

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 Monday, June 20, 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
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. Item II.F.2 Sales on Public Property was pulled for further discussion. (See Item IX. A. Additional Items.) No items were added.

A. COUNCIL MINUTES TO APPROVE:

1. City Council Meeting – June 6, 2022
2. Work Session – June 6, 2022

B. FINANCIAL REPORTS TO APPROVE:

1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT:

1. Computer List of Bills for \$173,441.32

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

1. Liquor/3.2 Percent Malt Liquor On-Sale License Renewals – See List
2. Sales on Public Property –
 - a. Gregory Filzen

G. OTHER ROUTINE MATTERS:

1. Employment Offer –

**CITY OF LITCHFIELD
 RESOLUTION NO. 22-6-112
 EMPLOYMENT OFFER FOR
 PART-TIME POSITIONS**

Resolution No. 22-6-112– Cont’d.

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>Golf Course</i>	Alicia Hansen Sadie Rick	
<i>Pro-Shop</i>		Maeve Hanson Alyssa Olson

Adopted by the City Council this 20th day of June, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS TO REVIEW:

- 1. Minutes & Reports:
 - a. Planning Commission Minutes – June 13, 2022

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-113
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 20th day of June, 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. ACKNOWLEDGEMENT OF AUDIENCE/PRESENTATIONS –

A. SCHILLING REQUEST –

The Council reviewed another proposal from Gregg Schilling concerning the vacant property on East Nelson Street and Gorman Avenue for the purchase of \$2,500 for each property. City Administrator Cziok shared the City would get more than \$2,500 for each property if it went to an auction. Upon Council questioning the resolutions already in place concerning the East Nelson Street and Gorman Avenue properties, City Attorney Wood advised that the Council could rescind the resolutions if both the Council and Gregg Schilling agreed and then the Council would be free to reestablish new resolutions. City Administrator Cziok shared that Gregg Schilling currently has undeveloped property and suggested getting creative with the properties. Council Member Kotelnicki expressed concern about the timeframe.

Council Member Allen agrees to housing but shared that we had agreed to put the East Nelson Street property up for auction. Council Member Miller shared that there were no other RFPs and if the City put it up for auction the property could be a space that is not built on. After further Council discussion of the offer, Gregg Schilling offered \$12,500 for each of the properties; East Nelson Street and Gorman Avenue. City Administrator Cziok shared that is essentially what was offered in the amount of \$25,000 for the Gorman Avenue property at the previous meeting. The Council reviewed the new offer presented.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-114
RESCINDING RESOLUTION NO. 22-6-107 AND THE MOTION CONCERNING
AUCTIONING OF VACANT PROPERTY AND
ACCEPTING NEW PROPOSAL FOR PURCHASE OF EAST NELSON STREET AND
MEADOW ROAD VACANT LOTS AND VACANT PROPERTY AT THE CORNER OF
EAST 2ND STREET AND NORTH GORMAN AVENUE**

WHEREAS, the City owns vacant property; and

WHEREAS, the City received proposals for vacant lots located at East Nelson Street and Meadow Road and the corner of East 2nd Street and North Gorman Ave; and

WHEREAS, the City adopted a motion to sell the property at East Nelson Street and Meadow Road through an auction; and

WHEREAS, the Council adopted Resolution No. 22-6-107 authorizing City staff to work with Gregg Schilling on multi-family housing for the vacant property located at the corner of East 2nd Street and North Gorman Avenue; and

WHEREAS, Gregg Schilling presented another proposal for the purchase of vacant properties located at East Nelson Street and Meadow Road and at the corner of East 2nd Street and North Gorman Avenue,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby rescinds Resolution No. 22-6-107 concerning purchase of the property located at the corner of East 2nd Street and North Gorman Avenue and rescinds the motion concerning selling the property located at East Nelson Street and Meadow Road through an auction; and

BE IT FURTHER RESOLVED that the proposal from Gregg Schilling be accepted in the amount of \$12,500 for purchase of the vacant lots located at East Nelson Street and Meadow Road and for \$12,500 the purchase of the vacant lot at the corner of East 2nd Street and North Gorman Avenue,

AND BE IT FURTHER RESOLVED that a Developer's Agreement be developed for said property purchases.

Resolution No. 22-6-114– Cont’d.

Adopted by the City Council this 20th day of June, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Council Member Carlson asked for clarification. City Attorney Wood shared that the proposals are subject to Planning Commission approvals along with a Developer’s Agreement. City Administrator Cziok added that a Public Hearing is required. Council Member Carlson shared that he is not comfortable without a timetable in that Gregg Schilling has other undeveloped property. City Attorney Wood responded that the Developer’s Agreement would address his concerns.

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

V. COMMISSION RECOMMENDATIONS –

A. PLANNING COMMISSION –

1. Variance Request – By Litchfield Shipping at 425 S. Chandler Ave. –

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-109
GRANT VARIANCES TO KEVIN AND DAWN FRERICKS AND DONN AND DARCY
HOFF, dba LITCHFIELD SHIPPING, FOR PROPERTY LOCATED AT 425 SOUTH
CHANDLER AVENUE**

WHEREAS, the Planning Commission held a hearing on June 13, 2022, on a request for two variances and by Kevin and Dawn Frericks and Donn and Darcy Hoff, dba Litchfield Shipping, and

WHEREAS, the Litchfield Planning Commission, upon review of the findings of facts, as follows, has recommended that the variances be granted and they referred the application to the City Council for final action, and

WHEREAS, the request is for approval of two setback variances for a principal structure addition:

- a. A variance of 12.4 feet to the required 40-foot front yard setback
- b. A variance of 16.3 feet to the required 20-foot interior side yard setback, and

WHEREAS, the property is located at 425 South Chandler Avenue, in the I-2 General Industry District, and

WHEREAS, the existing building does not meet the required north side yard setback, and

WHEREAS, the space where an addition for office space can be constructed is constrained by the existing configuration of the building, and

Resolution No. 22-6-109– Cont’d.

WHEREAS, the variance is in harmony with the general purposes and intent of the ordinance, and

WHEREAS, the variance is consistent with the Comprehensive Plan, and

WHEREAS, the property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance, and

WHEREAS, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and

WHEREAS, the variance will not alter the essential character of the locality, and

WHEREAS, the purpose of the request is not solely financial,

BE IT RESOLVED by the City Council of the City of Litchfield that the requested variances be granted to Kevin and Dawn Frericks and Donn and Darcy Hoff, dba Litchfield Shipping at 425 South Chandler Avenue, to allow the proposed addition to be constructed:

Property legally described as:

Parcel No. 27- 2034000. Lot 8, Block 5, Isaacson’s Addition
City of Litchfield, Meeker County, Minnesota

Adopted by the City Council this 20th day of June, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

- 2. Site Plan Review/Change in Zoning Request – By JJ Holdings LLC at 1103 N. Sibley Ave –
 - a. Site Plan Approval –

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-110
GRANT SITE PLAN APPROVAL FOR WEST CENTRAL SMILES ORTHODONTIC
CLINIC TO BRADY HICKOX ON BEHALF OF JJ HOLDINGS LLC
FOR PROPERTY LOCATED AT 1103 NORTH SIBLEY AVENUE**

WHEREAS, the Applicant is requesting site plan approval for the development of West Central Smiles, an orthodontic clinic, and

WHEREAS, the property is located at 1103 North Sibley Avenue, in the R-1 Single Family Residential District, and

Resolution No. 22-6-110– Cont’d.

WHEREAS, a change in zoning, to B-3 Roadside Business District has been requested concurrently with site plan approval, and

WHEREAS, the Planning Commission reviewed a request for site plan review by Brady Hickox, on behalf of property owner JJ Holdings LLC, and

WHEREAS, the Litchfield Planning Commission, upon review of the findings of facts, as follows, has recommended that the site plan be approved and they referred the application to the City Council for final action, and

WHEREAS, the site plan complies with all zoning requirements of the B-3 District, and

WHEREAS, the site plan is consistent with the Comprehensive Plan, and

BE IT RESOLVED by the City Council of the City of Litchfield grants site plan approval at 1103 North Sibley Avenue, subject to the following conditions:

1. Final construction plans shall be submitted for review and approval (through building permit application) prior to construction.
2. All landscaping shall occur outside the 50-foot wetland buffer.
3. A sign permit shall be required prior to the installation of any signage.
4. Site development must adhere to the submitted site plan.
5. Stormwater calculations shall be submitted for the site for pre-developed and post-developed conditions. There shall be a net reduction in stormwater flow, volume, TSS and phosphorus leaving the site. In addition, the high water elevation associated with the wetland shall be identified and a stormwater pollution prevention plan submitted.
6. The developer shall be required to obtain all necessary permits for the project, including a stormwater permit from the MPCA.
7. Final construction plans shall be submitted for review and approval prior to construction.
8. The installation of the sewer and water service lines shall be inspected by the City and tested according to the regulatory requirements. In addition, a MnDOT permit will be required for the installation of the service lines in the TH 12 right-of-way.
9. Any damage to the existing street pavement and curb and gutter along 11th Street shall be restored to match the in-place depths and style.
10. The plan shows a delineated wetland on the west portion of the site. A copy of the LGU approval of the delineation shall be submitted. The plan does not show any wetland impacts, however, any impacts would need to be reviewed and approved by the LGU.
11. Any areas disturbed in the wetland buffer area shall be restored with a natural vegetation.
12. Additional details associated with the overall site drainage plan shall be provided with the final plans, including the location of any storm sewer and pretreatment structures.
13. The plans do not show any work associated with the existing service road and access points to TH 12 and 11th Street. The developer shall clarify their intentions with the service road and access points.
14. The Applicant shall work with MnDOT regarding the access road that exists within the Hwy 12 ROW. If possible, existing service road and access points shall be closed off and/or removed.
15. The Applicant shall work with the City Engineer to review potential traffic impacts associated with the new access on to 11th St. and implement any feasible solutions that are warranted.

Property legally described as:

THAT PART OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 2, TOWNSHIP 119 NORTH, RANGE 31 WEST, MEEKER COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SE1/4; THENCE ON AN ASSUMED BEARING OF SOUTH 87 DEGREES 51 MINUTES 28 SECONDS EAST ALONG THE SOUTH LINE OF SAID SE1/4 FOR 1182.50 FEET; THENCE NORTH 02 DEGREES 08 MINUTES 40 SECONDS EAST FOR 72.07 FEET; THENCE NORTH 38 DEGREES 12 MINUTES 05 SECONDS WEST FOR 694.68 FEET; THENCE NORTH 48 DEGREES 47 MINUTES 37 SECONDS WEST FOR 990.76 FEET TO ITS INTERSECTION WITH THE WEST LINE OF SAID SE1/4; THENCE SOUTH 00 DEGREES 26 MINUTES 16 SECONDS WEST ALONG LAST SAID LINE FOR 1226.45 FEET TO THE POINT OF BEGINNING AND THERE TERMINATING. SUBJECT TO THE RIGHT OF WAY OF EXISTING U.S. HIGHWAY NO. 12 ALONG THE NORTHEASTERLY LINE OF THE HERE DESCRIBED TRACT; SUBJECT TO EXISTING ELEVENTH STREET ALONG THE SOUTH LINE OF SAID SE1/4.

Resolution No. 22-6-110– Cont’d.

Adopted by the City Council this 20th day of June, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

b. Change of Zoning –

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-111
GRANT CHANGE OF ZONING TO BRADY HICKOX ON BEHALF OF JJ HOLDINGS
LLC
FOR PROPERTY LOCATED AT 1103 NORTH SIBLEY AVENUE**

WHEREAS, the Planning Commission held a hearing on June 13, 2022, on a request for a Change of Zoning by Brady Hickox, on behalf of property owner JJ Holdings LLC, and

WHEREAS, the Litchfield Planning Commission, upon review of the findings of facts, as follows, has recommended that this Change of Zoning request be granted and they referred the application to the City Council for final action, and

WHEREAS, the property is located at 1103 North Sibley Avenue, in the R-1 Single-Family Residence District, and

WHEREAS, the request is to change the zoning from R-1 to B-3, Roadside Business District, and

WHEREAS, the change of zoning is consistent with the zoning of the neighboring properties and the proposed use of the subject parcel, and

WHEREAS, there is a public need for additional land to be zoned as requested and this public need is best served by rezoning in this area, and

WHEREAS, granting this rezoning would conform to the presently accepted future land use plans for the City as well as present land uses, and

WHEREAS, granting this rezoning would not adversely affect property values of adjacent landowners to an unreasonable degree, and

WHEREAS, granting this rezoning would not impose other undue hardships on the adjacent landowners such as noise, lights, odors, traffic or other nuisances, and

WHEREAS, the necessary utilities are available to serve the area if the rezoning is granted, and

WHEREAS, there is not a reasonable alternative that would eliminate the necessity for rezoning, and

WHEREAS, this rezoning is not merely a convenience for the new owner,
Resolution No. 22-6-111– Cont’d.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield to grant this Change of Zoning, and

BE IT FURTHER RESOLVED that this be the First Reading of Ordinance No. 812 to Amend the Zoning Ordinance 154.011 Boundaries of Official Zoning Map, Appendix B - Zoning Map, to Change the Zoning from R-1 to B-3, for the property described as follows:

Parcel No. 27-00152000

THAT PART OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 2, TOWNSHIP 119 NORTH, RANGE 31 WEST, MEEKER COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SE1/4; THENCE ON AN ASSUMED BEARING OF SOUTH 87 DEGREES 51 MINUTES 28 SECONDS EAST ALONG THE SOUTH LINE OF SAID SE1/4 FOR 1182.50 FEET; THENCE NORTH 02 DEGREES 08 MINUTES 40 SECONDS EAST FOR 72.07 FEET; THENCE NORTH 38 DEGREES 12 MINUTES 05 SECONDS WEST FOR 694.68 FEET; THENCE NORTH 48 DEGREES 47 MINUTES 37 SECONDS WEST FOR 990.76 FEET TO ITS INTERSECTION WITH THE WEST LINE OF SAID SE1/4; THENCE SOUTH 00 DEGREES 26 MINUTES 16 SECONDS WEST ALONG LAST SAID LINE FOR 1226.45 FEET TO THE POINT OF BEGINNING AND THERE TERMINATING. SUBJECT TO THE RIGHT OF WAY OF EXISTING U.S. HIGHWAY NO. 12 ALONG THE NORTHEASTERLY LINE OF THE HERE DESCRIBED TRACT; SUBJECT TO EXISTING ELEVENTH STREET ALONG THE SOUTH LINE OF SAID SE1/4.

Adopted by the City Council this 20th day of June, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

VI. COMMITTEE REPORTS – None.

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS –

A. DOG PARK –

City Administrator Cziok outlined potential dog park locations for Council consideration. He suggested steps in proceeding forward which include selection of location, next developing a master plan, followed by a phased approach dependent upon financial obligations and participation. After review of the potential locations, Council Member Mathwig inquired about green space at the airport property. He wasn't sure if there would be federal regulations however.

Resident and dog park promoter Janet Westrup of 510 South Holcombe Avenue addressed the Council concerning the locations and encouraged the Council to see the spaces. She shared that the Donnelly location is more centrally located and not many houses impacted. Mayor Johnson encouraged fundraising however Ms. Westrup explained that there have not been fundraising efforts at this point with the uncertainty of the project moving forward.

City Administrator Cziok advised only picking a site if the Council was comfortable. He discussed phasing and designing the dog park so it's affordable and with the least maintenance intensive as possible. He added the timeline will be quicker dependent upon the funding available. Council Member Miller shared that we won't make everyone happy no matter what we decide. Council Member Kotelnicki expressed concern about the small size of the dog park. City Administrator Cziok responded that the dog park could be made larger but fencing is expensive and encouraged completing the project in phases. Council Member Dingmann inquired as to location preference of the dog park committee. Janet Westrup said the location west of the Street Department would be acceptable.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-115
APPROVE DOG PARK LOCATION FOR WEST OF THE STREET DEPARTMENT
BETWEEN 4TH STREET AND 5TH STREET**

WHEREAS, the City has received a request for a dog park; and

WHEREAS, the City received concerns on the previously selected area west of the water treatment plant off of CR11 for the location of a dog park; and

WHEREAS, the Council reviewed other potential sites for consideration; and

WHEREAS, a phased approach for development of the dog park will be provided for further consideration,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the area west of the Street Department, between 4th Street and 5th Street for the dog park location.

Adopted by the City Council this 20th day of June, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye with the exception of Council Mathwig voting nay, whereupon the resolution was declared adopted.

B. TREE REMOVAL REQUEST –

The Council discussed the letter of request for consideration from property owner Marland Meyer to remove a boulevard tree for the purpose of replacing his driveway. He explained that the tree roots were pushing up his driveway. City Administrator Cziok shared that the City does get quite a few requests for removal of boulevard trees for various reasons. He explained that staff has been giving property owners the same message for years that there hasn't been a request to date that the Council has approved. The Council discussed options such as root removal with potentially losing the tree in the future. It was noted that the owner would be responsible for removal of the tree if approved.

It was moved by Mayor Johnson, seconded by Council Member Allen, that City staff meet with the owner concerning root removal once the driveway is removed prior to replacing. Upon roll call vote, all members voted aye, whereupon motion carried.

C. TEMPORARY STREET CLOSURE REQUEST –

The Council reviewed the request from the American Legion to close Marshall Avenue between East 2nd Street and East 3rd Street Thursday nights for car and bike night from 5pm to 9pm through August. The Council discussed previous street closure requests. City Administrator Cziok shared that the Council had been charging \$100 for street closure requests and questioned how the Council wanted to handle fees. Council Member Miller expressed concern that it may set a precedent if we don't charge.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-116
APPROVING TEMPORARY STREET CLOSURES ON
NORTH MARSHALL AVENUE BETWEEN EAST 2ND STREET AND
EAST 3RD STREET THURSDAY EVENINGS THROUGH AUGUST**

WHEREAS, the City has received a temporary street closure request for consideration from the American Legion; and

WHEREAS, the request involves closing North Marshall Avenue between East 2nd Street and East 3rd Street on Thursdays from 5pm to 9pm until the end of August,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves temporary street closures for North Marshall Avenue between East 2nd Street and East 3rd Street; and

BE IT FURTHER RESOLVED that the temporary street closure fee be \$25.00 per closing.

Adopted by the City Council this 20th day of June, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

D. HOUSING WORK SESSION –

City Administrator Cziok reported that the Chaska housing group had a conflict with the scheduled meeting for June 20th and offered June 27th at 4pm for consideration. Council Member Kotelnicki expressed concern about the HPC meeting scheduled at 6:30pm. and missing part of the discussion. It was moved by Council Member Carlson, seconded by Council Member Allen, to reschedule the meeting for another date. Upon roll call vote, all members present voted aye, whereupon the motion carried.

E. MNDOT MASTER PARTNERSHIP –

City Engineer DeWolf explained the State of Minnesota Master Partnership Contract has been in place for 5 years with a request to consider renewal for another 5 years.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-6-117
APPROVING STATE OF MINNESOTA
MASTER PARTNERSHIP CONTRACT**

WHEREAS, the Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

WHEREAS, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

WHEREAS, the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write “work orders” against a master contract would provide the greatest speed and flexibility in responding to identified needs,

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

1. That the City of Litchfield enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the City Council.
2. That the proper City officers are authorized to execute such contract, and any amendments thereto.
3. That the City Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the City Engineer may execute such work order contracts on behalf of the City of Litchfield without further approval by this City Council.

Adopted by the City Council this 20th day of June, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

F. KAYAKS AND BICYCLES –

Council Member Kotelnicki discussed a kayak/paddle board rental program that Sleepy Eye has engaged in. She would like the Council to consider the program in an effort to offer additional recreational options at Lake Ripley. She explained that there are different companies that provide the trailer units that house the kayaks/paddle boards in which a code is given out allowing access to the equipment. The City would receive revenue along with the company providing access to the trailer. City Administrator Cziok advised there would still be maintenance issues for staff but was overall supportive of the program. He recommended staff research maintenance needs with other communities. It was determined that both Council and

staff would be conducting research on the program. After discussion it was determined that the topic will be scheduled for further discussion and consideration at the September 19, 2022 Council meeting. No formal action was taken.

G. CITY ADMINISTRATOR PERFORMANCE EVALUATION –

Mayor Johnson explained that MN Statutes Section 13D.05 Subdivision 3 provides that “A public body may close a meeting to evaluate the performance of an individual who is subject to its authority. The public body shall identify the individual to be evaluated prior to closing a meeting.” At its next open meeting, the public body shall summarize its conclusions regarding the evaluation. Mayor Johnson asked City Administrator Cziok what his wishes were with Cziok replying he would like the meeting to be closed. Mayor Johnson announced this meeting is closed for an evaluation of David Cziok. The meeting was closed at 7:12 p.m. The meeting was reopened at 8:30 p.m. No formal action was taken.

IX. ADDITIONAL ITEMS –

A. SALES ON PUBLIC PROPERTY REQUEST (Removed from the Consent Agenda (Item II.F.2) –

The Council reviewed a Sales on Public Property request from Greg Filzen to provide biblical literature on Thursdays at the Farmer’s Market in Central Park and the Splash Pad at Lake Ripley from June through September of 2022. Council Member Allen expressed concern about handing out literature at the Splash Pad and potentially at Central Park. Upon research with a League of Minnesota Constitutional Law expert, City Attorney Wood explained that it is not a commercial activity in that they are expressing their beliefs and there are no licensing requirements or restrictions on it. City Administrator Cziok shared that the City can’t ask them to register or pay a fee. City Attorney Wood explained that if it is threatening or suspicious activity that would be viewed differently. Since the item was pulled from the Consent Agenda and the City cannot license or register the individual there was no formal action taken.

X. ANNOUNCEMENTS – None.

XI. ADJOURNMENT –

The City Council meeting adjourned at 8:30 p.m. by unanimous consent.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR