

**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 Monday, July 18, 2022, 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	John Carlson	Present
Council Member Ward V	Sara Miller	Present
City Administrator	Dave Cziok	Present
Assistant City Administrator	Joyce Spreiter	Present
Operations Engineer	Mike Geers	Present
Assistant City Attorney	Rebecca Rue	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 Meeting – July 5, 2022

**B. FINANCIAL REPORTS TO APPROVE:**

- 1. Electronic and Wire Transfer Report

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

- 1. Computer List of Bills for \$257,936.95

**D. OTHER PAYMENTS: None.**

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

**F. LICENSES:**

- 1. Lawful Gambling Permit
  - a. St. Philips Church

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-129  
LAWFUL OFF-SITE GAMBLING PERMIT FOR  
CHURCH OF ST. PHILIP**

**WHEREAS**, an application for a lawful off-site gambling license was considered from the Church of St. Philip,

Resolution No. 22-7-129– Cont’d.

**NOW, THEREFORE, BE IT RESOLVED** to approve the application for a lawful off-site gambling license for the Church of St. Philip on September 11, 2022 at Church of St. Philip, 821 E 5<sup>th</sup> St., 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 18th day of July, 2022.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

G. OTHER ROUTINE MATTERS:

- 1. Noise Ordinance Variance Request –

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-131  
APPROVE NOISE ORDINANCE VARIANCE REQUEST  
SONGS OF SUMMER FESTIVAL**

**WHEREAS**, Eric Mathwig, Songs of Summer board member submitted a noise ordinance variance for August 19, 2022 from 5pm to 11:00pm; and

**WHEREAS**, the request involves community functions,

**NOW, THEREFORE, BE IT RESOLVED** that City Council hereby approves the Noise Ordinance Variance request from Songs of Summer Festival for August 19, 2022 from 5pm to 11:00pm.

Adopted by the City Council this 18th day of July, 2022.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

- 2. Body Worn Camera Biennial Audit

H. COMMUNICATIONS TO REVIEW :

- 1. Minutes & Reports:
  - a. Planning Commission Minutes – July 11, 2022

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-133  
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 18th day of July, 2022.

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. ACKNOWLEDGEMENT OF AUDIENCE/PRESENTATIONS –**

**A. WASTEWATER UPDATE –**

Paul Saffert, Principal Environmental Engineer, provided an update on the wastewater treatment facility planning process. He discussed the efforts in continuing to seek funds in order to decrease the financial burden. He shared that a Point Source Implementation Grant (PSIG) may be available concerning phosphorus. Saffert recommended the City submit an application to the Minnesota Public Facility Authority. He explained the methodology being undertaken concerning the rate structure and agreements with Significant Industrial Users (SIUs) and shared the proposed timeline.

Council Member Allen inquired about construction costs increasing with the project not being completed until 2027. Paul Saffert explained that the project will be bid with construction scheduled to begin in 2023 and anticipated to be complete in 2027. Upon inquiry from Council Member Kotelnicki, Saffert explained that FDA engineers findings indicate similar conclusions as the City’s Facility Plan. Council Member Carlson inquired about the possibility of pretreatment at FDA. Saffert explained that the solution appears to be at the wastewater treatment facility, adding FDA engineers vetted pretreatment on site at FDA. In response to Council Member Kotelnicki’s inquiry about pretreatment at FDA, Saffert said FDA would have that option.

City Administrator Cziok said the City focus is on finance and evaluating what the financial impacts are whereas the industries can make decisions with the information. Council Member Dingmann questioned what amount the City could apply for relating to the Point Source Implementation Grant (PSIG). Paul Saffert responded that the City would be applying for the maximum amount available for the portion of the project that is funding eligible.

Council Member Kotelnicki asked for Bob Huffman, CEO of FDA, to address the Council. It was moved by Council Member Kotelnicki, seconded by Council Member Allen, to allow Mr. Huffman to address the Council. Upon roll call vote, all members present voted aye, whereupon the motion carried. Mr. Huffman shared that FDA engineers have been working tandem with the City engineers. He reported they have been looking at options but are at a standstill dependent upon City costs. He said FDA could pretreat at their facility and continue to look at incentives available particularly with going green.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-134**

**RESOLUTION AUTHORIZING THE CITY OF LITCHFIELD TO SUBMIT A POINT SOURCE IMPLEMENTATION GRANT (PSIG) APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (PFA) AND TO AUTHORIZE CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE CITY OF LITCHFIELD, MINNESOTA, FOR THE WASTEWATER TREATMENT FACILITY (WWTF) IMPROVEMENT PROJECT.**

**WHEREAS**, the Point Source Implementation Program, established in Minnesota Statutes 446A.073, as amended provides funds for construction projects; and

**WHEREAS** the City of Litchfield is hereby applying to the Minnesota Public Facilities Authority for a funds to be used for eligible costs for the planning, design and construction of improvements for the existing Wastewater Treatment Facility.

**BE IT RESOLVED** that the City of Litchfield has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

**BE IT FURTHER RESOLVED**, that upon approval of its application by the PFA, the City of Litchfield may enter into an agreement with the PFA for the above referenced project, and that the City of Litchfield certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the City Administrator and Mayor, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the above project on behalf of the City of Litchfield.

Adopted by the City Council this 18th day of July, 2022.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

City Administrator Cziok recommended authorization for Bolton & Menk, Inc. to complete a preliminary rate study. It was moved by Council Member Mathwig, seconded by Council Member Dingmann, to authorize Bolton & Menk, Inc. to complete a preliminary wastewater rate study. Upon roll call vote, all members present voted aye, whereupon the motion carried.

**V. COMMISSION RECOMMENDATIONS –**

**A. PLANNING COMMISSION –**

1. Conditional Use Permit Request – By William K. Weide at 412 N. Marshall Ave.

Council Member Mathwig provided the findings and recommendations of the Planning Commission. Council Member Kotelnicki expressed concern about whether the 6 month condition can be met concerning a Certificate of Occupancy. She reminded the Council of the last house move request that required a \$10,000 bond in which still remains yet to be completed. She thinks the neighbors have legitimate concerns.

Council Member Allen expressed concerns on the ability to complete in that timeframe as well. William Weide, property owner requesting the move permit, responded to Mayor Johnson's inquiry that Otting House Movers will be moving the house, adding they are one of the top movers in the state. Council Member Mathwig explained his support in that the City has not worked with Mr. Weide and would like to give him an opportunity to try.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-132  
GRANT CONDITIONAL USE PERMIT TO WILLIAM K WEIDE  
FOR PROPERTY LOCATED AT 412 NORTH MARSHALL AVENUE  
TO ALLOW A STRUCTURE THAT IS MORE THAN TEN YEARS OLD TO BE  
MOVED TO THE PROPERTY**

**WHEREAS**, the Planning Commission held a hearing on July 11, 2022, for a Conditional Use Permit request by William K Weide, and

**WHEREAS**, the Litchfield Planning Commission, upon review of the findings of facts, as follows, has recommended that this Conditional Use Request be granted, subject to conditions, and they referred the application to the City Council for final action, and

**WHEREAS**, the request is to allow for a structure that is more than ten years old to be relocated to the property, and

**WHEREAS**, the property is located at 412 North Marshall Avenue in the R-2 Residential District, 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 William K Weide for property located at 412 North Marshall Avenue to allow the proposed structure to be relocated to the property, subject to the following conditions:

1. Upon relocation, the building shall comply with all applicable building, plumbing, heating and electrical codes of the City.
2. The relocated home shall be ready for occupancy within six (6) months from the date of the relocation.

- 3. Exterior improvements specified in the Building Official’s memo must be completed upon relocation to the subject property.

Resolution No. 22-7-132– Cont’d.

- 4. Any damaged associated with the move must be repaired upon relocation to the subject property.
- 5. The property owner shall submit a sketch for the proposed sewer and water services for the duplex.
- 6. The property owner shall identify the streets that will be utilized to move in the structure.
- 7. The property owner will be responsible for coordinating any potential utility issues associated with moving in the house.
- 8. The damage to the existing fence on site must be repaired.
- 9. The exterior stucco shall be painted to match the Applicant’s neighboring structures, as stated in the narrative. The stucco shall not remain pink, as it is today.

The legal description of this property is:

LOTS 4 AND 5, BLOCK 43, TOWN OF LITCHFIELD, MEEKER COUNTY, MINNESOTA  
 AND  
 THE SOUTHERLY 10 FEET OF LOT 3, BLOCK 43, TOWN OF LITCHFIELD, MEEKER  
 COUNTY, MINNESOTA

Adopted by the City Council this 18th day of July, 2022.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

**VI. COMMITTEE REPORTS – None.**

**VII. LEGAL CONSIDERATIONS – None.**

**VIII. BUSINESS –**

**A. WATERPLANT BIDS –**

City Engineer DeWolf reported the results of the request for bids for the water treatment facility improvement project. H explained that the bids were higher than anticipated due to material costs and supply chain issues. He shared that funding will be through the Minnesota Public Facilities Authority. City Administrator Cziok reported that the existing rate structure will fund the debt service for the project with previous debt having expired recently from when the facility was constructed. He reaffirmed that there will not be any adjustments to the water rates.

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

**CITY OF LITCHFIELD  
 RESOLUTION NO. 22-7-136  
 ACCEPTING BID FOR WATER TREATMENT FACILITY IMPROVEMENTS**

**WHEREAS**, pursuant to an advertisement for bids for the Water Treatment Facility Improvements, bids were received, opened, and tabulated according to the law, and the following bids were received complying with the advertisement:

Resolution No. 22-7-136– Cont’d.

BIDDERS	BID
Minnesota Mechanical Solutions, Inc.	\$4,211,830.00
Magney Construction, Inc.	\$4,618,000.00
Gridor Construction, Inc.	\$4,876,600.00
Eagle Construction Company, Inc.	\$4,919,000.00

**AND WHEREAS**, it appears that Minnesota Mechanical Solutions, Inc. of Waite Park, Minnesota is the lowest responsible bidder,

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

1. The Mayor and Assistant City Administrator are hereby authorized and directed to enter into a contract with Minnesota Mechanical Solutions, Inc. of Waite Park, Minnesota in the name of the City of Litchfield for the Water Treatment Facility Improvements according to the plans and specifications therefor approved by the City Council and on file in the office of the Assistant City Administrator.
2. The Assistant City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 18th day of July, 2022.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

**B. LITCHFIELD AREA RECREATIONAL CENTER (LARC) –**

City Administrator Cziok explained that he would provide a quick overview since the Council was given an update at the last Council meeting concerning the Litchfield Area Recreational Center (LARC). He reviewed the action necessary, the proposed project and intended location, projects costs, and the “gap” funding. He discussed the impact to taxes and heavy acknowledgment relating to the need to reduce or eliminate the impact to taxes. City Administrator Cziok shared the goal would be zero impact to taxes. He noted the ways to getting to no impact to taxes include reducing with cash on hand, reducing debt, reducing with State of Minnesota funding, reducing with partnerships, reducing with fundraising, and reducing by changing project scope.

City Administrator Cziok discussed the importance of sales tax revenue. He said the project, from a funding perspective, would be difficult to fund without sales tax revenue. He explained that sales tax revenue is the single biggest source of untapped revenue available to the City on an annual basis. The “gap” will continue to grow without the success of passing a sales tax referendum. He discussed the two considerations for Council; one, being authorization of a sales tax referendum and two, approving a motion to direct the Finance Committee to explore all options to reduce or eliminate tax impacts to include cash, debt issuance, partnerships, fundraising, scope reduction and any others. Cziok said the Council could act on the motion at the next meeting if they so choose.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-130  
RESOLUTION CALLING FOR AN ELECTION ON  
A SALES AND USE TAX FOR CITY  
WELLNESS/RECREATION CENTER PROJECT**

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

1. Project. The City Council does hereby find, determine and declare that it is desirable to proceed with the construction of a community wellness/recreation center as set forth in the proposed ballot. Sales and use tax revenues shall be pledged to pay the costs of collecting and administering the tax and paying up to \$10,000,000 for the construction of a community wellness/recreation center in the City, plus an amount needed for securing and paying debt service on bonds issued to finance the project as set forth in the proposed ballot approved by the voters.

2. Election. The proposition of imposing a sales and use tax for said purpose shall be submitted to the qualified electors of the City at an election to be held on Tuesday, November 8, 2022. Said election shall be held between the hours of 7:00 A.M. and 8:00 P.M. The polling places for all Wards in the City will be at the established polling place of the City, which is located at St. Philips Church, 821 5th Street East in the City.

3. Notice and Ballot. The City Administrator is hereby authorized and directed to post and publish according to law a Notice of Election combining the information required as to offices to be filled with the information set forth on the following form, and to prepare a ballot for the question in accordance with law for use at said election. The ballot and the information relating to the question in the combined Notice (as provided for above) shall be in substantially the following forms, respectively:

**NOTICE  
OF ELECTION**

NOTICE IS HEREBY GIVEN that an election on the following question will be held in and for the City of Litchfield, Minnesota, on Tuesday, November 8, 2022, between the hours of 7:00 A.M. and 8:00 P.M., at which time the following question will be submitted:

“Shall the City of Litchfield impose a sales and use tax of one-half of one percent (0.50%) for no more than 20 years or until \$10,000,000, plus an amount equal to interest and the costs of the issuance of any bonds, is collected, to finance the construction of a community wellness/recreation center that will include a gymnasium and general fitness spaces, a dedicated walking section, a community room, and any locker rooms and mechanical equipment needed for future additions to the facility?”

The polling places for all Wards in the City for said election, at which places all of the qualified electors of the City residing within the respective Ward may cast their ballots, will be at the established polling place of the City, which is located at St. Philips Church, 821 5th Street East in the City.

Dated: [By October 25, 2022]

BY ORDER OF THE CITY COUNCIL

/s/ David Cziok  
\_\_\_\_\_  
City Administrator

Resolution No. 22-7-130– Cont’d.

OFFICIAL  
ELECTION BALLOT

CITY OF LITCHFIELD  
MEEKER COUNTY  
MINNESOTA

**INSTRUCTION TO VOTERS:**

**To vote, completely fill in the oval(s) next to your choice(s) like this:**

If you wish to vote in favor of the below proposition, fill in the oval next to the word "YES". If you wish to vote against the below proposition, fill in the oval next to the word "NO".

QUESTION NO. \_\_\_\_ SHALL THE CITY IMPOSE A SALES AND USE TAX?

YES	Shall the City of Litchfield impose a sales and use tax of one-half of one percent (0.50%) for no more than 20 years or until \$10,000,000, plus an amount equal to interest and the costs of the issuance of any bonds, is collected, to finance the construction of a community wellness/recreation center that will include a gymnasium and general fitness spaces, a dedicated walking section, a community room, and any locker rooms and mechanical equipment needed for future additions to the facility?
NO	

4. Manner; Canvass. Said election shall be held and conducted in accordance with the applicable statutes of the State of Minnesota, and the City Council shall meet as required by law for the purpose of canvassing said election and declaring the results thereof.

Adopted by the City Council this 18th day of July, 2022.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

It was moved by Council Member Dingmann, seconded by Council Member Kotelnicki, to set a goal for little or no tax impacts relating to construction of the Litchfield Area Recreational Center (LARC). Upon roll call vote, all members present voted aye, whereupon motion carried.

C. FIRE/RESCUE REQUESTS –

City Administrator Cziok outlined the requests from both the Fire Department and Rescue Squad. Council Member Dingmann, representing the Finance Committee, explained the Fire Department had asked consideration of increasing the annual Fire Relief Association Pension and the Rescue Squad had asked for consideration of increasing hourly pay rates. He reported that the Finance Committee has been approaching the requests in steps. Council

July 18, 2022

Member Dingmann said the first step was addressing the officer pay for both departments and that this request would be the second step.

Council Member Dingmann discussed future steps to include consideration of increasing Fire Department hourly pay rates and incentive pay for the Rescue Squad. He outlined funding sources for the Fire Relief Association Pension Fund and provided budget impacts with the proposed Rescue Squad hourly rate increase.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-135  
APPROVE LITCHFIELD FIREMEN’S RELIEF ASSOCIATION  
PENSION INCREASE**

**WHEREAS**, the Litchfield Firemen’s Relief Association is requesting a Pension Fund increase from an annual benefit of \$2,200.00 to \$2,400.00; and

**WHEREAS**, plan liabilities with the proposed increase may result in a contribution required from the City,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield to approve the Litchfield Firemen’s Relief Association Pension Fund increase to \$2,400.00 per year of service and modify the By-Laws to reflect the change.

Adopted by the City Council this 18th day of July, 2022.

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 Dingmann, seconded by Kotelnicki, to adopt the following:

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-7-137  
APPROVE LITCHFIELD RESCUE SQUAD  
HOURLY PAY INCREASE**

**WHEREAS**, the Litchfield Rescue Squad is requesting consideration of an hourly pay increase; and

**WHEREAS**, the Finance Committee has reviewed impacts to the annual budget,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield to approve increasing the hourly pay for the Litchfield Rescue Squad from \$12.00 to \$14.00.

Adopted by the City Council this 18th day of July, 2022.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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 6:17 p.m. by unanimous consent.

Attest:

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

Approved:

\_\_\_\_\_  
MAYOR