

**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 20, 2020, 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     |
| City Attorney                | Mark Wood          | Present     |
| Assistant City Engineer      | Chuck DeWolf       | Present     |
| Independent Review           | Brent Schacherer   | Not 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 6, 2020
2. City Council Work Session - July 6, 2020

**B. FINANCIAL REPORTS TO APPROVE: None.**

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

1. Computer List of Bills for \$73,322.78

**D. OTHER PAYMENTS: None.**

**E. ORDINANCES – SECOND READINGS:**

1. Ordinance No. 801 -

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-152  
SECOND READING OF ORDINANCE NO. 801  
FOR AN ALLEY VACATION  
THE NORTH/SOUTH ALLEY BETWEEN MILLER AND RAMSEY AVENUE SOUTH,  
IN BLOCK 76, IN WEISEL’S ADDITION, LESS THE NORTH 100’ FEET**

**WHEREAS**, upon recommendation of the Planning Commission and after holding a public hearing, a first reading was given on July 6, 2020, Resolution No. 20-7-141,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield that this be the Second Reading of Ordinance No. 801 to vacate the north/south alley between Miller and Ramsey Avenue South, in Block 76, in Weisel’s Addition, less the north 100’ of the alley previously vacated by Ordinance No. 678, in the City of Litchfield, Meeker County, Minnesota, and

Resolution No. 20-7-152– Cont’d.

**BE IF FURTHER RESOLVED** that this be entered into the Book of Ordinances as Ordinance No. 801, and into the Codified Ordinances of the City of Litchfield.

Adopted by the City Council this 20th day of July, 2020.

Attest:

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

Approved:

\_\_\_\_\_  
MAYOR

F. LICENSES: None.

G. OTHER ROUTINE MATTERS:

- 1. Lawful Gambling Permit
  - a. Kiwanis Club of Litchfield

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-151  
LAWFUL GAMBLING PERMIT FOR AN EXEMPT  
ORGANIZATION THE KIWANIS CLUB OF LITCHFIELD, MINNESOTA**

**WHEREAS**, an application for a lawful gambling license exemption was considered from the Kiwanis Club of Litchfield, Minnesota,

**NOW, THEREFORE, BE IT RESOLVED** to approve the application for an Exemption from a Lawful Gambling license for the Kiwanis Club of Litchfield, Minnesota on October 2, 2020 at the Meeker Cooperative Community Room, 1725 HWY 12 E, 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 20<sup>th</sup> day of July, 2020.

Attest:

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

Approved:

\_\_\_\_\_  
MAYOR

H. COMMUNICATIONS TO REVIEW :

- 1. Minutes & Reports:
  - a. Planning Commission Minutes – July 13, 2020

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-158  
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.

Resolution No. 20-7-158– Cont’d.

Adopted by the City Council this 20th day of July, 2020.

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. ACKNOWLEDGEMENT OF AUDIENCE/PRESENTATIONS –**

**A. FIREWORKS CONCERN –**

There was a request to address the Council from a property owner wanting to express concern about fireworks. No one was present to address the Council. It was moved by Council Member Allen, seconded by Council Member Miller to allow the concerned citizen to address the Council if they showed up later during the meeting. Upon roll call vote, all members present voted aye, whereupon the motion carried.

**V. COMMISSION RECOMMENDATIONS –**

**A. PLANNING COMMISSION**

- 1. Change of Zoning Request & Site Plan Review – By David Tysk, Litchfield Opportunity Zone, Inc. at PID 27-2878010 -

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

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-153  
GRANT CHANGE OF ZONING TO DAVID TYSK, LITCHFIELD OPPORTUNITY  
ZONE, INC  
FOR PROPERTY LOCATED AT PID 27-2878010**

**WHEREAS**, the Planning Commission held a hearing on July 13, 2020, on a request for a change of zoning by David Tysk with Litchfield Opportunity Zone, Inc, and

**WHEREAS**, the Litchfield Planning Commission, upon review of the findings of facts, as follows, has recommended that this Change of Zoning request be granted and they referred the application to the City Council for final action, and

**WHEREAS**, the property is located at PID 27-2878010 in the R-1 Single Family Residence District, and

**WHEREAS**, the request is to change the zoning to R-3, Multi-Family Residence District, and

Resolution No. 20-7-153– Cont’d.

**WHEREAS**, there is a public need for additional land to be zoned as requested and this public need is best served by rezoning in this area, and

**WHEREAS**, granting this rezoning would conform to the presently accepted future land use plans for the City as well as present land uses, and

**WHEREAS**, granting this rezoning would not adversely affect property values of adjacent landowners to an unreasonable degree, and

**WHEREAS**, granting this rezoning would not impose other undue hardships on the adjacent landowners such as noise, lights, odors, traffic or other nuisances, and

**WHEREAS**, there is not a reasonable alternative that would eliminate the necessity for rezoning, and

**WHEREAS**, there was somewhat of an oversight in preparing the original Zoning Map that indicates this zoning should have been included at that time,

**WHEREAS**, this rezoning is needed by the public and is not merely a convenience for the new owner,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield to grant this Change of Zoning, and

**BE IT FURTHER RESOLVED** that this be the First Reading of Ordinance No. 802 to Amend the Zoning Ordinance 154.011 Boundaries of Official Zoning Map, Appendix B - Zoning Map, to Change the Zoning from R-1 to R-3, for the property described as follows:

Parcel No. 27-2878010

That part of Outlot A, Arnolds Additions, as of public record Meeker County, Minnesota, lying southerly of the North 892.17 feet as measured parallel with and perpendicular to the north line of said Outlot A.

Adopted by the City Council this 20<sup>th</sup> day of July, 2020.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-154  
APPROVE SITE PLAN FOR PROPERTY LOCATED AT PID 27-2878010  
TO DAVID TYSK, LITCHFIELD OPPORTUNITY ZONE, INC**

**WHEREAS**, the Planning Commission at their meeting on July 13, 2020, reviewed a request for a site plan review by David Tysk with Litchfield Opportunity Zone, Inc, and

**WHEREAS**, the property is located at PID 27-2878010, and

**WHEREAS**, the Litchfield Planning Commission, upon review of the site plan details, has recommended that the site plan be approved, with conditions, and they referred the application to the City Council for final action, and  
Resolution No. 20-7-154– Cont’d.

**WHEREAS**, the Planning Commission recommends the site plan be subject to the following conditions:

1. Any alterations to the site plan shall be submitted to City Staff for determination on whether they are minor or major.
2. Any major alteration shall require a site plan amendment, with review by the Planning Commission and City Council.
3. The total parking on site for the apartment buildings must be increased to ninety (90) total spaces.
4. Upon planting, the evergreen trees shall be at least eight (8) feet in height.
5. Final construction plans and specifications shall be submitted to the City for review and approval. All improvements must be completed to City standards.
6. Storm water calculations shall be submitted to the City for review and approval. There shall be a net decrease in storm water (rate, volume, TSS and phosphorus) leaving the site after construction compared to the existing conditions for the 2-year, 10-year and 100-year rainfall events.
7. The developer will be responsible for obtaining a permit from Meeker County for the access connection to CSAH 34. In addition, the developer will be required to complete any necessary improvements to CSAH 34 as a result of the access and requirements by the County. Also, the developer shall confirm that the existing field entrance adjacent to the proposed access will be removed as part of the project.
8. The existing wetland areas shall be shown on the plans. In addition, the developer will be responsible for any permitting associated with any wetland impacts resulting from the improvements.
9. The sanitary sewer and watermain shall be extended to the limits of the property to allow for future expansion. In addition, the sanitary sewer shall be extended at minimum grade and the watermain will need to be looped to the 10th Street watermain in the future.
10. As the sanitary sewer extends south from the future 10th Street location, the first section is indicated to be 10-inch diameter pipe. Please clarify the intent of using 10-inch pipe in this area rather than 8-inch pipe.
11. The developer shall be responsible for all permits required for the development (NDPES Construction Storm Water Permit, Minnesota Department of Health, MPCA Sanitary Sewer Extension, etc.).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield to approve the submitted site plan by David Tysk, with Litchfield Opportunity Zone, for property described as follows:

Parcel No. 27-2878010

That part of Outlot A, Arnolds Additions, as of public record Meeker County, Minnesota, lying southerly of the North 892.17 feet as measured parallel with and perpendicular to the north line of said Outlot A.

Adopted by the City Council this 20<sup>th</sup> day of July, 2020.

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.

2. Variance Request – By James Ellingson and Megan Kalina at 30 S Fuller Avenue –

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

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-155  
GRANT VARIANCE TO JAMES ELLINGSON & MEGAN KALINA  
FOR PROPERTY LOCATED AT 30 SOUTH FULLER AVENUE**

**WHEREAS**, the Planning Commission held a hearing on July 13, 2020, on a request for a variance by James Ellingson & Megan Kalina, and

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

**WHEREAS**, the request is for a variance of one and one-half (1 ½) feet to the required front yard setback of twenty (20) feet for the purpose of constructing an addition to the principal structure, and

**WHEREAS**, the property is located at 30 South Fuller Avenue in the R-2, Residence District, and

**WHEREAS**, the variance is in harmony with the general purposes and intent of the ordinance, and

**WHEREAS**, the variance is consistent with the Comprehensive Plan, and

**WHEREAS**, the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, and

**WHEREAS**, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and

**WHEREAS**, the variance will not alter the essential character of the locality, and

**WHEREAS**, the purpose of the request is not solely financial,

**BE IT RESOLVED** by the City Council of the City of Litchfield that a variance be granted to James Ellingson & Megan Kalina at 30 South Fuller Avenue, to allow construction of a front porch eighteen and one-half (18 ½) feet from the front yard line. A twenty (20') foot front yard setback is required in this zone. Property legally described as:

Parcel No. 27-1773000  
S80' of E133' Block T,  
City of Litchfield, Meeker County, Minnesota

Adopted by the City Council this 20<sup>th</sup> day of July, 2020.

Approved:

Attest:

\_\_\_\_\_  
MAYOR

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ASSISTANT CITY ADMINISTRATOR

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

3. Conditional Use Permit Request – By Rick Rossow at 315 East 10<sup>th</sup> Street – Resolution No. 20-7-159

Council Member Mathwig provided the findings and recommendations of the Planning Commission. There was a motion to table consideration of the resolution (see V.A.6).

4. Conditional Use Permit Request – By Rick Rossow at 1012 North Armstrong Avenue – Resolution No. 20-7-160

Council Member Mathwig provided the findings and recommendations of the Planning Commission. There was a motion to table consideration of the resolution (see V.A.6).

5. Conditional Use Permit Request – By Rick Rossow at 616 North Ramsey Avenue – Resolution No. 20-7-161

Council Member Mathwig provided the findings and recommendations of the Planning Commission. There was a motion to table consideration of the resolution (see V.A.6).

6. Conditional Use Permit Request – By Rick Rossow at 525 North Miller Avenue – Resolution No. 20-7-162

Council Member Mathwig provided the findings and recommendations of the Planning Commission. He explained that the Planning Commission placed 8 conditions on the properties based upon past history with the applicant. He said the Planning Commission wishes to see the Conditional Use Permit Agreement drafted between the City Attorney and the attorney for the applicant prior to issuance of the Conditional Use Permit. Concern was expressed by the majority of the Council on the timeframe and the ability of completing all 4 houses before winter, with the preference of approving of 1 or 2 house moves at this time to avoid compliance issues. Also discussed was bonding requirements the City established with the applicant in the past to address compliance issues. Council Member Mathwig explained that the Conditional Use Permit Agreement had not been drafted yet and recommended tabling consideration of the Resolutions No. 20-7-159, No. 20-7-160, No. 20-7-161, and No. 20-7-162 until the Planning Commission has an opportunity to review said Agreement.

It was moved by Council Member Mathwig, seconded by Council Member Loch, that consideration of Resolution No. 20-7-159, Resolution No. 20-7-160, Resolution No. 20-7-161, and Resolution No. 20-7-162 be tabled until an acceptable Conditional Use Permit Agreement between the City and the applicant can be drafted and the Planning Commission has reviewed. Upon roll call vote, all members present voted aye, whereupon the motion carried.

7. Tax Parcel Split Request - By First District Association at 101 S Swift Avenue -

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

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-156  
WAIVER OF TAX PARCEL  
SUBDIVISION REGULATIONS  
FOR FIRST DISTRICT ASSOCIATION AT 101 S SWIFT AVENUE**

**WHEREAS**, an application for a Waiver of Subdivision Regulations regarding splitting of a tax parcel was received from First District Association on June 22, 2020, and

**WHEREAS**, the Planning Commission considered this application at their meeting on July 13, 2020, 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** to grant a Waiver of the City of Litchfield Subdivision Regulations for Parcel No. 27-0849000 legally described as:

BLOCKS 71 & 72 & 73 & 75 & LTS 1-14 & LTS 22-28 EX N20' OF W20' LTS 22 & 23 BLK 76 & LTS 1-3 & N2.5' LT 4 & LTS 15-28 BLK 77 & PT VAC DARWIN & COMMERCIAL STS & PT VAC MILLER & RAMSEY AVES & PT VAC ALLEYS, City of Litchfield, Meeker County, Minnesota

**BE IT ALSO RESOLVED** that this Resolution No. 20-7-156 shall be considered a Waiver of Compliance for filing or recording of the splitting of Tax Parcel No. 27-0849000 into two tax parcels of record.

Adopted by the City Council this 20<sup>th</sup> day of July, 2020.

Approved:

Attest:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Assistant City Administrator

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

- 8. Parking Lot Site Plan Review - By First District Association/St. Pauls Lutheran Church -

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

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 20-7-157  
APPROVE PARKING LOT SITE PLAN  
SUBMITTED BY FIRST DISTRICT ASSOCIATION & ST PAULS LUTHERAN  
CHURCH**

**WHEREAS**, the Planning Commission, at their meeting on July 13, 2020, reviewed a request for a parking lot site plan review by First District Association and St Pauls Lutheran Church, and

**WHEREAS**, the property is located at a newly developed parcel on the northwest corner of South Sibley Avenue and West Ripley Street, and



**WHEREAS**, the Litchfield Planning Commission, upon review of the site plan details, has recommended that the site plan be approved, with conditions, and they referred the application to the City Council for final action, and  
Resolution No. 20-7-157– Cont’d.

**WHEREAS**, the Planning Commission recommends the site plan be subject to the following conditions:

1. Actual construction must be in substantial conformance with the approved site plan.
2. All bituminous street areas and sidewalk areas disturbed shall be replaced utilizing a pavement/sidewalk section that matches the existing street/sidewalk. Also, any curb and gutter disturbed along the street should be replaced to match the existing curb and gutter.
3. All sidewalk constructed in City right-of-way must be ADA complaint.
4. A NPDES Construction Storm Water Permit shall be obtained for the improvements and all requirements, including inspections, of the permit shall be followed.
5. The appropriate signage shall be provided in the parking lot to guide traffic.
6. The removal of any existing utilities shall be coordinated with the appropriate utility company.
7. Any damage to the adjacent streets as a result of the construction will need to be corrected.
8. All work in the Sibley Avenue (TH 22) right-of-way shall be reviewed and permitted by MnDOT.
9. The plan includes changing Ramsey Avenue to a one-way street with diagonal parking along the west side of the street, which changes the functionality of the street. Additional discussion and review will be necessary for the proposed change.
10. The existing utilities within the alley will need to be protected during construction or relocated.
11. Since the alley is essentially being used as part of the parking lot, snow removal and future maintenance and repair will need to be discussed and reviewed further.
12. The storm sewer systems for FDA and the new church parking lot are combined. It should be clarified on who will be responsible for future maintenance, repair, and replacement of the shared storm sewer facilities.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield to approve the submitted parking lot site plan by First District Association and St Pauls Lutheran Church.

Adopted by the City Council this 20<sup>th</sup> day of July, 2020.

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.

**VI. COMMITTEE REPORTS** – None.

**VII. LEGAL CONSIDERATIONS** – None.

**VIII. BUSINESS** –

A. COVID-19 UPDATE –

City Administrator Cziok informed the Council that little has changed in the way of operations since the last update. He provided an update on the City Hall remodeling project. He is planning to open City Hall on August 3, 2020. Cziok said he plans on easing in on the opening. Administration has not determined days or hours the building will be open yet. City Administrator Cziok explained that he wants to allow for sufficient cleaning of the building once it is opened up to the Public.

City Administrator Cziok discussed upcoming elections and explained staff is working on a preparedness plan. He discussed the sensitivity of using masks and while the Council would encourage the use of masks, they felt it shouldn't be mandatory. Cziok added that compliance will be governed by the Governor and/or the Church of St. Philip.

The status of the CARES ACT was discussed. City Administrator Cziok recommended a work session to further discuss. No formal action was taken.

B. COUNCIL KOTELNICKI –

Council Member Kotelnicki expressed concern on transportation needs. She recommended the City contact MnDOT to keep the temporary stoplights at the intersection of Highway 12 & CSAH 34 until a plan is developed to manage traffic. The Council discussed the possible solutions as well as impacts to keeping the stoplights at the intersection. It was noted that the temporary stoplights were the responsibility of the contractor for the current downtown MnDOT project and will be removed upon completion of the project. It was also noted that MnDOT is looking at a project in 2023 from Holcombe Avenue to the east City limits which presents an opportunity to address traffic issues.

After further discussion, it was moved by Council Member Kotelnicki, seconded by Council Member Allen, that City Administrator Cziok and Mayor Johnson draft a letter to MnDOT requesting consideration that the temporary stoplights at the intersection of Highway 12 & CSAH 34 be kept until a plan to manage traffic is developed. Upon roll call vote, Council Members Kotelnicki and Allen voted aye, Mayor Johnson and Council Members Dingmann, Mathwig, Loch and Miller voted nay, whereupon the motion was defeated.

Council Member Kotelnicki expressed concerns about the traffic flow related to future housing and industrial park developments. She requested that traffic flows be studied. It was noted that numbers collected would not be accurate because of the traffic flow impacts of the current downtown MnDOT project. City Administrator Cziok explained that the Council had authorized WSB to update the Comprehensive Plan, however due to the COVID-19 pandemic administration authorized the initial process to begin but delayed any further action until public hearings can be conducted in person. He recommended waiting on completion of the comprehensive plan before conducting a traffic flow study.

Council Member Kotelnicki explained that the City has discussed the Active Lifestyles Transportation Plan however it has not been authorized. She recommended the City be prepared to seek grant funds and support from MnDOT in conjunction with the potential 2023 project. Council Member Kotelnicki made a motion for the City to engage with Mid-Minnesota Regional Development Commission to assist with development of an Active Lifestyles Transportation Plan. The motion died for a lack of a second.

**IX. ADDITIONAL ITEMS – None.**

**X. ANNOUNCEMENTS – None.**

**XI. ADJOURNMENT –**

July 20, 2020

The City Council meeting adjourned at 6:38 p.m. by unanimous consent.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR