

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, August 15, 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	Excused
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	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 Meeting – August 1, 2022

B. FINANCIAL REPORTS TO APPROVE:

1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT:

1. Computer List of Bills for \$200,554.56

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

1. Liquor/3.2 Percent Malt Liquor On-Sale License – American Legion Post

G. OTHER ROUTINE MATTERS:

1. Temporary Street Closure Application – The Chamber Serving the Meeker County Area
2. Litchfield Fire Relief Board of Trustees Appointments –

**CITY OF LITCHFIELD
RESOLUTION NO. 22-8-149
APPOINTING MUNICIPAL OFFICIALS TO
LITCHFIELD FIRE RELIEF ASSOCIATION BOARD OF TRUSTEES**

WHEREAS, the Litchfield Fire Relief Association is governed by state law; and

WHEREAS, the Litchfield Fire Relief Association Board of Trustees requires three municipal trustees consisting of one elected municipal official, one elected or appointed municipal official, and the fire chief,

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Litchfield hereby appoints Mayor Keith Johnson and Assistant City Administrator Joyce Spreiter to the Litchfield Fire Relief Association Board of Trustees for 2022.

Adopted by the City Council this 15th day of August, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS TO REVIEW :

- 1. Minutes & Reports:
 - a. Planning Commission Minutes – August 8, 2022

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-8-150
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 15th day of August, 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 – None.

V. COMMISSION RECOMMENDATIONS – None.

VI. COMMITTEE REPORTS –

A. Heritage Preservation Commission –

1. CLG Grant –

Council Member Kotelnicki requested consideration for approval of attendance to the 2022 MN Historical Society Conference and authorization to apply for a Certified Local Government (CLG) grant to offset attendance costs.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-8-151
APPROVE EXPENSES FOR MN HISTORICAL SOCIETY CONFERENCE
ATTENDANCE FOR 2022 AND AUTHORIZE CLG GRANT APPLICATION
TO OFFSET COSTS**

WHEREAS, the Heritage Preservation Commission is requesting approval for travel expenses for the MN Historical Society Conference in Duluth on September 14-16, 2022; and

WHEREAS, travel expenses include mileage, lodging and registration costs; and

WHEREAS, the City is eligible for a Certified Local Government (CLG) grant for 60% of costs relating to attendance at said conference,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves travel expenses for attendance for up to 4 individuals to the MN Historical Society Conference for 2022 and authorizes applying for a CLG grant to offset costs.

Adopted by the City Council this 15th day of August, 2022.

Approved:

Attest:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS –

A. LARC UPDATE –

Council Member Carlson reported on the Council presence at the Meeker County Fair over the 4 day event with the purpose of representation being to get information out to the public relating to the LARC. He shared some of the questions asked. Overall, Council Member Carlson felt it went well. Council Member Kotelnicki agreed it went well. Council Member Dingmann shared that there were questions about access for the public during school hours.

Mayor Johnson discussed the website developed to provide more information which is: livewelllitchfieldarea.org. City Administrator Cziok explained the need to be transparent about the City’s goal of little to no impact to taxes and include that on the website. No formal action was taken.

B. THC –

City Administrator Cziok discussed options for the Council to consider concerning the state legislature approval of the sale of THC edibles. He shared action taken by other cities including local prohibition, a temporary moratorium, enacting local regulations, or doing nothing. He explained that prohibition, or not allowing, has questionable legalities while a temporary moratorium is also somewhat questionable but allows for research. Cziok discussed the emergency ordinance adopted by the City of Willmar temporarily regulating the sale of THC products which was included in the agenda packet.

Referencing the emergency ordinance adopted by the City of Willmar, Council Member Dingmann inquired as to whether or not the City could extend the 60 days until they come up with a permanent plan. City Attorney Wood responded that they are restricted by their Charter but they are allowed to adopt an emergency ordinance. He explained that the City of Litchfield is not restricted by Charter, however advised identifying what the Council believes to be an appropriate timeline. Dingmann inquired if the City is allowed to totally ban the sale. City Attorney Wood responded that it is questionable whether a total ban would be upheld in court. Council Member Dingmann discussed the license fee has to be reasonable as to not financially prohibit the license. City Attorney Wood explained that it would be the same standard as liquor licensing.

Mayor Johnson shared that there is a store selling CBD oil in which City Attorney Wood responded that the City doesn't prohibit it. Mayor Johnson said there is one business selling THC. Council Member Miller explained that percentages matter relating to the products. Council Member Kotelnicki said the City needs to do something sooner rather than later. She agreed with Council Member Dingmann and feels 60 days is short. She discussed access to the product and that a permanent location be required for sale of the product. Kotelnicki referred to the adult entertainment ordinance adopted and the deliberation in adopting that ordinance. She suggested a 6 month moratorium.

Council Member Carlson discussed research with other communities and inquired as to who prepares the ordinance. City Administrator Cziok responded that City staff could check with other cities. He explained that it is difficult in that the League of Minnesota Cities doesn't have a model ordinance or contacts since this is all new. He advised a 6 month minimum timeline to develop an ordinance. Mayor Johnson reported on the ordinance adopted by the City of Alexandria in which the City Attorney and City staff drafted for Council consideration. City Attorney Wood reported on several cities that he has researched on how they are handling the sale of THC. He shared the City of St. Cloud passed an ordinance allowing for the sale of THC with regulations on the use of it. Council Member Kotelnicki questioned a moratorium on the sale of THC with City Attorney Wood advising there would be a strong chance it would be contested and would probably not be upheld, adding there is no direction from the State or the League of Minnesota Cities.

City Administrator Cziok advised focusing on where the Council wants to be a year from now, adding it would be easier to make a recommendation as to how to proceed. He said the State acted quickly and there are groups organizing to make changes such as passing a resolution to allow cities to opt out legally.

Council Member Dingmann prefers a temporary moratorium and very limited access to the product. Council Member Kotelnicki agreed with Council Member Dingmann and prefers very little to no sales. City Attorney Wood shared we don't have a wall around our City and people can bring it in from outside the City, adding banning would be questionable. Council Member Carlson asked if there were regulations on the number of licenses allowed similar to liquor licensing. City Administrator Cziok reported there are unknowns at this time. He questioned the possibility of restricting the area where THC can be sold similar to tobacco licenses.

Council Member Miller shared she liked what City Administrator Cziok said. She expressed frustration with the State allowing for the sale of THC, adding the same sentiment with the sale of tobacco. She sees the impacts of the use of the products and doesn't want it in the community but understands it will be a struggle banning it.

City Administrator Cziok shared that he felt he had enough information to go on and would provide information within the next 3-5 weeks for the Council to consider. No formal action was taken.

C. CIP UPDATE –

City Administrator Cziok provided an update on the status of the CIP relating to the 2022 projects. He reported the City is waiting on permission from MnDOT concerning the Commercial Street Storm Sewer, adding the project may be delayed until 2023. He discussed the need to adopt a stormwater ordinance. The Council has accepted bids for both the Overlay project and Water Plant upgrades. Cziok reported that the City is working with Miller Architects to define the scope and scale for the Library exterior. He explained that the City doesn't have access to materials to proceed with the Memorial Parking lot at this time. Lastly, City Administrator Cziok shared that the electric meter upgrades have been set back do to all of the underground work happening throughout the community. No formal action was taken.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS – None.

XI. ADJOURNMENT –

The City Council meeting adjourned at 6:10 p.m. by unanimous consent.

Approved:

Attest:

ASSISTANT CITY ADMINISTRATOR

MAYOR