

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 18, 2018, 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	Mike Boyle	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
Parks Foreman/Arena Manager	Chadd Benson	Present
City Attorney	Mark Wood	Present
Assistant City Engineer	Chuck DeWolf	Present
Independent Review	Amy Wilde	Present
KLFD	Jeff Woods	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 – June 4, 2018

B. FINANCIAL REPORTS TO APPROVE: None.

C. CLAIMS TO AUTHORIZE FOR PAYMENT –

- 1. Computer List of Bills for \$221,698.75

D. OTHER PAYMENTS:

- 1. Splash Pad Equipment –

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-104
AUTHORIZE PAYMENT FOR SPLASH PAD EQUIPMENT**

WHEREAS, a contract has been awarded for the above titled item, and

WHEREAS, recommendation has been made and is on file to approve this payment,

NOW, THEREFORE, BE IT RESOLVED to approve Payment No. 2 for the Splash Pad Equipment totaling \$81,940.40 as attached and on file.

Adopted by the City Council this 18th day of June, 2018.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR

- E. ORDINANCES – SECOND READINGS: None.
- F. LICENSES:
 - 1. Liquor/3.2 Percent Malt Liquor On-Sale License Renewals
- G. OTHER ROUTINE MATTERS:
 - 1. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-103
EMPLOYMENT OFFER FOR
TEMPORARY PART-TIME POSITIONS**

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

WHEREAS, the funds to fill these positions were approved in the 2018 Budget, and

WHEREAS, the supervisors will adjust the wage schedule for 2018 temporary part-time employees to fill these positions, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Litchfield to offer 2018 temporary part-time employment with the City of Litchfield, to the following:

<u>Department</u>	<u>Re-Hires</u>	<u>New Hires</u>
<i>Golf Course</i>	Kalley Spreiter	
<i>Parks</i>		Cade Marquardt Jack Ramthun
<i>Wastewater</i>	Hunter Czycalla	

Adopted by the City Council this 18th day of June, 2018.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

- H. COMMUNICATIONS TO REVIEW:
 - 1. Minutes & Reports:
 - a. Planning Commission Minutes – June 11, 2018

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-109
APPROVING CONSENT AGENDA**

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

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

Resolution No. 18-6-109 – Cont’d.

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 18th day of June, 2018.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

III. TIMED ITEMS – None.

IV. ACKNOWLEDGEMENT OF AUDIENCE/PRESENTATIONS –

A. ROTARY –

Bev Mathwig, representing the Litchfield Rotary Club, presented a check in the amount of \$150,000 to the City for their commitment towards the community splash pad. The Council commended the Litchfield Rotary Club for their efforts along with the community for their financial support.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-110
ACCEPTING SPLASH PAD DONATION FROM LITCHFIELD ROTARY CLUB**

WHEREAS, the Litchfield Rotary Club and the City of Litchfield partnered on a community splash pad, and

WHEREAS, the Litchfield Rotary Club requested the Council partner in the project by providing the initial financing along with funding up to 50% of project costs, and

WHEREAS, the Litchfield Rotary Club committed \$150,000 towards a \$300,000 project, and

WHEREAS, the Litchfield Rotary Club committed to reimburse the City over a period of 5 years with the goal to be paid back in one year,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby accepts a donation from the Litchfield Rotary Club for the total amount committed of \$150,000 for the community splash pad.

Adopted by the City Council this 18th day of June, 2018.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

B. LAKE RIPLEY IMPROVEMENT ASSOCIATION –

Dr. Dave Ross, representing the Lake Ripley Improvement Association addressed the Council concerning additional treatment needs at Lake Ripley.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-111
APPROVE ADDITIONAL CONTRIBUTION TOWARDS
LAKE RIPLEY EXOTIC WEED TREATMENT**

WHEREAS, the City believes Lake Ripley to be an asset to the community, and

WHEREAS, the City participated in the past in treatment of curly-leaf pondweed in Lake Ripley, and

WHEREAS, the Council approved an annual contribution of \$10,000 towards treatment of exotic weeds in Lake Ripley, and

WHEREAS, the treatments have been under the \$10,000 budgeted amount, and

WHEREAS, the DNR has reported an elevated level of Eurasian Water Milfoil (EWM) this year, and

WHEREAS, treatment of EWM is estimated at \$19,000, and

WHEREAS, Lake Ripley has already been treated for curly-leaf pondweed at an estimated \$10,000, and

WHEREAS, Lake Ripley Improvement Association has received a grant to assist in the treatment of curly-leaf pondweed resulting in an obligation of \$5,000 for the City in 2018, and

WHEREAS, administration recommends the City partner with Lake Ripley Improvement Association in the cost of the EWM treatment,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield approves an additional contribution to the treatment of Eurasian Water Milfoil (EWM) and agrees to partner in the cost of treatment in a 50/50 split with Lake Ripley Improvement Association in 2018 amounting to \$7,000 each, in addition to the annual \$10,000 commitment from the City.

Adopted by the City Council this 18th day of June, 2018.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

C. CONVENTION AND VISITOR BUREAU –

Judy Hulterstrom, Executive Director for the Chamber of Commerce, reviewed previous information which was provided to the Council relating to the concept of a Convention Visitor Bureau (CVB). She explained that the Chamber of Commerce wanted to initiate a CVB as part of their strategic plan which they are planning to implement in 2018-2019. She said the purpose of the CVB is to promote the city and the community through a proactive marketing

campaign to address workforce concerns, for community vitality and economic development. Hulterstrom stated the committee is requesting a mandatory 3% lodging tax to be implemented as per MN Statute 469.190 Local Lodging Tax along with a 3% lodging tax for the city campgrounds, each requiring a separate ordinance. She outlined a draft budget with revenues to include lodging and membership. Lodging fees would consist of fees collected from hotels, VRBO properties, and the local B & B. Member revenue would be from anyone wishing to be a member outside of those identified within the city as lodging facilities. She explained the expense side of the budget to include administrative costs, marketing and advertising costs, office space rent, and payroll. Council Member Dingmann, Council representative to the exploration committee, feels this is a great opportunity and an added tool for the Chamber to help promote the City of Litchfield. Upon Council inquiry, Hulterstrom reported that they have not received a response back yet from the Knights Inn on a proposed lodging fee. Council Member Boyle clarified that the lodging tax would be paid by the customer utilizing the facility.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-112
AUTHORIZE DRAFTING LOCAL LODGING TAX ORDINANCE**

WHEREAS, the Litchfield Chamber of Commerce has been exploring the concept of developing a Convention and Visitor Bureau, and

WHEREAS, a Convention Visitor Bureau (CVB) exploration committee was established to develop the concept, and

WHEREAS, the Council approved the concept and the committee provided a proposed budget for review as requested, and

WHEREAS, revenue to support a CVB includes funding through a local lodging tax, and

WHEREAS, a local lodging tax can be implemented per MN Statute 469.190 Local Lodging Tax, and

WHEREAS, a local lodging tax can be implemented within the city limits with any stay less than 30 days at a lodging facility including hotel, motel, rooming house, tourist court or resort, and

WHEREAS, a local lodging tax can also be implemented on the city campground requiring adoption of a separate ordinance, and

WHEREAS, the Convention Visitor Bureau (CVB) exploration committee is requesting a mandatory 3% lodging tax be implemented for lodging facilities to include the Lake Ripley Campground,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby directs City staff to draft an ordinance to establish a 3% Local Lodging Tax for the purpose of funding a Convention Visitor Bureau for Council consideration, and

BE IT FURTHER RESOLVED that City staff be directed to draft an ordinance for a 3% Local Lodging Tax on the Lake Ripley Campground for consideration for said purpose.

Adopted by the City Council this 18th day of June, 2018.

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 –

Council Member Boyle explained that the first 2 items for Council consideration are both similar in nature. He said they both require a Conditional Use Permit because the garages being moved in are over 10 years old and the City ordinance mandates structures over 10 years old be approved by the City before they are moved. He added that staff has reviewed the buildings and are comfortable with what is being proposed.

1. Conditional Use Request - By David Larson - 311 E 2nd St -

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-105
GRANT CONDITIONAL USE PERMIT TO DAVID LARSON
FOR PROPERTY LOCATED AT 311 E 2ND ST
TO ALLOW MOVING IN AN EXISTING GARAGE**

WHEREAS, the Planning Commission held a hearing on June 11, 2018, for a Conditional Use Permit request by David Larson for property located at 311 E 2nd St, to allow moving in an existing garage that is older than ten years old, and

WHEREAS, the Litchfield Planning Commission has recommended that this Conditional Use Permit be granted, based upon the summation of 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,

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 David Larson for property located at 311 E 2nd St to allow moving in an existing garage that is older than ten years old. The legal description of this property is:

June 18, 2018

Parcel No. 27-1204000, East 52 ½ feet of the East 105 feet of the South 110 feet of Lots 4 and 5, Block 126,
City of Litchfield, Meeker County, Minnesota
Resolution No. 18-6-105 – Cont’d.

Adopted by the City Council on this 18th day of June, 2018.

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 Efren Camacho - 501 W Darwin St -

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-106
GRANT CONDITIONAL USE PERMIT TO EFREN CAMACHO
FOR PROPERTY LOCATED AT 501 W DARWIN ST
TO ALLOW MOVING IN AN EXISTING GARAGE**

WHEREAS, the Planning Commission held a hearing on June 11, 2018, for a Conditional Use Permit request by Efren Camacho for property located at 501 W Darwin St, to allow moving in an existing garage that is older than ten years old, and

WHEREAS, the Litchfield Planning Commission has recommended that this Conditional Use Permit be granted, based upon the summation of 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, the applicant needs to complete a lot combination and have it recorded with Meeker County before this Conditional Use Permit will be valid,

Resolution No. 18-6-106 – Cont’d.

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 Efren Camacho for property located at 501 W Darwin St. to allow moving in an existing garage that is older than 10 years old. The legal description of this property is:

Parcel No. 27-2119000, Lot 1 & 2 of Hazel’s Addition to Litchfield, according to the plat thereof, as recorded and on file at the office of the County Recorder, Meeker County, Minnesota.

Adopted by the City Council on this 18th day of June, 2018

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

3. Tax Parcel Split & Lot Combination Request - By Binsfeld Tire, Inc. - 522 & 622 Johnson Drive South -

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-107
WAIVER OF TAX PARCEL
SUBDIVISION REGULATIONS
FOR BINSFELD TIRE, INC AT 622 JOHNSON DRIVE SOUTH**

WHEREAS, an application for a Waiver of Subdivision regulations regarding splitting of a tax parcel was received from Binsfeld Tire, Inc. on May 22, 2018, and

WHEREAS, the Planning Commission considered this application at their meeting on June 11, 2018, and has recommended that this application be granted and their reasons for such action have been considered by the Council,

NOW, THEREFORE, BE IT RESOLVED that this application is granted based on the following determinations:

1. Compliance with the Subdivision Regulations does create unnecessary hardship.
2. Failure to comply with the Subdivision Regulations does not interfere with the purpose of Subdivision Regulations as defined in City Code 152.002.

BE IT ALSO RESOLVED to grant a Waiver of the city of Litchfield Subdivision Regulations for Parcel No. 27-3060000 legally described as:

Lot 3, Block 1 of Eastern Development Second Addition,
City of Litchfield, Meeker County, Minnesota.

June 18, 2018

BE IT ALSO RESOLVED that this Resolution No. 18-6-107 shall be considered a Waiver of Compliance for filing or recording of the splitting of Tax Parcel No. 27-3060000 into two tax parcels of record.

Adopted by the City Council this 18th day of June, 2018.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-6-108
WAIVER OF TAX PARCEL
SUBDIVISION REGULATIONS
FOR BINSFELD TIRE INC AT 522 AND 622 JOHNSON DRIVE S**

WHEREAS, an application for a Waiver of Subdivision Regulations regarding a lot combination was received from Binsfeld Tire, Inc. on May 22, 2018, and

WHEREAS, the Planning Commission considered this application at their meeting on June 11, 2018, and has recommended that this application be granted and their reasons for such action have been considered by the Council,

NOW, THEREFORE, BE IT RESOLVED that this application is granted based on the following determinations:

1. Compliance with the Subdivision Regulations does create unnecessary hardship.
2. Failure to comply with the Subdivision Regulations does not interfere with the purpose of Subdivision Regulations as defined in City Code 152.002.

BE IT ALSO RESOLVED to grant a Waiver of the City of Litchfield Subdivision Regulations for property legally described as:

Parcel No. 27-3059000, Lot 2, Block 1, Eastern Development Second, according to the plat thereof, on file and of record in the office of the County Recorder, Meeker County, Minnesota

and

The North 20 feet of Lot 3, Block 1, Eastern Development Second, according to the plat thereof, on file and of record in the office of the County Recorder, Meeker County, Minnesota

BE IT ALSO RESOLVED that this Resolution No. 18-6-108 shall be considered a Waiver of Compliance for filing or recording of the combination of Tax Parcel No. 27-3059000 and a portion split off of Tax Parcel No. 27-3060000 into one tax parcel of record.

Adopted by the City Council this 18th day of June, 2017.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

Council Member Boyle explained that the Planning Commission would like to have City staff provide a guideline or ordinance requesting a performance bond when a building is moved into the community relating to issues in the past where the work was not completed. City Administrator Cziok responded that staff will provide a number of options for consideration at the next Planning Commission meeting.

VI. COMMITTEE REPORTS – None.

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS – None.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS –

A. JOINT CITY COUNCIL/SCHOOL BOARD MEETING –

The Council discussed the response from the school board that they would be unable to meet on June 25, 2018 and suggested a meeting in September. Concern was expressed on not moving forward with some type of aquatic facility. The Council discussed at length placing a local sales tax referendum on the 2018 general election for voter consideration for an aquatic facility or for other recreational purposes. Concern was expressed on meeting the 90 day timeline before the general election and not identifying the purpose of creating a local sales tax. Concern was also expressed that the Council committed to meet with the school board on whether or not there could be a partnership and that prior to moving forward a meeting was still warranted.

It was moved by Council Member Kotelnicki, seconded by Mayor Johnson, to direct City staff to make a presentation at the next Council meeting on a possible sales tax referendum for an aquatic facility. Upon roll call vote, all members present voted aye with the exception of Council Members Dingmann, Boyle, and Loch voting nay, whereupon the motion was declared adopted.

XI. ADJOURNMENT –

The City Council meeting adjourned at 6:47 p.m. by unanimous consent.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR