stephanie Johnson discussed other funding opportunities through FEMA. Council Member Kotelnicki inquired about funding for underground utilities in the downtown alleys in which Ms. Johnson responded that that is a possibility if funds are available and should be initiated with City Administrator Cziok if there is interest in pursuing.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-102  
ADOPTION OF THE  
MEEKER COUNTY ALL-HAZARD MITIGATION PLAN**

**WHEREAS**, the City of Meeker has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000; and

**WHEREAS**, the Act establishes a framework for the development of a multijurisdictional County Hazard Mitigation Plan; and

**WHEREAS**, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

**WHEREAS**, the Meeker County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

**WHEREAS**, the Meeker County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

**WHEREAS**, the Meeker County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Meeker County will maintain public participation and coordination; and

**WHEREAS**, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

**WHEREAS**, the Meeker County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

**WHEREAS**, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan,

**NOW, THEREFORE, BE IT RESOLVED** that the City of Litchfield supports the hazard mitigation planning effort and wishes to adopt the Meeker County All-Hazard Mitigation Plan.

Adopted by the City Council on this 5<sup>th</sup> day of June, 2023.

Approved:

Attest:

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MAYOR

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ASSISTANT CITY ADMINISTRATOR

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

**B. DEAN URDAHL –**

State Representative Dean Urdahl provided an update on the most recent legislative session. He shared that the City of Litchfield should see an increase of roughly \$240,000 in Local Government Aid. He reported that First District Association was awarded \$5M for wastewater needs, \$2.023M was awarded for downtown façade improvements for the Downtown Commercial Historic District, and an additional \$1M was awarded to the LARC.

Representative Urdahl read the law concerning the award for the Downtown Commercial Historic District. He explained that the funding provided is for restoring facades. Funding requests will be made through DEED with the process being in the development stages. Mayor Dingmann inquired as to whether or not matching funds were required in which Representative Urdahl responded that there is no matching criteria included in the bill and the City could require that as criteria if they so choose.

Council Member Kotelnicki shared that the MN Mainstreet program is interested in partnering with the City. Representative Urdahl discussed the need to work with the MN Historical Society. He clarified Council Member Mathwig’s inquiry that the funding has a 4 year timeline. Representative Urdahl added 4% administrative costs can be recovered, roughly \$80,000 for the City in processing the program. There was no formal action taken.

**C. LARC UPDATE BY ICS –**

Pat Overom from ICS provided a Facility Planning update relating to the LARC. He gave an overview of the outcomes from the May 17, 2023 and May 23, 2023 Joint Committee meetings and a brief funding update relating to the extra \$1M confirmed. He discussed the next steps in the process include finalizing and approving the JPA along with finalizing and adopting communications and decision-making process. No formal action was taken.

D. DAVE TYSK –

Dave Tysk, representing the Litchfield Opportunity Zone, Inc., addressed the Council concerning the lack of action on the City’s part concerning his pre-application for TIF (Tax Increment Financing). He shared that he is waiting for the City to honor its commitment, referring to Resolution No. 22-8-145, and hold a public hearing. He expressed concern with housing identified as an issue that nothing has moved forward and that the burden is on him with requesting TIF (PayGO) and he is taking the risk. Mr. Tysk shared a letter received from Mayor Johnson seven months ago expressing concern that there has not been any formal follow up from the City regarding the request.

City Administrator Cziok shared that he would describe differently in that housing has been at the forefront. He explained that the City needs to accept an escrow payment for Ehlers as part of the requirement of the policy. He reminded the Council that the City and the developer were at a stalemate however City Administrator Cziok understands the difficulty relating to the risk for the developer in making that escrow payment commitment. After discussions last fall including Lisa Graphenteen, Cziok shared the City and Mr. Tysk went their separate ways with not being in agreement. Since then, he said the City has assembled a team, working hard and there are positive outcomes moving forward.

Dave Tysk shared his disappointment that it is very clear what the City would do relating to action taken by the City, adding the cycle has been occurring over a four year period of time. Council Member Kotelnicki shared that there is no mechanism to reconvene the task force. Dave Tysk shared that he is not interested in meeting with any more committees. City Administrator Cziok discussed following the adopted City policy which requires an escrow.

Mayor Dingmann reminded the Council of concerns expressed relating to having one access only to the development and feels that two should be required. Council Member Kotelnicki discussed the costs involved with Ehlers concerning TIF analysis. City Administrator Cziok shared that excess escrow unused could be given back to the developer.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-103  
APPROVE TAX INCREMENT FINANCING (TIF) ANALYSIS  
FOR LITCHFIELD OPPORTUNITY ZONE, INC. DEVELOPMENT**

**WHEREAS**, Litchfield Opportunity Zone, Inc. has submitted a Tax Increment Financing (TIF) application for a housing development; and

**WHEREAS**, the City has a TIF policy which outlines the process; and

**WHEREAS**, the TIF policy requires the developer to put money in an escrow providing for an analysis relating to the funding mechanism,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby authorizes engaging with Ehlers for up to \$8,000 for completing an analysis on the TIF pre-application from Litchfield Opportunity Zone, Inc. with an escrow provided by said developer as required by TIF policy.

Adopted by the City Council on this 5<sup>th</sup> day of June, 2023.

Approved:

Attest:

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MAYOR

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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** – By Mike Corcoran – 100 N. 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 Mathwig, to adopt the following:

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-96  
DENY CERTIFICATE OF APPROPRIATENESS  
TO MICHAEL CORCORAN  
FOR PROPERTY LOCATED AT 100 NORTH SIBLEY AVENUE**

**WHEREAS**, the Litchfield Heritage Preservation Commission held a hearing on Monday, May 22, 2023, to consider a Certificate of Appropriateness Application request by Michael Corcoran, for property located at 100 North Sibley Avenue, and

**WHEREAS**, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be denied, based upon failure to uphold historic preservation guidelines, and be referred to the City Council for final action;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be denied to Michael Corcoran, for property located at 100 North Sibley Avenue, based upon failure to uphold historic preservation guidelines.

Adopted by the City Council on this 5<sup>th</sup> day of June, 2023.

Approved:

Attest:

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MAYOR

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ASSISTANT CITY ADMINISTRATOR

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

2. **Certificate of Appropriateness** – By DeAnn Rothstein – 115 N. 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 Miller, to adopt the following:

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-97  
GRANT CERTIFICATE OF APPROPRIATENESS  
TO DEANN ROTHSTEIN  
FOR PROPERTY LOCATED AT 115 NORTH SIBLEY AVENUE**

**WHEREAS**, the Litchfield Heritage Preservation Commission held a hearing on Monday, May 22, 2023, to consider a Certificate of Appropriateness Application request by DeAnn Rothstein, for property located at 115 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 testing of mortar on south and west façades for type and color, repointing mortar, replacing failed brick with identical, and doing a chemical wash with the least abrasive product, 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;

**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 DeAnn Rothstein, for property located at 115 North Sibley Avenue.

Adopted by the City Council on this 5<sup>th</sup> day of June, 2023.

Approved:

Attest:

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MAYOR

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ASSISTANT CITY ADMINISTRATOR

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

- 3. Certificate of Appropriateness – By Connor Hendrickson – 230 N. 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. 23-6-98  
GRANT CERTIFICATE OF APPROPRIATENESS  
TO CONNOR HENDRICKSON  
FOR PROPERTY LOCATED AT 230 NORTH SIBLEY AVENUE**

**WHEREAS**, the Litchfield Heritage Preservation Commission held a hearing on Monday, May 22, 2023, to consider a Certificate of Appropriateness Application request by Connor Hendrickson, for property located at 230 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 existing concrete in rear parking area and replacement with ADA compliant concrete, and replacement of exterior east door and door frame with solid metal, wood, or composite door, and painting door white, 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**, 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 be granted to Connor Hendrickson, for property located at 230 North Sibley Avenue, with the exclusion of item #3 which was added after submission.

Adopted by the City Council on this 5<sup>th</sup> day of June, 2023.

Approved:

Attest:

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MAYOR

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ASSISTANT CITY ADMINISTRATOR

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

**VI. COMMITTEE REPORTS** – None.

**VII. LEGAL CONSIDERATIONS** – None.

**VIII. BUSINESS** –

A. HOUSING & COMP PLAN WSB PROPOSAL –

City Administrator Cziok shared that the housing committee would provide a recommendation on the proposal requested from WSB for economic development services and an updated proposal for updating the comprehensive plan.

Both Council Members Mathwig and Kotelnicki shared they were comfortable moving forward with the comprehensive plan at this time.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-104  
APPROVE WSB PROPOSAL FOR SERVICES FOR  
UPDATING COMPREHENSIVE LAND USE PLAN**

**WHEREAS**, updating the comprehensive land use plan was identified as part of the housing action plan; and

**WHEREAS**, WSB submitted a proposal for updating the comprehensive land use plan; and

**WHEREAS**, the Housing Committee recommends moving forward with updating the comprehensive land use plan,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves the WSB proposal for services in the amount of \$21,398 for updating the comprehensive land use plan.

Adopted by the City Council this 5th day of June, 2023.

Approved:

Attest:

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MAYOR

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ASSISTANT CITY ADMINISTRATOR

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

**B. FOOD TRUCK ORDINANCE –**

Mayor Dingmann addressed the Council concerning interest expressed by vendors requesting to operate a mobile food truck in town. He requested Council discussion to see if there is any interest in establishing an ordinance regulating the implementation of these types of businesses. He added there are many factors to consider in an ordinance including allowed locations, licensure, fire codes, inspections, insurance, and performance standards to name a few. In addition, Mayor Dingmann said we need to consider and hear from our current brick and mortar food establishments as to how this will affect them.

Council Member Allen shared that she thinks it’s a good idea, something different, and thinks there’s interest. Council Member Kotelnicki agreed but said we need to be sensitive with the brick and mortar food establishments. It was agreed that a sale on public property license would accommodate the food sales, however the Council should allow some time for input from existing establishments and the community. No formal action was taken.

**C. RECREATIONAL MARIJUANA UPDATE –**

Mayor Dingmann shared that he has been contacted by several people inquiring about the City of Litchfield’s plan to implement the State’s new recreational marijuana legalization. He discussed developing a team of experts/task force to begin to research options to consider. With the moratorium concerning the interim ordinance relating to the sales, testing, manufacturing and distribution of THC products ending soon, the Council discussed having the City Attorney provide instructions on both THC and Marijuana regulations. City Attorney Wood reported that there will guidance from the League of MN Cities once everything is finalized at the State level relating to the legislation approved. No formal action was taken.

D. AIRPORT MAINTENANCE AND OPERATION GRANT AGREEMENT –

It was noted that the airport maintenance and operation grant contract is a routine biannual process.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-100  
AUTHORIZATION TO EXECUTE  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
AIRPORT MAINTENANCE AND OPERATION GRANT CONTRACT**

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

1. That the state of Minnesota Contract Number 1053285, “Airport Maintenance and Operation Grant Contract,” at the Litchfield Municipal Airport is accepted.
2. That the Mayor and Assistant City Administrator are authorized to execute this Contract and any amendments on behalf of the City of Litchfield.

Adopted by the City Council this 5th day of June, 2023.

Approved:

Attest:

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MAYOR

\_\_\_\_\_  
ASSISTANT CITY ADMINISTRATOR

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

**IX. ADDITIONAL ITEMS –**

A. WORK SESSION –

1. Wastewater Facility Planning –

A work session on wastewater facility planning was held prior to the Council meeting from 4:15pm to 5:07pm. Minutes of the work session are on file. No formal action was taken.

2. Temporary On-Sale Liquor License (Removed from II. Consent Agenda F.2. Temporary On-Sale Liquor License) –

City Administrator Cziok reported that the Liquor License application included in the Consent Agenda was replaced with the application provided for review at the dais prior to the Council meeting. The new on-sale liquor license application changed to one location for two days over Watercade rather than 2 locations which would count as 4 days. Cziok explained that the Litchfield Baseball Association is limited to 12 days for an on-sale liquor license. He said the Litchfield Baseball Association will be requesting a 10 day on-sale liquor license for the upcoming state baseball tournament located at Optimist Park.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 23-6-105  
APPROVING TEMPORARY ON-SALE LIQUOR LICENSE  
FOR LITCHFIELD BASEBALL ASSOCIATION**

**WHEREAS**, Council approval is required for liquor licensing; and

**WHEREAS**, the Litchfield Baseball Association has submitted an application for a 1 to 4 day temporary on-sale liquor license; and

**WHEREAS**, the application is for 2 days over Watercade at the VFW softball fields located on North Gilman Avenue,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves the application from the Litchfield Baseball Association for a temporary on-sale liquor license for July 8, 2023 and July 9, 2023 for the VFW softball fields located on North Gilman Avenue.

Adopted by the City Council this 5th day of June, 2023.

Approved:

Attest:

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MAYOR

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ASSISTANT CITY ADMINISTRATOR

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

**X. ANNOUNCEMENTS –**

**XI. ADJOURNMENT –**

It was moved by Council Member Miller, seconded by Council Member Larson, to adjourn the City Council meeting at 6:58 p.m. Motion Carried.

Approved:

Attest:

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MAYOR

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ASSISTANT CITY ADMINISTRATOR