

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 Tuesday, June 20, 2023, commencing at 5:30 p.m. Mayor Dingmann called the meeting to order.

A. ROLL CALL:

Mayor	Ron Dingmann	Present
Council Member-at-Large	Malinda Larson	Excused
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
Operations Engineer	Mike Geers	Present
City Attorney	Mark Wood	Present
City Engineer	Chuck DeWolf	Present
Independent Review		Absent
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 Meeting – June 5, 2023
2. Work Session – June 5, 2023

B. FINANCIAL REPORTS TO APPROVE:

1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT:

1. Computer List of Bills for \$321,345.57

D. OTHER PAYMENTS:

1. 2022 Water Treatment Facility Imp Project –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-107
AUTHORIZE PAYMENT NO. 7
FOR THE LITCHFIELD WATER TREATMENT FACILITY
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 that the City Council of the City of Litchfield hereby approves Payment No. 7 for the 2022 Litchfield Water Treatment Facility Improvement Project totaling \$208,810.00 as attached and on file.

Adopted by the City Council this 20th day of June, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

1. Lawful Gambling Permit – Litchfield Baseball Association –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-106
LAWFUL GAMBLING PERMIT TO CONDUCT OFF-SITE GAMBLING FOR
AN EXEMPT ORGANIZATION LITCHFIELD BASEBALL ASSOCIATION**

WHEREAS, an application for a lawful gambling license to conduct off-site gambling was considered from the Litchfield Baseball Association,

NOW, THEREFORE, BE IT RESOLVED to approve the application to conduct off-site gambling from a Lawful Gambling license for the Litchfield Baseball Association for July 16, 2023, at Optimist Ball Park, 710 East 10th Street, 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 20th day of June, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

2. Lawful Gambling Permit – Kiwanis Club –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-111
LAWFUL GAMBLING PERMIT FOR AN EXEMPT
ORGANIZATION THE KIWANIS CLUB OF LITCHFIELD, MINNESOTA**

WHEREAS, an application for a lawful gambling license exemption was considered from the Kiwanis Club of Litchfield, Minnesota,

NOW, THEREFORE, BE IT RESOLVED to approve the application for an Exemption from a Lawful Gambling license for the Kiwanis Club of Litchfield, Minnesota on September 29, 2023 at the ISD 465 Football Field, 307 East 6th Street, 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 20th day of June, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

3. Liquor/3.2 Percent Malt Liquor On-Sale License Renewals – See list

4. Sales on Public Property –
a. Litchfield Kiwanis
b. Litchfield Wrestling Club

G. OTHER ROUTINE MATTERS:

1. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-110
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 2023 Budget; and

WHEREAS, the supervisors will adjust the wage schedule for 2023 part-time employees to fill these positions, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Litchfield to offer 2023 part-time employment with the City of Litchfield, to the following:

<u>Department</u>	<u>Re-Hires</u>	<u>New Hires</u>
<u>Parks</u>		Ben Olson Evan Behnke
<u>Golf Course</u>	Elliot Fluck Dale Granlund Alicia Hansen Ela Provencher Sadie Rick	
<u>Liquor Store</u>		Thomas Leyendecker

Adopted by the City Council this 20th day of June, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS TO REVIEW :

- 1. Minutes & Reports:
 - a. Planning Commission Minutes – June 12, 2023

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-112
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, 2023.

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. MNDOT – US HWY 12 RESURFACING PROJECT –

Lowell Flaten, representing MnDOT, reported on maintenance plans addressing the current conditions of US Hwy 12 in certain areas in the City until the US Hwy 12 resurfacing project scheduled for 2024 is completed. He reported that the US Hwy 12 resurfacing project involves upgrading sidewalks, including pedestrian ramps along the project area to meet ADA standards, and creating a new sidewalk between Davis Avenue and Hubbard Avenue. He added that the culvert will be replaced at the county ditch east of the intersection of Hwy 12 and Meeker County Road 34 and a pedestrian push button station will be installed at Davis Avenue. Mr. Flaten discussed traffic impacts and provided planned detour routes.

Council Member Kotelnicki inquired about plans to improve the US Hwy 12 and County Road 34 intersection. Mr. Flaten responded that it is considered a lower priority intersection, however MnDOT is supportive of the City of Litchfield taking a lead if they so choose. He shared that MnDOT would participate however with the City of Litchfield in funding improvements to the intersection. Council Member Kotelnicki recalled that the Council was in agreement on either a stop light or small roundabout, adding it is a high priority for our community. Lowell Flaten explained that the project plans included an offset in the right turn lane but removed it from the project since the City may still explore other options at the intersection. City Engineer DeWolf discussed the need to secure funding if there were intersection improvements.

Council Member Mathwig shared that senior citizens are looking forward to the crossing improvements at Davis Avenue. Lowell Flaten provided project timelines in response to Mayor Dingmann’s inquiry. No formal action was taken.

V. COMMISSION RECOMMENDATIONS –

A. PLANNING COMMISSION –

1. Variance Request – By John and Lesli Mueller at 408 N. Gilman Ave. –

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

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-108
GRANT VARIANCES TO JOHN AND LESLI MUELLER,
FOR PROPERTY LOCATED AT 408 NORTH GILMAN AVENUE**

WHEREAS, the Planning Commission held a hearing on June 12, 2023, on a request for two variances and by John and Lesli Mueller, 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 an attached garage addition:

- a. A variance of 5.5 feet from the required 8-foot side yard setback
- b. A variance of 1 foot from the required 25-foot rear yard setback, and

WHEREAS, the property is located at 408 North Gilman Avenue, in the R-2 Residence District, and

WHEREAS, the proposed attached garage will sit in the same location as the existing detached garage, and

WHEREAS, the existing detached garage is dilapidated and not structurally sound, and

WHEREAS, the variances are in harmony with the general purposes and intent of the ordinance, and

WHEREAS, the variances are 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 variances 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 John and Lesli Mueller at 408 North Gilman Avenue, to allow the proposed attached garage addition to be constructed.

Property legally described as:

Parcel No. 27- 0180000. Lot 8, Block 5, Auditor’s Plat No. 1
City of Litchfield, Meeker County, Minnesota

Adopted by the City Council this 20th day of June, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

- 2. Variance Request – By Miller Automotive (Turn & Burn LLC) at 323 West Depot Street –

Council Member Miller declared a conflict of interest and recused herself, leaving the Council Chambers. Council Member Carlson provided the findings and recommendations of the Planning Commission.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-109
GRANT SITE PLAN APPROVAL FOR MILLER AUTOMOTIVE EXPANSION
TO TURN & BURN, LLC FOR PROPERTY LOCATED AT 323 WEST DEPOT STREET**

WHEREAS, the Applicant is requesting site plan approval for an expansion of Miller Automotive, an existing auto repair shop, and

WHEREAS, the property is located at 323 West Depot Street, in the I-2 General Industry District, and

WHEREAS, the Planning Commission reviewed a request for site plan review by Andrew Miller, Turn & Burn, LLC, and

WHEREAS, the project includes the construction of a 3,600 SF building addition, to contain five additional service bays, and

WHEREAS, the addition will be served by the existing gravel parking lot, and

WHEREAS, the new addition will have exterior finishes to match the existing building, 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 I-2 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 323 West Depot Street, subject to the following conditions:

1. A grading, drainage and erosion control plan shall be submitted for the project for review and approval.
2. The applicant shall identify how much impervious surface is being added to the property.
3. The stormwater runoff from the property shall not negatively impact adjacent properties and shall maintain existing drainage patterns.

Property legally described as:

PID: 27-1114000

That part of Block 106, SECOND ADDITION TO THE TOWN OF LITCHFIELD, as of public record Meeker County, Minnesota, lying easterly of the following described line: Commencing at the northwest corner of said Block 106, said point having a coordinate of Northing 186189.591, an Easting of 555503.573, said coordinates are based on the Meeker County Coordinate System NAD83, 2011 adjustment; thence North 89 degrees 33 minutes 20 seconds East along the North line of said Block 106, a distance of 96.60 feet to the point of beginning of the line herein described; thence South 00 degrees 33 minutes 28 seconds East, a distance of 30.31 feet to the northerly line of the BNSF Railroad Right of Way and said line there terminating.

Also, all that part of the West Forty Two (42.0) feet of the West One Half of the Southeast Quarter (W1/2 of SE1/4), in Section Eleven (11), Township One Hundred Nineteen, North (119-N), Range Thirty One, West (31-W), lying between Two (2) lines parallel with and distant Seventy Five (75.0) feet and Two Hundred (200.0) feet Northeasterly, measured at right angles, from the center line of the main tract of the railway of the Great Northern Railway Company as now located and constructed.

Adopted by the City Council this 20th day of June, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

Following Council action, Council Member Miller returned to the Council Chambers and took her place at the Council dais.

VI. COMMITTEE REPORTS – None

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS –

A. LIBRARY REPORT –

City Administrator Cziok discussed the library building assessment report. He outlined options for the Council to consider which included conducting a large investigation (which may lead to better defined project) or finding a design/build firm to work with the City to resolve issues. He shared that there has been no budget established at this point.

Council Member Mathwig inquired if there was any recourse with the building only being 20 years old. City Administrator Cziok shared that there isn't any recourse, adding that like everything, construction processes and products have changed since then. Council Member Carlson questioned timing. Council Member Kotelnicki expressed ongoing HVAC and security concerns.

It was moved by Council Member Allen, seconded by Council Member Kotelnicki, to seek design/build firms to provide proposals for rehab of the library. The motion passed with 6 votes in favor and 0 against.

B. SHADY'S DISCUSSION –

City Administrator Cziok shared that it has been about 9 weeks since the City heard a proposal from Shady's to purchase the golf course restaurant. He reported reaching out to request an offer from Shady's in writing to help clarify the request and believes Shady's has been apprehensive in responding in writing and may prefer to discuss in person. In an effort to move forward, City Administrator Cziok suggested that he, along with City Attorney Wood, be authorized to meet with Shady's representatives and report back to the Council. Council Member Kotelnicki expressed concern about not having Council representation in the meeting. Mayor Dingmann offered participating in said meeting if the Council approved. It was noted that this meeting does not involve negotiations with the intent being to gather information relating to the purchase of the golf course restaurant.

It was moved by Council Member Miller, seconded by Council Member Carlson, that the City Administrator Cziok, City Attorney Wood, and Mayor Dingmann be authorized to meet with representatives from Shady's to move the process forward relating to Shady's interest in purchasing the golf course restaurant and report results back to both the City Council and Litchfield Golf Club, Inc. The motion passed with 6 votes in favor and 0 against.

C. ADMINISTRATIVE PRIORITIES –

Mayor Dingmann noted that the administrative priorities update was for information purposes. No formal action was taken.

D. DELEGATED CONTRACT PROCESS AGREEMENT –

City Engineer DeWolf explained that the proposed agreement is standard and required every 5 years to authorize MnDOT to act as an agent on behalf of the City of Litchfield to accept federal funds.

June 20, 2023

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-113
AUTHORIZATION TO EXECUTE
MINNESOTA DEPARTMENT OF TRANSPORTATION AGENCY AGREEMENT
FOR FEDERAL PARTICIPATION IN CONSTRUCTION**

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Litchfield to accept as its agent, federal aid funds which may be available for eligible transportation related projects,

BE IT FURTHER RESOLVED, the Mayor and the Assistant City Administrator are hereby authorized and directed for and on behalf of the City of Litchfield to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1052081” a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Adopted by the City Council this 20th day of June, 2023.

Approved:

Attest:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

E. AIRPORT ADVISORY BOARD APPOINTMENT –

Council Member Mathwig explained the makeup of the Airport Advisory Board and shared that Blaine Adams resigned since he purchased his own plane and therefore is no longer a member of the Litchfield Flying Club. He reported that Litchfield Flying Club appointed Jason Dowdy as their representative.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-6-114
AIRPORT ADVISORY BOARD APPOINTMENT**

WHEREAS, the Council established a Litchfield Airport Advisory Board consisting of a Council Member representative, City Administrative Official, Public Works representative, one private hangar owner, and one Flying Club member; and

WHEREAS, the Litchfield Flying Club appointed Blaine Adams to represent them on the advisory board; and

WHEREAS, Blaine Adams resigned, and the Litchfield Flying Club has appointed Jason Dowdey as their representative,

NOW, THEREFORE, BE IT RESOLVED to appoint Jason Dowdey, representing the Flying Club, to the Litchfield Airport Advisory Board for a remaining term to October 31, 2025.

Adopted by the City Council this 20th day of June, 2023.

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 – None.

XI. ADJOURNMENT –

It was moved by Council Member Miller, seconded by Council Member Mathwig, to adjourn the City Council meeting at 6:08 p.m. Motion Carried.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR