

**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, March 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
City Attorney	Mark Wood	Present
Independent Review		Not Present
KLFD	Tim Bergstrom	Present

**B. PLEDGE OF ALLEGIANCE**

**II. CONSENT AGENDA -**

Each item on the Consent Agenda was considered. Council Member Kotelnicki requested Item G.1. Employment Offer be pulled from the consent agenda for further discussion. (See IX. Additional Items A.) No items were added or deleted.

**A. COUNCIL MINUTES TO APPROVE:**

- 1. City Council Minutes – February 22, 2022

**B. FINANCIAL REPORTS TO APPROVE:**

- 1. Electronic and Wire Transfer Report

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

- 1. Computer List of Bills for \$907,881.40

**D. OTHER PAYMENTS: None.**

**E. ORDINANCES – SECOND READINGS: None.**

**F. LICENSES:**

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-3-34  
LAWFUL GAMBLING PERMIT FOR  
AN EXEMPT ORGANIZATION  
LITCHFIELD AREA MENTORSHIP PROGRAM - KINSHIP**

**WHEREAS**, an application for a lawful gambling license exemption was considered from the Litchfield Area Mentorship Program - Kinship,

Resolution No. 22-3-34– Cont’d.

**NOW, THEREFORE, BE IT RESOLVED** to approve the application for an Exemption from a Lawful Gambling license for Litchfield Area Mentorship Program – Kinship on April 8, 2022 at Litchfield Opera House, 136 N. Marshall Ave., Litchfield, 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 March, 2022.

Attest:

Approved:

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ASSISTANT CITY ADMINISTRATOR

\_\_\_\_\_  
MAYOR

**G. OTHER ROUTINE MATTERS:**

- 1. Employment Offer – (see IX. Additional Items A.)

**H. COMMUNICATIONS: None.**

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-3-39  
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 March, 2022.

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 –**

**A. FIRE AND RESCUE ANNUAL REPORTS –**

Rescue Chief Tangen provided his annual report to the Council. He reported that calls were up significantly relating to medicals with COVID possibly playing a part in the increase. He explained that dispatcher procedures have been reviewed and some modifications

have been made to get back in line which seems to be working. Moving forward, Tangen is hoping the calls to be consistent with prior years. He related the increase in expenses to the increased number of calls. He reported that the meeting with the townships went well and that they did discuss increases in hourly pay with townships showing support. Rescue Chief Tangen requested Council consideration in increasing hourly pay. He said the City had completed Phase I concerning officer pay increases and requested the Council move forward on Phase II relating to hourly pay.

Council Member Mathwig inquired as to any equipment needs. Tangen responded that there are replacement needs for the portable radios. Council Member Kotelnicki questioned the difficulty in functioning without radios. Rescue Chief Tangen explained that they are replacing them individually as needed with funds available through Meeker County Emergency Management.

Fire Chief Beckstrand provided his annual report to the Council. He reported equipment needs include replacing the 1984 pumper which he will address following his report. He explained that while calls were down wages were up which is due to the length of calls. Beckstrand said officer wage increases are reflected in the increase as well with maintenance increases relating to tire replacement needs. Fire Chief Beckstrand reported however that overall the expenses for 2021 were consistent with 2020.

Fire Chief Beckstrand reviewed the bid included in the agenda packet for a new pumper. He shared that the lead time is 18 months to 2 years. He added that the townships are in support of the purchase. Beckstrand reported that there was a prepayment made both last year and this year on the proposed pumper. The goal continues to be for annual costs to the townships to remain level. Fire Chief Beckstrand shared that his department has radio replacement needs as well with an approximate cost of \$3,000/radio.

Council Member Dingmann recommended the Finance Committee review hourly pay and make a recommendation to the Council at a later date. The Council agreed, by consensus to Council Member Dingmann’s recommendation. The Council commended the Litchfield Rescue and Fire Departments for their continued commitment and dedication.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-3-37  
APPROVE 2022 FIRE AND RESCUE SERVICE CONTRACTS**

**WHEREAS**, governmental units who contract with the City of Litchfield for Fire and Rescue Service met informally on February 16, 2022, with Litchfield Fire and Rescue Service personnel to consider 2021 annual reports, estimated 2022 billings (which are on file), present and future needs of the departments, and

**WHEREAS**, the contract holders were able to express any concerns, and

**WHEREAS**, 2022 Fire and Rescue Squad Contracts were distributed and are expected to be executed and returned after the townships have their annual meetings later in March,

**NOW, THEREFORE, BE IT RESOLVED** to approve the 2022 Fire and Rescue Service contracts and billings, and

**BE IT FUTHER RESOLVED** to direct the Mayor and Assistant City Administrator to sign said contracts on behalf of the City of Litchfield.

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

Attest:

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Approved:

\_\_\_\_\_  
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 Dingmann, seconded by Council Member Carlson, to adopt the following:

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-3-40  
AUTHORIZE PURCHASE OF FIRE DEPARTMENT PUMPER**

**WHEREAS**, the Fire Department has been evaluating equipment needs for 2022; and

**WHEREAS**, the Fire Department recommends replacing the 1984 Pumper; and

**WHEREAS**, the Fire Department has solicited bids for said equipment,

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

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield hereby approves purchasing a FS19EC04 Pumper from Custom Fire Apparatus, Inc. from Osceola, WI in the amount of \$610,649.94 through the HGAC FS12-19 contract.

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

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.

Assistant Fire Chief Gilbertson addressed the Council concerning consideration of an increase to pension. He discussed deficits in the past relating to previous pension increases which required municipal contributions. He explained that the State has provided additional state aid resulting in no municipal impacts. Gilbertson reported that the pension has been \$2,200/year of service since 2014. He explained that Fire Relief Associations are highly audited by the State Auditor and annual Fire Relief Association audit reports are reviewed to see how funds are performing. He said the current analysis indicates \$2,632/year of service is available. Gilbertson explained that the Fire Relief Association is receiving supplemental funds from the State to help fund now.

Assistant Fire Chief Gilbertson reported that the Fire Relief Association has approved an increase to \$2,400/year of service and is requesting consideration of the increase by the City. He explained that the Fire Relief Association has the ability on their own to approve an increase however if the City has approved the increase by resolution, the City is required to make a municipal contribution if the Fire Relief Association is underfunded. Council Member Dingmann inquired about the history of increases and whether a large retirement was anticipated. Gilbertson responded that an actuarial report provides the liability for retirement.

Council Member Dingmann asked what the Fire Relief Association anticipates for state aid next year. Gilbertson responded that there haven't been significant increases. Council Member Dingmann explained the difference in pension compared to the Rescue Squad. Council Member Kotelnicki recommended this item be referred to the Finance Committee for further review as well. Council Member Allen inquired about the City having to pay towards underfunded pension. Gilbertson responded that there is always a lag in which the City has to contribute in the event of the Fire Relief Association being underfunded. He shared that most cities make a voluntary municipal contribution. He added that the City used to pay for the audit report costs which would be considered a voluntary municipal contribution. Gilbertson requested consideration of a voluntary municipal contribution as well. He clarified the City does

not contribute to Fire Relief Association pensions. Council Member Mathwig said maybe he is over cautious but shared personal experiences with law enforcement pension and the impacts of paying out too much in pensions resulting in reduced pensions to correct overpayments from years past.

The Council agreed, by consensus that the Finance Committee review requests for consideration from the Rescue and Fire Departments for hourly pay and pension increases, along with a voluntary municipal contribution to the Fire Relief Association. No formal action was taken.

**B. VACANT LOTS–**

Gregg Schilling addressed the Council concerning the acquisition of vacant City owned property. He shared intentions of constructing an 8-plex apartment building along with an 8-stall unattached garage at the corner of East 2<sup>nd</sup> Street and North Gorman Avenue. He explained that it would be similar to the 4-plex buildings that he owns on South Gorman Avenue but double in size with similar layouts.

The other property he would like to acquire is at the corner of East Nelson Street and Meadow Road. Schilling shared intentions of building potentially a slab on grade 4-plex with attached garages. He explained that the Nelson Street property would be difficult with fill requirements adding there is not a lot of value. Schilling shared that the 3<sup>rd</sup> lot would most likely be retained by the City for drainage purposes. He said the units would be one bedroom with a one car garage attached. After assistance from Code Enforcement Officer Tews, Schilling shared that he was able to determine setbacks and what would fit on the properties.

City Administrator Cziok discussed previous recommendations by administration in which the process includes initial contact from an interested party followed by a site plan review by the City Planner as provided in the City's zoning ordinance. He advised having a developer agreement in place. Some Council members expressed concern about the timelines required. Cziok discussed the process and shared the timeline necessary includes sale of the property by ordinance which requires a public hearing. Council Member Mathwig inquired as to where the responsibility lies for infrastructure to the property. City Administrator Cziok responded that the developer is usually responsible for infrastructure to the property.

Mayor Johnson questioned who sets the price (for the property) and can it be done tonight. City Administrator Cziok replied that the Council can decide what they want for the lots. He advised the Council be involved in what is constructed on the property in that there are adjacent neighbors and the Council is responsible for what is constructed. He shared that Council may want to consider conditions on what is being constructed. Council Member Carlson suggested simplifying and focusing on one property at a time with Nelson Street being the first property to consider. Greg Schilling responded that he would be taking fill from the Gorman Avenue property to use on the Nelson Street property. Council Member Carlson suggested placing conditions on the proposed construction. Greg Schilling shared there are variances needed and potential rezoning necessary for his concepts. City Administrator Cziok inquired again as to the goal of the City Council with the vacant properties. The need for housing was stressed.

The Council determined, by consensus that Greg Schilling meet with City Planner Rybak on his concepts for the City owned vacant properties located at the corner of East 2<sup>nd</sup> Street and North Gorman Avenue and the corner of East Nelson Street and Meadow Road with the item to be placed on the agenda in two weeks. No formal action was taken.

**V. COMMISSION RECOMMENDATIONS – None.**

**VI. COMMITTEE REPORTS – None.**

**VII. LEGAL CONSIDERATIONS – None.**

**VIII. BUSINESS –**

**A. AMERICAN RESCUE PLAN ACT ELECTION –**

City Administrator Cziok reviewed the options for the Council to consider concerning use of the American Rescue Plan Act dollars. He explained that a recent rule change, for all dollars under \$10M, allows the City to declare the rescue plan dollars as lost revenue which will increase the City’s flexibility in spending the funds.

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

**CITY OF LITCHFIELD  
RESOLUTION 22-3-36  
A RESOLUTION TO ELECT THE STANDARD ALLOWANCE  
AVAILABLE UNDER THE REVENUE LOSS PROVISION OF THE  
CORONAVIRUS LOCAL FISCAL RECOVERY FUND  
ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT**

**WHEREAS**, Congress adopted the American Rescue Plan Act in March 2021 (“ARPA”) which included \$65 billion in recovery funds for cities across the country; and

**WHEREAS**, ARPA funds are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses; and

**WHEREAS**, The Fiscal Recovery Funds provides for \$19.53 billion in payments to be made to States and territories which will distribute the funds to nonentitlement units of local government (NEUs); and

**WHEREAS**, The ARPA requires that States and territories allocate funding to NEUs in an amount that bears the same proportion as the population of the NEU bears to the total population of all NEUs in the State or territory; and

**WHEREAS**, \$715,205.04 has been allocated to the City of Litchfield (“City”) pursuant to the ARPA; and

**WHEREAS**, The Coronavirus State and Local Fiscal Recovery Funds ensures that governments have the resources needed to fight the pandemic and support families and businesses struggling with its public health and economic impacts, maintain vital public services, even amid declines in revenue, and build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity; and

**WHEREAS**, In May 2021, the US Department of Treasury (“Treasury”) published the Interim Final Rule describing eligible and ineligible uses of funds as well as other program provisions, sought feedback from the public on these program rules, and began to distribute funds; and

**WHEREAS**, on January 6, 2022, Treasury issued the final rule. The final rule delivers broader flexibility and greater simplicity in the program, responsive to feedback in the comment process; and

**WHEREAS**, the final rule offers a standard allowance for revenue loss of up to \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation; and

**WHEREAS**, recipients that select the standard allowance may use that amount, in many cases their full award, for government services, with streamlined reporting requirements;

Resolution No. 22-3-36– Cont’d.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Litchfield, Minnesota, the City elects the standard allowance available under the revenue loss provision of the American Rescue Plan Act in the amount of \$715,205.04 to be used for the general provision of government services.

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

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.

**B. REDISTRICTING –**

City Administrator Cziok explained that the proposed resolution represents no changes to the current ward map as discussed and as requested by the Council.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-3-35  
REESTABLISHING PRECINCTS AND POLLING PLACE**

**WHEREAS**, the legislature of the State of Minnesota has been redistricted; and

**WHEREAS**, Minnesota Statute section 204B.14, subd. 3 (d) requires that precinct boundaries must be reestablished within 60 days of when the legislature has been redistricted or at least 19 weeks before the state primary, whichever comes first;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Litchfield, County of Meeker, State of Minnesota, hereby establishes the boundaries of the voting precincts as follows:

**Ward No. 1**

Ward No. 1 of the City of Litchfield shall be described as follows:

That portion of the City of Litchfield bounded on the West by that part of Sibley Avenue from Second Street North on Sibley Avenue as extended, and on the South by Second Street, running East from Sibley Avenue to Holcombe Avenue, thence North to Third Street, and continuing East on Third Street to Litchfield Avenue, thence North to Fourth Street and continuing East on Fourth Street to Gilman Avenue and thence North on Gilman Avenue to Fifth Street, and continuing East on Fifth Street as extended, including all of the area lying East and North of these lines.

**Ward No. 2**

Ward No. 2 of the City of Litchfield shall be described as follows:

That portion of the City of Litchfield bounded on the West by that part of Holcombe Avenue lying between Third Street and Depot Street, on the South by Depot Street, from Holcombe Avenue and East on Depot Street as extended, and on the North by Third Street running East from Holcombe Avenue to Litchfield Avenue, thence North to Fourth Street and continuing East on Fourth Street to Gilman Avenue and thence North on Gilman to Fifth Street

and continuing East on Fifth Street as extended, including all of the area East, North and South of these lines.

Resolution No. 22-3-35– Cont’d.

**Ward No. 3**

Ward No. 3 of the City of Litchfield shall be described as follows:

That portion of the City of Litchfield bounded on the West by Holcombe Avenue running South from Depot Street to Butler Street, thence West on Butler Street to Sibley Avenue, thence South on Sibley Avenue as extended onto Highway 22, and on the North by Depot Street from Holcombe Avenue and East on Depot Street as extended onto Highway 12, including all of the area lying East and South of those lines.

**Ward No. 4**

Ward No. 4 of the City of Litchfield shall be described as follows:

That portion of the City of Litchfield bounded on the East by Holcombe Avenue South from Second Street to Butler Street, and thence West on Butler Street to Sibley Avenue, continuing South on Sibley Avenue or any extension thereof on Highway 22, and on the North on Second Street running West from Holcombe Avenue to Sibley Avenue, thence South from Second Street to the railroad, and running West by the railroad from Sibley Avenue, and including all of the area lying West and South of those two lines.

**Ward No. 5**

Ward No. 5 of the City of Litchfield shall be described as follows:

That portion of the City of Litchfield bounded on the East by Sibley Avenue from the Railroad, running North on Highway 12 as extended, and on the South by the Railroad running West from Sibley Avenue, and including all of the area lying West and North of those two lines.

Attached to this resolution, for illustrative purposes, is a map showing said precincts.

**BE IT FURTHER RESOLVED** that the City Council of the City of Litchfield, does hereby reestablish the Church of St. Philip, 821 East 5<sup>th</sup> Street, as the Polling Place for the City of Litchfield for 2022.

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

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. APPOINTMENTS TO MAKE –

1. Planning Commission - One Regular Term until 3/1/2025  
Incumbents: Judy Hudson  
Applicants: Rick Beecroft, Jim Ellingson

The Council reviewed the applications for the vacancy on the Planning Commission. City Administrator Cziok responded to Council Member Dingmann’s inquiry that there is not a conflict with applicant Rick Beecroft already serving on the HPC Commission. Council Member Carlson inquired as to the process. City Administrator Cziok explained that the opening is advertised and that the Planning Commission was aware of the opening and appointment process.



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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-3-41  
PLANNING COMMISSION APPOINTMENT**

**WHEREAS**, there is one term from March 1, 2022 to March 1, 2025 open on the Planning Commission, and

**WHEREAS**, this opening was advertised, and

**WHEREAS**, two applications were received,

**NOW, THEREFORE, BE IT RESOLVED** to appoint Jim Ellingson to the Planning Commission for a term from 3/01/22-3/01/25.

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

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.

**IX. ADDITIONAL ITEMS –**

- A. Employment Offer – (removed from II. Consent Agenda G. Other Routine Matters)

Council Member Kotelnicki inquired about the new Pro Shop hire and the job description. City Administrator Cziok said the job description is Pro Shop Associate with the process being the same as last year.

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

**CITY OF LITCHFIELD  
RESOLUTION NO. 22-3-38  
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:

<u>Department</u>	<u>Re-Hires</u>	<u>New Hires</u>
<i>Pro Shop</i>		Renee Pursley

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

Resolution No. 22-3-38– Cont’d.

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.

**B. WORK SESSION –**

The Council held a work session to review the use of American Rescue Plan Act dollars. Minutes of the work session are on file. No formal action was taken.

**X. ANNOUNCEMENTS –**

**XI. ADJOURNMENT –**

The City Council meeting adjourned at 6:58 p.m. by unanimous consent.

Attest:

Approved:

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ASSISTANT CITY ADMINISTRATOR

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MAYOR