

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, September 17, 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 | Present |
| City Administrator | Dave Cziok | Present |
| Assistant City Administrator | Joyce Spreiter | Present |
| Operations Coordinator | Mario Provencher | Present |
| Parks Foreman/Arena Manager | Chadd Benson | Present |
| City Attorney | Mark Wood | Present |
| Assistant City Engineer | Chuck DeWolf | Present |
| Independent Review | Amy Wilde | Present |
| KLFD | Jeff Woods | 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 – September 4, 2018

B. FINANCIAL REPORTS TO APPROVE: None.

C. CLAIMS TO AUTHORIZE FOR PAYMENT –

- 1. Computer List of Bills for \$106,319.01

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

- 1. Cigarette License – September 18, 2018 – December 31, 2018

G. OTHER ROUTINE MATTERS:

- 1. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 18-9-155
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 2018 Budget, and

Resolution No. 18-9-155 – Cont’d.

WHEREAS, the supervisors will adjust the wage schedule for 2018 temporary part-time employees to fill these positions, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Litchfield to offer 2018 temporary part-time employment with the City of Litchfield, to the following:

| <u>Department</u> | <u>Re-Hires</u> | <u>New Hires</u> |
|-------------------|-----------------|------------------|
| <i>Pro Shop</i> | | Sarah Brock |

Adopted by the City Council this 17th day of September, 2018.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS TO REVIEW :

1. Minutes & Reports:
 - a. Planning Commission Minutes – September 10, 2018

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-9-159
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 17th day of September, 2018.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

III. TIMED ITEMS –

A. 5:30 P.M. PUBLIC HEARING – Consider Lodging Tax Ordinance –

This being the time, date and place set, with all notices published and posted as required by law, Mayor Johnson opened the public hearing at 5:31 p.m. to consider adopting a Lodging Tax Ordinance.

An attendance list is on file. There were no written or oral comments. Mayor Johnson closed the hearing at 5:32 p.m.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-9-158
FIRST READING FOR ORDINANCE NO. 792
ADOPTING A LODGING TAX**

WHEREAS, the Litchfield Chamber of Commerce has been exploring the concept of developing a Convention and Visitors 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 to include the Lake Ripley Campground, and

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

WHEREAS, a public hearing was held on September 17, 2018 to consider adopting a Lodging Tax Ordinance,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the First Reading of Ordinance No. 792, adopting a Lodging Tax Ordinance.

Adopted by the City Council this 17th day of September, 2017.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

IV. ACKNOWLEDGEMENT OF AUDIENCE/PRESENTATIONS – None.

V. COMMISSION RECOMMENDATIONS –

A. PLANNING COMMISSION –

1. Conditional Use Request – by Pete Balbo – 513 S Austin Ave –

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-9-156
GRANT CONDITIONAL USE PERMIT TO PETE BALBO
FOR PROPERTY LOCATED AT 513 S AUSTIN AVE
TO ALLOW MOVING IN AN EXISTING GARAGE**

WHEREAS, the Planning Commission held a hearing on September 10, 2018, for a Conditional Use Permit request by Pete Balbo for property located at 513 S Austin Ave, to allow moving in an existing garage that is older than ten years old, and

WHEREAS, the Litchfield Planning Commission has recommended that this Conditional Use Permit be granted, based upon the summation of the findings of facts, as follows, and be referred to the City Council for final action, 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, and

WHEREAS, the following conditions have been placed upon this Conditional Use Permit:

1. The structure may not sit closer to the front property line than the existing principal structure.
2. The structure must be in good repair and physical appearance. No holes, breaks, gaps, missing siding or shingles, chipped paint, overall deterioration or any other item that would be a violation of Litchfield's property maintenance code.
3. The broken window panels in the garage door must be replaced.
4. The areas where paint has deteriorated must have fresh paint applied following the relocation. Any damage to the structure during the relocation must also be repaired. This work must be completed within thirty (30) days of the relocation.
5. The applicant must obtain a building permit prior to the structure being relocated to 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 Pete Balbo for property located at 513 S Austin Ave to allow moving in an existing garage that is older than 10 years old. The legal description of this property is:

Resolution No. 18-9-156 – Cont’d.

Parcel No. 27-0114000,

The South 50 feet of the North 178 ½ feet of Lot “E” of the Northeast Quarter of the Northwest Quarter, Section 14, Township 119 North, Range 31 West, Meeker County, Minnesota, also described as: Commencing at a point 163 feet South of the Northwest corner of Block 105 of Weisel’s Addition to the Village of Litchfield, which is now the centerline of St Paul Street, running thence West 113 feet, more or less, to the West boundary line of Lot “E”, thence South 50 feet, thence East 113 feet, more or less, to the East boundary line of Lot “E”; thence North 50 feet to the point of beginning.

Adopted by the City Council this 17th day of September, 2018.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

2. Conditional Use Request – by Gregg Schilling – 801 S Gorman Ave –

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 18-9-157
GRANT CONDITIONAL USE PERMIT TO GREGG SCHILLING
FOR PROPERTY LOCATED AT 801 S GORMAN AVENUE, TORRENS PROPERTY
CERTIFICATE 526,
TO ALLOW A DUPLEX IN AN R-1 RESIDENTIAL DISTRICT ZONE**

WHEREAS, the City Council adopted Resolution No. 17-5-89 at their meeting on May 15, 2017, for a Conditional Use Permit request by Gregg Schilling for property located at 801 S Gorman Avenue, to allow a duplex on property situated in an R-1, Residential District Zone, and

WHEREAS, this Conditional Use Permit expired after one year because no construction had begun, and

WHEREAS, property owner, Gregg Schilling, submitted another Conditional Use Permit to the Planning Commission so construction on the duplex can begin, and

WHEREAS, the Planning Commission held a hearing on September 10, 2018, for the Conditional Use Permit request by Gregg Schilling for property located at 801 S Gorman Avenue, to allow a duplex on property situated in an R-1, Residential District Zone, and

WHEREAS, the Litchfield Planning Commission has recommended that this Conditional Use Permit be granted based upon the summation of the findings of facts, as follows, and be referred to the City Council for final action, 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

Resolution No. 18-9-157 – Cont’d.

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 Gregg Schilling for property located at 801 S Gorman Avenue, to allow a duplex in an R-1, Residential District Zone. The legal description of this property is:

Lot Eight (8) Block Two (2) Melodie Heights Eighth Addition to the City of Litchfield

Adopted by the City Council this 17th day of September, 2018.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

VI. COMMITTEE REPORTS –

A. PERSONNEL COMMITTEE

1. Administrator Performance Evaluation –

Council Member Dingmann discussed completing the annual performance evaluation for City Administrator Cziok. He explained the Personnel Committee condensed the evaluation form used in the past. Council Member Dingmann said the form would be provided electronically to Council Members and asked that it be completed and returned to any one of the Personnel Committee members, Council Members Miller, Loch or himself, in the next 2 weeks. He added the Personnel Committee would like to have the responses to compile the information to be discussed at a closed session following the October 1, 2018 regularly scheduled Council meeting.

It was moved by Council Member Dingmann, seconded by Council Member Miller, that City Council Members complete the performance evaluation on City Administrator Cziok and return within the next 2 weeks to one of the Personnel Committee members, Council Members Miller, Loch or himself so they can compile the information to be discussed at the next meeting. Upon roll call vote, all members present voted aye, whereupon the motion carried.

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS – None.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS –

A. **WORK SESSION** –

A work session was held following the regularly scheduled Council meeting concerning the initial planning stages completed by School Board in defining district needs and a potential project with the City. School Board members were present to provide an update. Minutes of the work session are on file. No formal action was taken.

XI. ADJOURNMENT –

The City Council meeting adjourned at 5:41 p.m. by unanimous consent.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR