

**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 Tuesday, September 3, 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
Police Chief	Pat Fank	Present
City Attorney	Mark Wood	Present
Assistant City Engineer	Chuck DeWolf	Present
Independent Review	Brent Schacherer	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. August 19, 2019

B. FINANCIAL REPORTS TO APPROVE: None.

C. CLAIMS TO AUTHORIZE FOR PAYMENT –

- 1. Computer List of Bills for \$775,391.75

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS:

- 1. Ordinance No. 797

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-141  
SECOND READING FOR ORDINANCE NO. 797  
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**, upon recommendation of the Planning Commission and after holding a public hearing, a First Reading was given on August 19, 2019, Resolution No. 19-8-133,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield that this be Second Reading of Ordinance No. 797, 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 and Section 154.281: Height, and

Resolution No. 19-9-141– Cont’d.

**BE IT FURTHER RESOLVED** that this be entered into the Book of Ordinances as Ordinance No. 797, and into the Codified Ordinances of the City of Litchfield.

Adopted by the City Council this 3rd day of September, 2019.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

- F. LICENSES: None.
- G. OTHER ROUTINE MATTERS:
  - 1. Employment Offer

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-143  
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>		Jennifer Boreen
<i>Pro Shop</i>		Katelyn Cruze

Adopted by the City Council this 3rd day of September, 2019.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

- H. COMMUNICATIONS -
  - 1. Minutes and Reports:
    - a. Finance/Infrastructure Committee – August 27, 2019

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-147  
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 3rd day of September, 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** – None.

**IV. ACKNOWLEDGMENT OF AUDIENCE/PRESENTATIONS** – None.

**V. COMMISSION RECOMMENDATIONS** – None.

**VI. COMMITTEE REPORTS** – None.

**VII. LEGAL CONSIDERATIONS** – None.

**VIII. BUSINESS** –

A. **2020 PRELIMINARY LEVY/BUDGET PROCESS** –

City Administrator Cziok provided a PowerPoint presentation concerning the Preliminary Levy/Budget Process. He explained administration was mindful of the upcoming School District referendum in preparing the preliminary levy. He reminded the Council that the levy can be reduced in December however cannot be increased. Cziok outlined the differences in the 2020 proposed budget attributing to staffing costs which include cost of living adjustments and health care, an increase in the equipment revolving fund, and election costs added back in for 2020 elections. He noted that the LGA allotment is an increase of approximately \$83,000 in 2020. Cziok said the same services and the same level of services are planned for in 2020 that were accomplished in 2019, adding staff continues to spend based on need and not on budget.

City Administrator Cziok provided a data table which included five preliminary collectible 2020 Property Tax Levy options for Council consideration. The data table included estimated monthly impacts to the average home in Litchfield for all five options based upon a home value of \$130,300. He discussed the Financial Plan that was adopted in 2015 which projected an 8% increase however, that included Ramsey Avenue (which has not been initiated) and the Highway 12 project is higher, with operation costs remaining steady. Cziok said administration aims at meeting Council expectations and public expectations while accounting for changes in the economy, adding that Litchfield continues to be stable and hasn't seen the big booms nor has it experienced the big busts.

City Administrator Cziok explained the first option is to hold the levy at the same amount along with the ability to provide the same services and same level of services in 2020 as provided in 2019 however, it doesn't allow for any contingencies. He explained the City's net tax capacity goes up in 2020 therefore the tax rate decrease is estimated at -.4% based upon assumptions. Option 2 is "as is minimum" which would balance the budget. He discussed Option 3, the flat tax rate option, which provides a little more flexibility. Option 4 is a levy increase of 5% with a tax rate increase of .9% which provides for more options and opportunities in 2020. Cziok stated that these options were provided for Council consideration but the Council has the ability to set the levy at wherever they want to. He noted that typically the City sees funds not spent during the year which are then used on capital projects in the following year.

City Administrator Cziok concluded with the administration's recommendation being Option 4. Council Member Kotelnicki inquired as to whether or not the excess could provide for additional staff at City Hall or to include a budget for economic development. City Administrator Cziok responded that if the Council makes that a priority a budget could be added, however that hasn't been identified as a priority at this time. Council Member Dingmann questioned whether or not that could be done at year end through the transfer process. The Council reviewed the options and favored the 6% option with tax rate increase assumptions of 1.9%. The Council discussed the ability to lower the levy if anything would change before December.

1. Set Preliminary Levy –

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-144  
ADOPTING PROPOSED 2019 PROPERTY TAX LEVY  
COLLECTIBLE 2020 PROPERTY TAX LEVY**

**WHEREAS**, State law requires that cities certify their proposed Collectible 2020 Property Tax Levy by September 30, 2019, and

**WHEREAS**, the proposed levy amounts may be reduced but not increased for the final certifications, which are due on or before December 30, 2019,

**NOW, THEREFORE, BE IT RESOLVED** to propose the following 2019 Property Tax Levy, Collectible in 2020, as follows:

<b>Regular Levy:</b>		
<i>General Fund</i>		\$2,262,500
<b>Special Levies:</b>		
<i>Debt Service Funds</i>		
2007B Lease Rev	45,000	
2011B G.O. Cap Imp. Plan	85,000	
2015A G.O. Capital Imp Plan	133,500	
2018A G.O. Tax Abatement	202,000	
2018A G.O. Capital Notes	80,000	
 <i>Economic Development</i>		
Tax Abatement (Mn Rubber)	12,500	
Tax Abatement (FDA)	12,000	
 <b>Total Levy Certified</b>		 <b>\$2,832,500</b>

**AND BE IT ALSO RESOLVED** that the Assistant City Administrator is hereby instructed to transmit a certified copy of the Resolution to the Meeker County Auditor by September 30, 2019.

Adopted by the City Council this 3rd day of September, 2019.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

2. Set Preliminary Budget –

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-145  
ADOPT PROPOSED 2020 TAX SUPPORTED BUDGETS**

**WHEREAS**, State law requires that cities adopt their proposed 2020 Budgets by September 30, 2019, and

**WHEREAS**, these proposed Budgets may be increased or decreased, but must be finally adopted after the meeting where public comments are received on December 2, 2019,

**NOW, THEREFORE, BE IT RESOLVED** to propose the following Tax Supported Budgets for 2020:

General	\$5,614,420
Debt Service	\$508,548

Adopted by the City Council this 3rd day of September, 2019.

Attest:

Approved:

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

\_\_\_\_\_  
MAYOR

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

3. Set Public Hearing Dates –

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-146  
SET 2020 BUDGET AND PROPERTY TAX LEVY  
MEETING DATES**

**WHEREAS**, the City is required to set dates to consider, receive public comment, and to adopt the 2020 Budget and Property Tax Levy, and

**WHEREAS**, City staff is in the process of reviewing the budgets, and

**WHEREAS**, the 2020 Budget and Property Tax Levy meeting will be held at City Hall,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby sets the 2020 Budget and Property Tax Levy meeting date as follows:

Review and public comment and adoption - Monday, December 2, 2019 at 6:00 P.M.

Adopted by the City Council this 3rd day of September, 2019.

Approved:

Attest:

\_\_\_\_\_

MAYOR

\_\_\_\_\_

ASSISTANT CITY ADMINISTRATOR

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

**B. SECOND READING OF ORDINANCE NO. 793 –**

Mayor Johnson asked for Council discussion concerning the Second Reading of Ordinance No. 793. While she is appreciative of all the work preparing the ordinance, Council Member Allen said she was not sure if she was ready to say yes or no on it yet. Council Member Kotelnicki agreed with Council Member Allen on not being solid one way or the other after community input. She suggested talking to the County and/or wait for the State to act. She explained that the concern she expressed originally was that the current ordinance does not address vaping and e-cigarettes. Council Member Miller believes that Council Members are charged with making the best informed decision possible and still supports the ordinance. In response to waiting for the State to take action, she said sometimes smaller groups have to be the ones to make the change.

Mayor Johnson asked if the ordinance could be tabled to allow more time for the Council to hold a workshop to further review the ordinance. City Attorney Wood advised the Council on tabling the Second Reading in that the Council could table the ordinance for a reasonable time period being 2, 4 or 6 weeks. He explained that if the Council wanted to make changes to the ordinance following the work session it would require starting the process over again. City Administrator Cziok provided the history of Council review concerning consideration of a new tobacco ordinance. He explained the original ordinance was mirrored after the League of Minnesota model policy which incorporated vaping and e-cigarettes. The Council held a public hearing to consider said ordinance. Based upon public input received, the Council determined that additional review of the proposed ordinance was necessary and authorized a group of individuals to work together for revision (of the proposed ordinance) and come back to the Council with a recommendation for consideration. The Council held another public hearing to consider the Tobacco 21 Ordinance provided by said group. Cziok added he wanted to make sure in the process moving forward, the Council considers what they originally intended.

Council Member Allen feels it snowballed into something bigger. Council Member Dingmann said there are a lot of good things included in the ordinance however he still expressed the same concern that he doesn't think changing the purchasing age to 21 will be effective. He explained that it is not just the loss of the tobacco product sales but other sales as well that will be lost to other towns. He still believes it should be handled at the State level. Council Member Loch agreed with Council Member Allen. He understands recognizing vaping and e-cigarettes. He stressed the importance of education and believes the State should be addressing it.

Council Member Miller inquired about adding a background check requirement to the tobacco license application process. There was additional discussion concerning compliance checks being conducted. Mayor Johnson felt there were still a lot of questions to ask. The Council concurred that the ordinance be rejected and a work session be held to further review the ordinance.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-142**

**REJECTING SECOND READING FOR ORDINANCE NO. 793  
REPEALING ORDINANCE NO. 631  
AND ESTABLISHING ORDINANCE NO. 793  
CODIFIED ORDINANCES TITLE XI: BUSINESS REGULATIONS,  
CHAPTER 111: TOBACCO RELATED PRODUCTS**

**WHEREAS**, a First Reading was given on August 19, 2019, Resolution No. 19-8-134, and

**WHEREAS**, several Council Members expressed concern on their level of comfort with the proposed ordinance, and

**WHEREAS**, it was determined that the proposed ordinance be reviewed line by line in a work session format,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby rejects the Second Reading of Ordinance No. 793, Repealing Ordinance No. 631 and Establishing Ordinance No. 793, Establishing Codified Ordinance Title XI: Business Regulations, Chapter 111: Tobacco Related Products, and

**BE IT FURTHER RESOLVED** that a work session be held following the next Council meeting scheduled for Monday, September 16, 2019 to review the ordinance line by line.

Adopted by the City Council this 3rd day of September, 2019.

Approved:

Attest:

\_\_\_\_\_

MAYOR

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

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

**C. EQUIPMENT –**

City Administrator Cziok discussed the quotes provided and staff recommendations concerning the purchase of a leaf vacuum.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-148  
AUTHORIZE PURCHASE OF VACUUM EQUIPMENT**

**WHEREAS**, City staff has been evaluating equipment needs for 2019-20, and

**WHEREAS**, City staff continues to strive to be more efficient, and

**WHEREAS**, City staff has recommended purchasing vacuum equipment for the golf course, cemetery and parks, and

**WHEREAS**, City staff has solicited quotes for said equipment, and

**WHEREAS**, the City received a quote from Swanston Equipment Companies for a 2019 Harper TV35 in the amount of \$81,554.00, and

**WHEREAS**, the City received a quote from Swanston Equipment Companies for a used 2015 Harper TV30 Diesel in the amount of \$34,923.00,

**AND WHEREAS**, the Equipment Revolving Fund has sufficient funds to accommodate the purchase,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves purchasing a used 2015 Harper TV30 Diesel with a self-propelled vacuum base unit from Swanston Equipment Companies in the amount of \$34,923.00.

Adopted by the City Council this 3rd day of September, 2019.

Approved:

Attest:

\_\_\_\_\_  
MAYOR

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

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

**D. TAX FORFEITED PROPERTY –**

City Administrator Cziok reviewed the options for Council consideration concerning the notification of tax forfeited property which include approving the classification and sale or conveyance of said tax forfeited property. He explained that the Council does not need to do anything however if the City does not respond within 60 days from notification on August 20th, the classification and sale will be deemed to be approved. He noted that Meeker County has expressed interest in the property for parking lot purposes. Based on the condition of the property, Council Members expressed reluctance on selling with the possibility of someone taking ownership in that only minimum improvements are completed. The Council determined that there are 45 days to respond in the event Meeker County is not interested. No formal action was taken.

**E. MEEKER IN MOTION –**

Council Member Miller explained a program referred to as Meeker In Motion being sponsored by the Litchfield Area Chamber of Commerce and the University of Minnesota. She expressed an interest in attending the training sessions and requested Council approval of the tuition costs.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 19-9-149  
APPROVE MEEKER IN MOTION PROGRAM ATTENDANCE**

**WHEREAS**, Meeker County, Litchfield Area Chamber of Commerce and the University of Minnesota Extension have partnered to sponsor a program referred to as Meeker In Motion, and

**WHEREAS**, Meeker in Motion is an initiative of a group of citizens from the Meeker County area who are interested in broadening their network, learning about Meeker County communities, and growing professional and leadership skills, and

**WHEREAS**, the program includes nine training sessions, and

**WHEREAS**, Council Member Sara Miller has expressed interest in attending the program,

September 3, 2019

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves tuition in the amount of \$450 for the attendance of Council Member Miller in the Meeker In Motion program.

Adopted by the City Council this 3rd day of September, 2019.

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** –

The Council held a work session to provide a wellness/recreation facility concept for consideration. A summary of the work session is on file. No formal action was taken.

**XI. ADJOURNMENT** –

The City Council meeting adjourned at 6:48 p.m. by unanimous consent.

Approved:

Attest:

\_\_\_\_\_

MAYOR

\_\_\_\_\_

ASSISTANT CITY ADMINISTRATOR