

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, July 15, 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
Parks Foreman/Arena Manager	Chadd Benson	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 – July 1, 2019
2. Work Session – July 1, 2019

B. FINANCIAL REPORTS TO APPROVE: None.

C. CLAIMS TO AUTHORIZE FOR PAYMENT –

1. Computer List of Bills for \$109,878.77

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES: None.

G. OTHER ROUTINE MATTERS:

1. Lawful Gambling Permit – Meeker County Ducks Unlimited

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-110
LAWFUL GAMBLING PERMIT FOR AN EXEMPT
ORGANIZATION DUCKS UNLIMITED, MEEKER COUNTY CHAPTER**

WHEREAS, an application for a lawful gambling license exemption was considered from the Ducks Unlimited, Meeker County Chapter,

Resolution No. 19-7-110– Cont’d.

NOW, THEREFORE, BE IT RESOLVED to approve the application for an Exemption from a Lawful Gambling license for the Ducks Unlimited, Meeker County Chapter on September 19, 2019 at Litchfield American Eagles Club, 389 CSAH 34, Litchfield, MN, 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 15th day of July, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

2. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-111
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 2019 Budget, and

WHEREAS, the supervisors will adjust the wage schedule for 2019 temporary part-time employees to fill these positions, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Litchfield to offer 2019 temporary part-time employment with the City of Litchfield, to the following:

<u>Department</u>	<u>Re-Hires</u>	<u>New Hires</u>
<i>Liquor</i>		Marie Christensen

Adopted by the City Council this 15th day of July, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

3. Sales on Public Property - Litchfield Wrestling Club

H. COMMUNICATIONS TO REVIEW :

- 1. Minutes & Reports:
 - a. Planning Commission Minutes – July 8, 2019

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

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-112
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 15th day of July, 2019.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

III. TIMED ITEMS –

**A. 5:30 P.M. PUBLIC HEARING – CONSIDER SALE OF PUBLIC PROPERTY –
712 CRESCENT LANE NORTH –**

This being the time, date and place set with all notices provided by law, Mayor Johnson opened the public hearing at 5:31 p.m. on July 15, 2019, to consider the sale of public property located at 712 Crescent Lane North.

An attendance list is on file. No written or oral comments were received.

City Administrator Cziok explained that he had distributed copies of the offer from Darren Randt to purchase the property located at 712 Crescent Lane North in the amount of \$7,500 that was discussed a few meetings prior.

Mayor Johnson closed the hearing at 5:32 p.m.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-107
FIRST READING FOR ORDINANCE NO. 795
AUTHORIZING SALE OF PUBLIC PROPERTY
712 CRESCENT LANE NORTH**

WHEREAS, the City owns and maintains a vacant piece of property at 712 Crescent Lane North, and

WHEREAS, the City received an offer from the adjacent property owner at 707 East Crescent Lane to purchase said vacant property, and

WHEREAS, the City Council held a public hearing on July 15, 2019 at City Hall, after due published and posted notice had been given, to consider the sale of public property at 712 Crescent Lane North and all interested and affected persons were given the opportunity to voice their concerns and be heard, and

WHEREAS, there were no objections received at the hearing, and

Resolution No. 19-7-107– Cont’d.

WHEREAS, the property located at 707 East Crescent Lane is the only property abutting up to 712 Crescent Lane North with Crescent Lane abutting the remainder of the property, and

WHEREAS, the property does not provide any current or future value to the City due to its location,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the First Reading of Ordinance No. 795 Authorizing Sale of Public Property to Darren and Jessica Randt, in the amount of \$7,500.00, legally described as:

Parcel No. 27-1890000

Lot 1, Block 2, Crescent Park, City of Litchfield, Minnesota, except therefrom the southwesterly portion of said lot described as follows:

Starting at the Northwest corner of said lot; thence northeasterly along the northerly line of said Lot 1, a distance of forty feet; thence southeasterly to the southeast corner of said Lot 1; thence westerly along the south line of said Lot 1; thence northerly along the west line of said Lot 1 to point of beginning.

Adopted by the City Council this 15th day of July, 2019.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

B. 5:30 P.M. PUBLIC HEARING – CONSIDER AMENDING LODGING TAX ORDINANCE –

This being the time, date and place set with all notices provided by law, Mayor Johnson opened the public hearing at 5:33 p.m. on July 15, 2019, to consider amending the Lodging Tax Ordinance.

An attendance list is on file. No written or oral comments were received. Mayor Johnson closed the hearing at 5:34 p.m.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-108
FIRST READING FOR ORDINANCE NO. 796
AMENDING ORDINANCE NO. 792
CODIFIED ORDINANCES TITLE XI: BUSINESS REGULATIONS,
CHAPTER 116: LODGING TAX, SECTION 116.38: DISPOSITION OF PROCEEDS**

WHEREAS, the City of Litchfield adopted Ordinance No. 792, a lodging tax ordinance, and

WHEREAS, it was determined that the Litchfield Area Chamber of Commerce should be a separate entity from the Litchfield Visitors Bureau, and

WHEREAS, the changes require amendment to Ordinance No. 792, and

Resolution No. 19-7-108– Cont’d.

WHEREAS, the City Council held a public hearing on July 15, 2019 at City Hall, after due published and posted notice had been given, to consider amending Ordinance No. 792 and all interested and affected persons were given the opportunity to voice their concerns and be heard, and

WHEREAS, there were no objections received at the hearing,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the First Reading of Ordinance No. 796, Amending Ordinance No. 792; Codified Ordinances Title XI: Business Regulations, Chapter 116: Lodging Tax, Section 116.38: Disposition of Proceeds.

Adopted by the City Council this 15th day of July, 2019.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

IV. ACKNOWLEDGEMENT OF AUDIENCE/PRESENTATIONS – None.

V. COMMISSION RECOMMENDATIONS –

A. PLANNING COMMISSION –

1. Zoning Ordinance Amendments – Set Public Hearing –

Council Member Mathwig outlined areas of the zoning ordinance that were recommended to be amended by the Planning Commission. Council Member Kotelnicki inquired as to whether or not the requirements concerning outdoor pool barriers had changed. City Administrator Cziok commented that staff would provide clarification when the Council holds the public hearing. Mathwig provided clarification for Council Member Dingmann that a 6’ fence height is allowed up to the front yard setback and then down to 3’ at the front property line.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-109
CALL FOR PUBLIC HEARING TO CONSIDER
AN ORDINANCE AMENDING PART OF THE CITY CODE,
TITLE XV: LAND USAGE, CHAPTER 154: ZONING ORDINANCE,
SECTION 154.124: FENCES, HEDGES, WALLS AND OBSTRUCTIONS,
SECTION 154.270: MINIMUM REQUIREMENTS, SECTION 154.281: HEIGHT**

WHEREAS, from time to time staff determines that amendments are needed to the Zoning Ordinance, and

WHEREAS, the Planning Commission held a public hearing on July 8, 2019 to consider amendments to the Zoning Code as directed by the City Council, and

WHEREAS, the Planning Commission recommended that the City Council consider amending the Zoning Code,
Resolution No. 19-7-109– Cont’d.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby sets a public hearing to be held at City Hall on August 19, 2019, at approximately 5:30 p.m. to consider amending part of the City Code Title XV: Land Usage, Chapter 154: Zoning Ordinance, Section 154.124: Fences, Hedges, Walls and Obstructions, Section 154.270: Minimum Requirements and Section 154.281: Height, and

BE IT FURTHER RESOLVED that proper notice thereof shall be published and posted.

Adopted by the City Council on this 15th day of July, 2019.

Approved:

Attest:

MAYOR

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. **POSITION VACATIONS** –

City Administrator Cziok explained the following action is a result of a grievance that was filed by a City employee of one of the City’s bargaining units. He said that about 10-12 years ago the City began combining with the Public Utilities organization. He said it has functioned extremely well and allows the City to be much more efficient with the City’s resources within the community. However, Cziok explained what hasn’t changed is that the City continues to hold two separate contracts and while the City has a long history of utilizing employees wherever necessary on a daily basis, the City did see a grievance in January of employees doing the work outside of their contract and in the other contract. He said that in the last couple months the City has been working to find a resolution and the resolution being proposed at tonight’s meeting is a recommendation from the union themselves on the action to take to resolve the grievance. City Administrator Cziok explained the resolutions necessary to vacate two positions in one contract and add two positions to the other contract. He said the City will not see a change in the number of employees, however, as a result of this change the employees will see a wage adjustment not to their benefit. He explained the action needed by the Council to move forward. Cziok recommended vacating two engineering aid positions in one bargaining unit contract and authorizing posting two wastewater operator positions internally in the other bargaining unit contract. He said the Council will be able to fill those positions at the next Council meeting so the employees don’t see any lost time. He added that it allows the City to consider any other options presented by the union before those position vacations become effective. Council Member Kotelnicki inquired as to whether or not the Personnel Committee met on this topic and if that was their recommendation too. Council Member Dingmann responded that they were negotiating and were trying to keep this issue out of it.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-113
VACATING TWO ENGINEERING AID POSITIONS**

WHEREAS, the City and Public Utilities organizations combined 10-12 years ago, and

WHEREAS, the City of Litchfield currently has two public works bargaining unit contracts, and

WHEREAS, the combined organization has become efficient and has a history of crossing bargaining units in order to accomplish what is in the best interest of the community, and

WHEREAS, a grievance was filed in January concerning employees of one bargaining unit doing work under the other bargaining unit, and

WHEREAS, the union provided options to resolve the grievance which includes vacating positions in one bargaining union contract and adding to the other, and

WHEREAS, the employee workforce number remains unchanged,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby vacates two engineering aid positions effective 8/07/19 under the Litchfield Public Utilities – International Union of Operating Engineers, Local No. 70 contract .

Adopted by the City Council on this 15th day of July, 2019.

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 Miller, seconded by Council Member Allen, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 19-7-114
AUTHORIZE POSTING WASTEWATER POSITION OPENINGS**

WHEREAS, a grievance was filed in January concerning employees of one bargaining unit doing work under the other bargaining unit, and

WHEREAS, the union provided options to resolve the grievance which includes vacating positions in one bargaining union contract and adding to the other, and

WHEREAS, the employee work force number remains unchanged, and

WHEREAS, the City vacated two engineering positions under the Litchfield Public Utilities-International Union of Operating Engineers, Local No. 70 contract,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby authorizes posting two wastewater operator position openings internally within the City of Litchfield effective immediately.

Adopted by the City Council on this 15th day of July, 2019.

Resolution No. 19-7-114– Cont’d.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

B. FUTURE WORK SESSIONS –

City Administrator Cziok reported on the meeting with School District officials concerning the sharing of concepts. He reviewed where the School sits and their future actions in that they are finalizing their referendum questions and what is going to be included in those questions. Cziok said that the School is looking at possibly one operating referendum, and if not one, possibly two capital building project referendums. He reported that the results were favorable in that the City’s package being explored for submittal to the State of Minnesota Bonding Committee is complimentary to the School’s concept. He spoke about discussions at the last Council work session concerning the absence of aquatics from the City’s package. City Administrator Cziok said he was happy to report that the School was willing to tackle some of those aquatic needs. He feels that the City and School are on the same page and communicating well. He reported meeting with Representative Dean Urdahl and his recommendations on how the City’s package 2 might be framed slightly different in order to submit for consideration. Cziok discussed holding future work sessions to further define the concept to be presented to the State Bonding Committee. Council Member Miller said she had a couple School Board Members reach out to her about meeting and having discussions together and questioned if the City was planning on getting together. City Administrator Cziok responded that there are timeline constraints however maybe the School schedules a date to present to the Council on what they are trying to accomplish. He explained that the School and City are moving parallel adding that community support is needed for both of these efforts. Cziok said in the event that the School referendum, the City’s bond request, and sales tax referendum are successful there will need to be group discussions on the facilities in an effort to create efficiencies. City Administrator Cziok recommended holding additional work sessions to prepare for the Bonding Committee visit and scheduled a work session following the August 5, 2019 Council meeting. No formal action was taken.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS – None.

XI. ADJOURNMENT –

The City Council meeting adjourned at 6:09 p.m. by unanimous consent.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR