

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, November 7, 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
Police Chief	Pat Fank	Present
Assistant City Attorney	Beckie 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 Minutes - October 7, 2022
2. Work Session - October 17, 2022

B. FINANCIAL REPORTS TO APPROVE:

1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT:

1. Computer List of Bills for \$1,436,327.00

D. OTHER PAYMENTS:

1. 2022 Street Overlay Improvements –

**CITY OF LITCHFIELD
 RESOLUTION NO. 22-11-188
 AUTHORIZE PAYMENT FOR THE
 2022 STREET OVERLAY IMPROVEMENT 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 2022 Street Overlay Improvements totaling \$802,542.56 as attached and on file.

Adopted by the City Council this 7th day of November, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

1. Lawful Gambling Permit – Litchfield Area Mentorship Program-Kinship –

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-189
LAWFUL GAMBLING PERMIT TO CONDUCT OFF-SITE GAMBLING FOR
AN EXEMPT ORGANIZATION LITCHFIELD AREA MENTORSHIP PROGRAM - KINSHIP**

WHEREAS, an application for a lawful gambling license to conduct off-site gambling was considered from the Litchfield Area Mentorship Program-Kinship,

NOW, THEREFORE, BE IT RESOLVED to approve the application to conduct off-site gambling from a Lawful Gambling license for the Litchfield Area Mentorship Program-Kinship for November 18, 2022, at Litchfield Eagles Club, 389 CSAH 34 S, 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 7th day of November, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

G. OTHER ROUTINE MATTERS:

1. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-191
EMPLOYMENT OFFER FOR
PART-TIME POSITIONS**

WHEREAS, the City needs employees for part-time positions; and

WHEREAS, the funds to fill these positions were approved in the 2022 Budget; and

WHEREAS, the supervisors will adjust the wage schedule for 2022 part-time employees to fill these positions, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Litchfield to offer 2022 part-time employment with the City of Litchfield, to the following:

Department

Re-Hires

New Hires

Civic Arena

Reegan Brummond

Adopted by the City Council this 7th day of November, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS:

1. Minutes & Reports:

- a. Litchfield Library Board – October 25, 2022
- b. Housing Committee Minutes – October 28, 2022

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-192
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 7th day of November, 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. ACKNOWLEDGMENT OF AUDIENCE/PRESENTATIONS –

A. MIRANDA GOHN –

Miranda Gohn was not present. No formal action was taken.

B. VISITORS BUREAU –

Judy Hulterstrum, Director of the Litchfield Visitors Bureau, addressed the Council concerning a “Light Up Litchfield” proposal. She shared that the Litchfield Visitors Bureau has formed a committee, Light Up Litchfield. She presented the plan the committee has been working on to invite visitors to the community during the holiday season.

Ms. Hulterstrum shared that the plan will take 3-4 years to complete, and the intentions of the Committee is to add to the project every year. She explained that they would like to start the project this year with lighted candy canes on both sides of the sidewalk leading to the center of Central Park starting at the Santa house.

The Light Up Litchfield Committee has raised the funds necessary to complete this year’s project. She shared that they received more funds than anticipated and are purchasing additional candy canes. She explained that after speaking with City staff the only cost would be for electrical service estimated between \$50-\$100 and they would be willing to pay for those costs. Council Member Allen inquired about installation, insurance, and storage of the decorations in which Judy Hulterstrum replied that the Litchfield Visitors Bureau has these items covered. Council Member Kotelnicki inquired about whether the candy canes would be attached to the light poles with Hulterstrum responding they would be but would be stable.

After review, it was moved by Council Member Dingmann, seconded by Council Member Carlson, to authorize the Light Up Committee, formed by the Litchfield Visitors Bureau, to place candy cane lighting in Central Park as presented. Upon roll call vote, all members present voted aye, whereupon the motion carried.

City Administrator Cziok discussed the options for Council consideration relating to tree lighting in Central Park for the holiday season. Council Member Kotelnicki inquired as to whether or not the City could purchase the lights and staff hang them due to the costs the City has incurred accumulatively over the past couple years. City Administrator Cziok said the City staff commitment has been to garland at this point adding that he wasn’t able to commit to staff hanging additional lighting at this point.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-194
APPROVING CENTRAL PARK TREE LIGHTING**

WHEREAS, there was a local initiative to add lighting in Central Park; and

WHEREAS, the City has provided for lighting of one or two trees in Central Park for several years; and

WHEREAS, the Council has reviewed a quote from Russel Williams Home Services for lighting,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the quote from Russel Williams Homes Services in the amount of \$4,530 for lighting two trees in Central Park this upcoming holiday season.

Adopted by the City Council this 7th day of November, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

C. LIBRARY –

Jessica VanLanduyt, representing the Library Board Foundation, addressed the Council for consideration of a 50/50 partnership on improvements to the community room in the Litchfield Library. She explained the need to replace the furniture due to the condition and the need to improve the aesthetics. She shared they would like to purchase 30 chairs, 50 tables, and 16 folding chairs.

Council Member Kotelnicki shared that the foundation dollars were given for expansion purposes and should not have to be used for the purchase of tables and chairs. She said the City should be providing for the purchases. Council Member Allen acknowledged they have been looking at furniture and discussed meeting about it. Council Member Kotelnicki shared that the Litchfield Library Board has been coming to the City for a while about the needs.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-195
AUTHORIZE LIBRARY BOARD TO PROVIDE FURNITURE NEEDS**

WHEREAS, Litchfield Library Foundation representatives addressed the Council with a request to partner on purchasing new furniture for the community room; and

WHEREAS, the Council requested the Litchfield Library Board provide additional information concerning the needs,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the Litchfield Library Board seeking furniture specifications and replacement costs for the community room for Council consideration the first regular meeting in January 2023.

Adopted by the City Council this 7th day of November, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

V. COMMISSION RECOMMENDATIONS – None.

VI. COMMITTEE REPORTS –

A. HOUSING COMMITTEE –

City Administrator Cziok outlined the concept developed by the Housing Committee for the Council as a whole to discuss and set housing priorities with the assistance of consultants. The Housing Committee recommends that Meeker County EDA Representative Lisa Graphenteen and WSB Economic Coordinator Jim Gromberg be invited to assist the City back to leading housing initiatives.

It was moved by Council Member Mathwig, seconded by Council Member Allen, for the Council to meet with Meeker County Representative Lisa Graphenteen and WSB Economic Coordinator Jim Gromberg on December 8, 2022 at 10am to discuss housing priorities. Upon roll call vote, all members present voted aye, whereupon the motion carried.

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS –

A. TOBACCO LICENSE APPLICATION – King Tobacco –

Mayor Johnson opened up Council discussion concerning the tobacco application being considered. Council Member Allen didn't feel like the background checks were completed properly. Mayor Johnson responded that Investigator Travis Rueckert has completed the investigations. Council Member Miller shared her concerns with the Exhibits provided as part of the additional investigation. She expressed concern with tobacco shops, specifically on synthetic products noting that while some are not illegal, she has seen the effects they can have. Council Member Dingmann expressed concern on failed compliance and shared he couldn't approve the application based on that. Council Member Miller shared that there were no employees listed and it appears that the owners are brothers in reference to the North Branch store. She noted the character references provided from outside of Meeker County have financial interest.

Mayor Johnson provided information from Fergus Falls, Alexandria, Baxter, and Wadena that he found concerning the stores owned by the applicant and compliance issues. He asked if we could deny based on the lack of Meeker County references. City Administrator Cziok responded that the applicant provided what the Council asked but that doesn't mean they met their obligation. Council Member Miller discussed the supplemental narrative and past violations and violations with charges pending in the applicant's store in North Branch. Council Member Dingmann recommended moving forward the City change the application to allow for references out of Meeker County.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-196
DENYING CIGARETTE LICENSE APPLICATION FROM
KING TOBACCO LITCHFIELD INC./DBA AS KING TOBACCO**

WHEREAS, the City received an application for a cigarette license from King Tobacco Litchfield Inc./DBA King Tobacco; and

WHEREAS, a background check was completed and reviewed by the Council; and

WHEREAS, the Council approved the applicant's waiver of the requirement of providing character references from persons living inside Meeker County, and

WHEREAS, the Council also requested the applicant provide a list of the other businesses operated/owned by the applicant; and

WHEREAS, further investigation was carried out on the references and the list provided by the applicant of the other businesses operated/owned by the applicant; and

WHEREAS, the Council reviewed the additional background check information provided; and

WHEREAS, concern was expressed that the character references provided by the applicant from persons living outside of Meeker County may have some financial interests with the applicant; and

WHEREAS, concern was also expressed on the history of non-compliance,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby denies the cigarette license application from King Tobacco Litchfield Inc./DBA King Tobacco based on the history of non-compliance, and

BE IT FURTHER RESOLVED that the applicant is herewith given notice of the right to appeal to District Court.

Adopted by the City Council this 7th day of November, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

B. TIPKA VARIANCE EXTENSION –

City Administrator Cziok explained the request for consideration from Garmon and Anne Tipka for an extension of a previously approved variance at property located at 428 South Yale Avenue.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-190
GRANT AN EXTENSION FOR A PREVIOUSLY APPROVED VARIANCE
AT PROPERTY LOCATED AT 428 SOUTH YALE AVENUE**

WHEREAS, the Litchfield City Council approved variance for the purpose of construction a deck at 428 Yale Avenue South on September 20, 2021, and

WHEREAS, the variance allowed for a setback of two (2) feet for the proposed deck, where the minimum required setback is eight (8) feet, and

WHEREAS, the property owner has not yet begun construction of the deck, and

WHEREAS, variance approval is valid for one (1) year, and

WHEREAS, the property owner, Garmon Tipka, has requested an extension, which would allow construction of the deck to occur in 2023, and

WHEREAS, staff has reviewed this request and has no concerns and recommends that the City Council grant the extension request;

BE IT RESOLVED by the City Council of the City of Litchfield that an extension be granted to Garmon and Anne Tipka, at 428 South Yale Avenue, to permit them to construct the deck for which a variance was previously approved, by December 31, 2023. The property is legally described as follows:

LOTS 7 AND 8, BLOCK 9, RESIDENCE PARK, CITY OF LITCHFIELD, MEEKER COUNTY, MINNESOTA

Adopted by the City Council this 7th day of November, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

C. AIRPORT GRANT –

City Engineer Chuck DeWolf explained that the agreement relates to state portion of the federal grant for completing the airport improvements that were approved this year and for the snow removal equipment.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-11-193
AUTHORIZATION TO EXECUTE
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
EXCLUDING LAND ACQUISITION**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield as follows:

1. That the state of Minnesota Agreement No. 1051721, “Grant Agreement for Airport Improvement Excluding Land Acquisition,” for State Project No. A4701-32 at the Litchfield Municipal Airport is accepted.
2. That the Mayor and Assistant City Administrator are authorized to execute this Agreement and any amendments on behalf of the City of Litchfield.

Adopted by the City Council this 7th day of November, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

D. UTILITY RATE UPDATE –

City Administrator Cziok discussed pending utility rate increases that the Council will need to consider in early 2023. He reported that water rates haven’t increased since 2015 and there is no forecasted need for increases. Electric rates have remained unchanged since 2010 but increasing costs from our power suppliers of up to 16% will require a pass through. Cziok said the City has absorbed both increases and decreases for 12 years. He reported that a rate study analysis will be provided to Council possibly in December.

Although wastewater rates haven’t changed since 2020, City Administrator Cziok anticipates a change due to new phosphorus limits coming in the next wastewater NPDES permit. He explained that expansion needs at wastewater will be largely burdened by the industry request and shouldn’t burden residents. An update will be provided to the Council likely yet in November. No formal action was taken.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS –

November 7, 2022

A. CANVASS VOTES –

A special Council meeting is scheduled for Monday, November 14, 2022 at 5pm to canvass votes.

XI. ADJOURNMENT –

The City Council meeting adjourned at 6:24 p.m. by unanimous consent.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR