

**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, August 6, 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	Excused
City Administrator	Dave Cziok	Present
Assistant City Administrator	Joyce Spreiter	Present
Operations Coordinator	Mario Provencher	Present
Operations Engineer	Mike Geers	Present
City Attorney	Mark Wood	Present
Assistant City Engineer	Chuck DeWolf	Present
Independent Review	Amy Wilde	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. July 16, 2018

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

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

- 1. Computer List of Bills for \$1,037,430.79

**D. OTHER PAYMENTS:**

- 1. Splash Pad Construction Project -

**CITY OF LITCHFIELD  
 RESOLUTION NO. 18-8-125  
 AUTHORIZE PAYMENT NO. 1 AND CHANGE ORDER NO. 1  
 FOR SPLASH PAD CONSTRUCTION PROJECT**

**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. 1 for the Splash Pad Construction Project totaling \$168,719.05 and Change Order No. 1 in the amount of \$32,714.00 as attached and on file.

Adopted by the City Council this 6th day of August, 2018.

Attest:

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ASSISTANT CITY ADMINISTRATOR

Approved:

\_\_\_\_\_  
MAYOR

2. Civic Arena Refrigeration Improvements -

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-126  
AUTHORIZE PAYMENT FOR THE  
CIVIC ARENA REFRIGERATION IMPROVEMENTS**

**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. 3 for the Civic Arena Refrigeration Improvements totaling \$177,772.36 as attached and on file.

Adopted by the City Council this 6th day of August, 2018.

Attest:

Approved:

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ASSISTANT CITY ADMINISTRATOR

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MAYOR

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES: None.

G. OTHER ROUTINE MATTERS: None.

H. COMMUNICATIONS:

1. Minutes and Reports:

- a. Airport Commission – July 17, 2018
- b. Police Civil Service - July 19, 2018
- c. Heritage Preservation Commission - July 23, 2018
- d. Litchfield Public Library - July 24, 2018 - no quorum

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-129  
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 6th day of August, 2018.

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** – None.

**V. COMMISSION RECOMMENDATIONS** –

A. HERITAGE PRESERVATION COMMISSION –

1. Certificate of Appropriateness - By Peter Schoell - 210 Sibley Ave North -

Council Member Kotelnicki reported the findings and recommendations of the Heritage Preservation Commission.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-128  
GRANT CERTIFICATE OF APPROPRIATENESS  
TO PETER SCHOELL  
FOR PROPERTY LOCATED AT 210 NORTH SIBLEY AVENUE**

**WHEREAS**, the Litchfield Heritage Preservation Commission held a hearing on Monday, July 23, 2018, to consider a Certificate of Appropriateness Application request by Peter Schoell, for property located at 210 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 replacement of the east façade exterior door and paint it gray to match the existing door; repaint the marquee and west façade to match the original paint color and to patch and repair roof with rubber membrane, 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**, changes to the property that have acquired historic significance in their own right will be retained and preserved, 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, and

**WHEREAS**, new additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property, and

Resolution No. 18-8-128 – Cont’d

**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 Peter Schoell, for property located at 210 North Sibley Avenue.

Adopted by the City Council on this 6th day of August, 2018.

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. Certificate of Appropriateness - By Kevin Hovey - 129 Sibley Avenue North -

Council Member Kotelnicki reported 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. 18-8-127  
GRANT CERTIFICATE OF APPROPRIATENESS  
TO KEVIN HOVEY  
FOR PROPERTY LOCATED AT 129 NORTH SIBLEY AVENUE**

**WHEREAS**, the Litchfield Heritage Preservation Commission held a hearing on Monday, July 23, 2018, to consider a Certificate of Appropriateness Application request by Kevin Hovey, for property located at 129 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 replacement of the west entry door with either a wood or steel door with a half or full glass panel; removal of the bottom 20’ of paint on the north side of the east façade; replacement of the existing awning with either a retractable or fixed awning in a marine blue or green color with no logo or flags, and the replacement of the existing rectangle window on the east façade with a wood square window, 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

Resolution No. 18-7-127 – Cont’d

**WHEREAS**, changes to the property that have acquired historic significance in their own right will be retained and preserved, 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, 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 Kevin Hovey, for property located at 129 North Sibley Avenue.

Adopted by the City Council on this 6th day of August, 2018.

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.

3. Certificate of Appropriateness Process -

Council Member Kotelnicki discussed the process involved with administratively approved Certificates of Appropriateness which involves approval by the City Administrator. Because of the sensitivity of providing approval, the HPC expressed interest in bringing in outside professional staff to review and provide administrative approval of Certificates of Appropriateness when necessary. The difficulty, Kotelnicki explained, is although an individual could choose a color off the historic pallet there is no hearing involved. For example, she said the color black is included on the historic pallet and an individual could paint the entire building black which does not require HPC approval, adding that could have negative impacts to surrounding properties.

After review, it was moved by Mayor Johnson, seconded by Council Member Allen, that with assistance from administrative staff and the city attorney, costs for providing professional staff for review of Certificates of Appropriateness be identified and brought back for Council consideration. Upon roll call vote, all members present voted aye, whereupon the motion was declared adopted.

**VI. COMMITTEE REPORTS – None.**

**VII. LEGAL CONSIDERATIONS – None.**

**VIII. BUSINESS –**

**A. FIRE DEPARTMENT SCBA EQUIPMENT –**

Fire Chief Gilbertson discussed the need to replace self-contained breathing apparatuses (SCBAs) prior to replacement of the rural pumper truck in 2019, possibly not taking delivery of the pumper truck until 2020. Gilbertson said that replacement of SCBAs was also included in the capital plan and after further review of needs it was determined that due to the age and condition the SCBA tanks be replaced now and the truck be put off. He said a new air compressor would cost around \$40,000 and new SCBAs would cost approximately \$140,000 to \$150,000. Gilbertson responded to Council inquiry on financing the equipment in that the township payments remain level adding several larger payments have been made on previous equipment purchases allowing room for the purchase of the SCBAs.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-130  
APPROVE SCBA EQUIPMENT AND AIR COMPRESSOR PURCHASE  
BY FIRE DEPARTMENT**

**WHEREAS**, the Litchfield Fire Department has identified equipment needs, and

**WHEREAS**, the self-contained breathing apparatuses (SCBAs) have reached the end of their service life,

**WHEREAS**, the Litchfield Fire Department recommends replacing the self-contained breathing apparatuses (SCBAs), and

**WHEREAS**, the estimated cost of replacement is between \$140,000 and \$150,000, and

**WHEREAS**, the air compressor is also in need of replacement with an estimated cost of \$40,000, and

**WHEREAS**, townships participate in 50% of the costs of said equipment, and

**WHEREAS**, the budget will support financing the purchases,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves purchase of new SCBAs at an estimated cost between \$140,000 and \$150,000, and

**BE IT FURTHER RESOLVED** that purchase of an air compressor at an estimated cost of \$40,000 also be approved.

Adopted by the City Council on this 6th day of August, 2018.

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.

**B. CONVENTION AND VISITORS BUREAU –**

City Administrator Cziok said the sample ordinance concerning implementation of a lodging tax on lodging facilities within the City limits included in the agenda packet is the Hutchinson ordinance staff recommends to model after.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-131  
CALL FOR PUBLIC HEARING TO CONSIDER  
ADOPTING A LODGING TAX ORDINANCE**

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

**WHEREAS**, a CVB exploration committee was established to develop the concept, and

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

**WHEREAS**, the CVB exploration committee is requesting a mandatory 3% lodging tax be implemented for lodging facilities including the Lake Ripley Campground, and

**WHEREAS** the Council directed City staff to draft an ordinance for Council consideration establishing a 3% Local Lodging Tax to include the Lake Ripley Campground for the purpose of funding a Convention Visitor Bureau,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby sets a public hearing on September 17, 2018 at approximately 5:30 p.m. to consider adopting a Lodging Tax Ordinance.

Adopted by the City Council on this 6th day of August, 2018.

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.

**C. SCHOOL RESOURCE OFFICER –**

City Administrator Cziok explained that the School Resource Officer (SRO) proposal is the best fit that the City and School District could make for 2019, adding there is a significant cost to the City of Litchfield. He reported that the School District completed research on similar agreements between other entities and the City is in line with what other cities are receiving. He termed this agreement as a trial to see if the entities can make it work. Cziok said the City is researching other funding opportunities including grants and the School District will continue to have conversations with the State in changing funding mechanisms to allocate dollars towards SROs. He explained this is essentially a one year contract with the City having the exclusive right to extend the agreement for a second year, allowing the City to provide the same funding, renegotiate with the School District or to not provide the SRO and reduce staff. In a response to a Council question concerning the amount of time spent by officers now at the schools, Police Chief Fank said it is hard to put a number to it. He said some weeks require more than others and at times it requires himself along with another officer.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-132  
APPROVE LITCHFIELD SCHOOL DISTRICT  
LIAISON POLICE OFFICER AGREEMENT**

**WHEREAS**, Independent School District No. 465 requested the City consider partnering on a School Resource Officer (SRO), and

**WHEREAS**, administration was authorized to draft an agreement for a School Resource Officer (SRO) for Council and School Board consideration, and

**WHEREAS**, the Agreement is for one year however the City at its discretion can continue an additional year, and

**WHEREAS**, staffing levels have been reviewed and hiring another officer to accommodate the request is deemed necessary,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves of the Litchfield School District Liaison Police Officer Agreement and authorizes the Mayor and Police Chief to sign said agreement on behalf of the City of Litchfield, and

**BE IT FURTHER RESOLVED** that addition of a tenth licensed officer to the Police Department be authorized to accommodate the agreement.

Adopted by the City Council on this 6th day of August, 2018.

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.

**D. 212 NORTH MARSHALL –**

City Administrator Cziok reported that there has been no interest shown in the house and recommended the Council move forward with demolition.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-133  
APPROVE DEMOLITION QUOTE FOR HOUSE LOCATED AT  
212 NORTH MARSHALL AVENUE**

**WHEREAS**, the City has purchased property at 212 North Marshall Avenue, and

**WHEREAS**, the City is interested in the land only, and

**WHEREAS**, the City advertised the house to be moved and no bids were received, and

**WHEREAS**, staff was authorized to obtain estimates for the demolition of the house for consideration, and



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**WHEREAS**, the family members of the previous owner have expressed an interest in preserving some millwork and artifacts of the house,

Resolution No. 18-8-133 – Cont'd

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves the demolition quote for the house located at 212 North Marshall Avenue from DRC, Inc. in the amount of \$7,500, and

**BE IT FURTHER RESOLVED** that staff be authorized to coordinate millwork removal with the family.

Adopted by the City Council on this 6th day of August, 2018.

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.

**E. CONFERENCE ATTENDANCE –**

City Administrator Cziok explained the requests for attendance at conferences from Council and Committee Members.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-134  
APPROVE CONFERENCE EXPENSES FOR  
HERITAGE PRESERVATION COMMISSION AND CEMETERY COMMITTEE**

**WHEREAS**, the Heritage Preservation Commission is requesting approval for travel expenses for the Preserve Minnesota Annual Statewide Historic Preservation Conference in Winona on September 12-14, 2018, and

**WHEREAS**, travel expenses include mileage, hotel, and registration costs, and

**WHEREAS**, the City is eligible for a Certified Local Government (CLG) grant for a scholarship to attend said conference to offset up to 60% of the costs,

**WHEREAS**, Council Members Kotelnicki and Allen have expressed interest in attending the annual cemetery association conference,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves travel expenses for the attendance of members of the HPC to the Preserve Minnesota Annual Statewide Historic Preservation Conference, and

**BE IT FURTHER RESOLVED** that travel expenses be approved for attendance at the annual cemetery association conference for Council Members Kotelnicki and Allen.

Adopted by the City Council on this 6th day of August, 2018.

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.

F. BUDGET PROCESS –

City Administrator Cziok prefaced his response concerning the budget in that there are no issues, he is just responding to a Council request concerning the process. He explained that the budget process has worked really well; it is predictable, provides flexibility to staff on a day to day basis, and from his perspective it is extremely accurate. He added the process is a result of complying with State Statutes; it’s a result of historically providing to the Council and to the public a certain level of transparency; and it’s a result of complying with the City Charter. Cziok discussed the components included in the budget. He explained there are some crossovers with the operating budget and capital projects because payments are made on the capital projects including a debt component. He said the City continues to discuss capital projects throughout the year which tend to have impacts on future budgets, adding he does not want the Council to think that once the budget is set capital projects can’t be added to the budget in 2019. Council Member Kotelnicki clarified that she was the Council Member asking about the process and appreciated the outline provided which answered her question. No formal action taken.

G. APPOINTMENTS TO MAKE –

- 1. Airport Commission - One Year and One Month Term until 9/1/2019  
Applicants: Bob Chvatal

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 18-8-135  
AIRPORT COMMISSION APPOINTMENT**

**WHEREAS**, there is one term to October 31, 2019 open on the Airport Commission, and

**WHEREAS**, one application was received,

**NOW, THEREFORE, BE IT RESOLVED** to appoint Bob Chvatal for a term from August 6, 2018 to October 31, 2019.

Adopted by the City Council on this 6th day of August, 2018.

Approved:

Attest:

\_\_\_\_\_  
MAYOR

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

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

**IX. ADDITIONAL ITEMS** – None.

**X. ANNOUNCEMENTS** –

A. WORK SESSION –

A work session was held following the regularly scheduled Council meeting concerning the Council’s timeline for a potential project with the School District. Minutes of the work session are on file. No formal action was taken.

August 6, 2018

**XI. ADJOURNMENT –**

The City Council meeting adjourned at 6:41 p.m. by unanimous consent.

Attest:

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ASSISTANT CITY ADMINISTRATOR

Approved:

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MAYOR