

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 Tuesday, September 6, 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	Excused
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
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. Item II. C. 1. Computer List of Bills was pulled for further discussion (see Item IX.A.1. Computer List of Bills).

A. COUNCIL MINUTES TO APPROVE:

- 1. City Council Minutes – August 15, 2022

B. FINANCIAL REPORTS TO APPROVE:

- 1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT: (See Item IX.A.1. Computer List of Bills)

D. OTHER PAYMENTS: None

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

- 1. Lawful Gambling Permit – LDC Youth Hockey, Inc.

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-153
LAWFUL GAMBLING PERMIT FOR
AN EXEMPT ORGANIZATION LDC YOUTH HOCKEY, INC.**

WHEREAS, an application for a lawful gambling license exemption was considered from the LDC Youth Hockey, Inc.,

NOW, THEREFORE, BE IT RESOLVED to approve the application for an Exemption from a Lawful Gambling license for LDC Youth Hockey, Inc. on January 7, 2023 at Litchfield Civic Arena 900 N. Gilman, 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 6th day of September 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

G. OTHER ROUTINE MATTERS:

1. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-157
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>
<u>Liquor Store</u>		Courtney Peterson Kenzie Hanson Lori Damlow
<u>Pro-Shop</u>		Lydia Asmus Jennifer Ball

Adopted by the City Council this 6th day of September, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS:

1. Minutes & Reports:

- a. Airport Commission – August 11, 2022
- b. Heritage Preservation Commission – August 22, 2022

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-164
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 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

III. TIMED ITEMS – None.

IV. ACKNOWLEDGMENT OF AUDIENCE/PRESENTATIONS – None.

V. COMMISSION RECOMMENDATIONS –

- 1. Certificate of Appropriateness Application – By De Ann’s Country Village – 115 N. Sibley Ave. –

Council Member Kotelnicki provided the findings and recommendations of the Heritage Preservation Commission.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-159
GRANT CERTIFICATE OF APPROPRIATENESS
TO DEANN’S COUNTRY VILLAGE
FOR PROPERTY LOCATED AT 115 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, August 22, 2022, to consider a Certificate of Appropriateness Application request by DeAnn’s Country Village, for property located at 115 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the replacement of four upper windows on the front of the building with vinyl windows and no change in opening, and the replacement of upper windows in the south and west apartments with vinyl windows and no change in opening, and

WHEREAS, the Certificate of Appropriateness would allow the property to be used as it was historically or given a new use that requires minimal changes to its distinctive features, spaces, or spatial relationships, and

WHEREAS, the Certificate of Appropriateness would allow the property’s historic character to be retained and preserved, and

Resolution No. 22-9-159– Cont’d.

WHEREAS, the Certificate of Appropriateness would allow the property to be recognized as a physical record of its time, place and use, and

WHEREAS, the changes to the property that have acquired historic significance in their own right will be retained and preserved, and

WHEREAS, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

WHEREAS, deteriorated historic features will be repaired rather than replaced, and

WHEREAS, new additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to DeAnn’s Country Village, for property located at 115 North Sibley Avenue with the notation that the Heritage Preservation Committee amended the Certificate of Appropriateness to complete page 2 which was left incomplete by the applicant.

Adopted by the City Council on this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

- 2. Certificate of Appropriateness Application – By Stephanie Rech – 129 N. Sibley Ave. –

Council Member Kotelnicki provided the findings and recommendations of the Heritage Preservation Commission.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-160
GRANT CERTIFICATE OF APPROPRIATENESS
TO STEPHANIE RECH
FOR PROPERTY LOCATED AT 129 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, August 22, 2022, to consider a Certificate of Appropriateness Application request by Stephanie Rech, for property located at 129 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the repairing of the wall seal on the rear wall façade with permanent seal and modifying the door frame on the rear wall if required, and painting of rear wall to a common color similar to the original brick color, and

WHEREAS, the Certificate of Appropriateness would allow the property to be used as it was historically or given a new use that requires minimal changes to its distinctive features, spaces, or spatial relationships, and

WHEREAS, the Certificate of Appropriateness would allow the property’s historic character to be retained and preserved, and

WHEREAS, the Certificate of Appropriateness would allow the property to be recognized as a physical record of its time, place and use, and

WHEREAS, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to Stephanie Rech, for property located at 129 North Sibley Avenue.

Adopted by the City Council on this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

- 3. Certificate of Appropriateness Application – By Litchfield Chamber of Commerce/ Litchfield Visitors Bureau – 219 N. Sibley Ave. –

Council Member Kotelnicki provided the findings and recommendations of the Heritage Preservation Commission.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-161
GRANT CERTIFICATE OF APPROPRIATENESS
TO LITCHFIELD CHAMBER OF COMMERCE
FOR PROPERTY LOCATED AT 219 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, August 22, 2022, to consider a Certificate of Appropriateness Application request by Litchfield Chamber of Commerce, for property located at 219 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the painting of front of building to attached samples of blues & greens, and removal of wood border around sign above door front and replacement of existing sign above door front with new sign, and

WHEREAS, the Certificate of Appropriateness would allow the property to be used as it was historically or given a new use that requires minimal changes to its distinctive features, spaces, or spatial relationships, and

WHEREAS, the Certificate of Appropriateness would allow the property’s historic character to be retained and preserved, and

WHEREAS, the Certificate of Appropriateness would allow the property to be recognized as a physical record of its time, place and use, and

WHEREAS, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

WHEREAS, new additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property, and

WHEREAS, new additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to Litchfield Chamber of Commerce, for property located at 219 North Sibley Avenue.

Adopted by the City Council on this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye, with the exception of Council Member Dingmann abstaining due to being a Chamber of Commerce Board Member, whereupon the resolution was declared adopted.

- 4. Certificate of Appropriateness Application – By Stephanie Rech – 236 N. Sibley Ave. –

Council Member Kotelnicki provided the findings and recommendations of the Heritage Preservation Commission.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-162
GRANT CERTIFICATE OF APPROPRIATENESS
TO STEPHANIE RECH
FOR PROPERTY LOCATED AT 236 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, August 22, 2022, to consider a Certificate of Appropriateness Application request by Stephanie Rech, for property located at 236 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the painting of window frames, doors, and trim to black on back and front of building, and replacement of sections of roof with rubber membrane roof and repairing of existing rubber membrane roof sections, and

WHEREAS, the Certificate of Appropriateness would allow the property to be used as it was historically or given a new use that requires minimal changes to its distinctive features, spaces, or spatial relationships, and

WHEREAS, the Certificate of Appropriateness would allow the property’s historic character to be retained and preserved, and

WHEREAS, the Certificate of Appropriateness would allow the property to be recognized as a physical record of its time, place and use, and

WHEREAS, the changes to the property that have acquired historic significance in their own right will be retained and preserved, and

WHEREAS, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved, and

WHEREAS, new additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to Stephanie Rech, for property located at 236 North Sibley Avenue with the removal of item #2 as more information is needed.

Adopted by the City Council on this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

- 5. Certificate of Appropriateness Application – By Stephanie Rech – 240 N. Sibley Ave. –

Council Member Kotelnicki provided the findings and recommendations of the Heritage Preservation Commission.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-163
GRANT CERTIFICATE OF APPROPRIATENESS
TO STEPHANIE RECH
FOR PROPERTY LOCATED AT 240 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, August 22, 2022, to consider a Certificate of Appropriateness Application request by Stephanie Rech, for property located at 240 North Sibley Avenue, and

WHEREAS, the Litchfield Heritage Preservation Commission has recommended that this Certificate of Appropriateness Application be granted, based upon the summation of the checklist, as follows, and be referred to the City Council for final action, and

WHEREAS, the Certificate of Appropriateness would allow the painting of window frames, doors, and trim to white on back and front of building, and painting of rear walls to a color approved by Downtown to match the existing color, and

WHEREAS, the Certificate of Appropriateness would allow the property to be used as it was historically or given a new use that requires minimal changes to its distinctive features, spaces, or spatial relationships, and

WHEREAS, the Certificate of Appropriateness would allow the property’s historic character to be retained and preserved, and

WHEREAS, the Certificate of Appropriateness would allow the property to be recognized as a physical record of its time, place and use, and

WHEREAS, the changes to the property that have acquired historic significance in their own right will be retained and preserved, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that the request for a Certificate of Appropriateness be granted to Stephanie Rech, for property located at 240 North Sibley Avenue on the condition that the paint colors for the trim and rear walls are changed to the colors approved by the Heritage Preservation Commission.

Adopted by the City Council on this 6th day of September, 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. 2023 Preliminary Levy/Budget Process –

City Administrator Cziok outlined the process of setting the Preliminary Levy and the development of the proposed 2023 Budget. He explained that inflation is the biggest budget impact ranging between 6.5 to 9.1%. He shared that Local Government Aid (LGA) makes up 34% of the budget with the annual allotment not keeping up. Net tax capacity is up 11% which aids in fighting inflation. Debt payments are steady with no inflation impacts. Cziok said personnel costs are set at 3% in contract. He reported that spending is up about 5.2%.

Revenue and expenditure adjustments to the 2023 Budget year were outlined by City Administrator Cziok. He presented information on how the City of Litchfield compares with (what are considered to be) comparable cities. He reported that the City of Litchfield ranked 49th in comparing 426 out of 854 city taxing authorities and the City/Meeker County/I.S.D. 465 ranked 49th in comparing 417 out of 854 city/county/school combined taxing authorities. City Administrator Cziok discussed the proposed tax rate estimate for 2023 and explained the tax rate is determined by dividing the local levy by net tax capacity. He reported that the tax rate is calculated by Meeker County.

The Litchfield Area Recreation Center (LARC) will have no financial impact to the 2023 budget reflecting the Council’s commitment in not raising City’s property tax levy for the project, Cziok reported. With a successful referendum, the City has a small contingency to help fund with a new line item to be created relating to the LARC project. City Administrator Cziok shared that the city continues to budget conservatively in that staff budgets lower on the revenue side and higher on the expenditure side. Cziok reported that the City is in excellent position to take on said LARC project.

City Administrator Cziok discussed the property tax levy options included in the packet for consideration, explaining that the second option allows for business as usual while the third option funds new programs or initiatives. He inquired as to whether or not the Council had new initiatives such as new programs or services they would like to budget for. He provided a few options for Council consideration including rental property inspections, nuisance property and permit tracking, security systems, and technology and/or communication initiatives. Cziok explained that there are also two tax supported budget options relating to the property levy options.

Council Member Allen inquired if the funding for CIP projects was still there. City Administrator Cziok responded that the projects haven't been budgeted, adding the City is not raising taxes in 2023 to accomplish. Council Member Kotelnicki shared that there is a laundry list of things that didn't get done including the suppression system at the G.A.R. Hall, library needs, and kayaks. City Administrator Cziok discussed balancing operations and CIP with most of the items mentioned by Council Member Kotelnicki being Capital improvements. He explained that the CIP needs to be evaluated against budgets but not competing for budgets. He shared that security systems mentioned earlier relate to areas not evaluated to date including Memorial Park, Central Park, and Optimist Park to name a few.

Council Member Miller shared that there are more than one or two projects or surprises every year for Council consideration (which are not included in the budget) and supports the third property tax levy option. Mayor Johnson asked for clarification that the budget can be lowered in December but not raised in which City Administrator Cziok responded that the Mayor is correct. Mayor Johnson prefers the third property tax levy option. Council Member Dingmann also agrees with option number 3, adding that the budget represents an increase of 5.2% in spending with everywhere else reporting 8-8 1/2%.

1. Set Preliminary Levy –

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-154
ADOPTING PROPOSED 2022 PROPERTY TAX LEVY
COLLECTIBLE 2023 PROPERTY TAX LEVY**

WHEREAS, State law requires that cities certify their proposed Collectible 2023 Property Tax Levy by September 30, 2022, and

WHEREAS, the proposed levy amounts may be reduced but not increased for the final certifications, which are due on or before December 28, 2022,

NOW, THEREFORE, BE IT RESOLVED to propose the following 2022 Property Tax Levy, Collectible in 2023, as follows:

Regular Levy:		
<i>General Fund</i>		\$2,821,248
Special Levies:		
<i>Debt Service Funds</i>		
2007B Lease Rev	44,000	
2011B G.O. Cap Imp. Plan	62,250	
2015A G.O. Capital Imp Plan	122,250	
2018A G.O. Tax Abatement	202,000	
2018A G.O. Capital Notes	79,000	
2019A G.O. Sewer Rev & Ref	54,500	
 <i>Economic Development</i>		
Tax Abatement (FDA)	12,000	
 Total Levy Certified		 \$3,397,248

Resolution No. 22-9-154– Cont’d.

AND BE IT ALSO RESOLVED that the Assistant City Administrator is hereby instructed to transmit a certified copy of the Resolution to the Meeker County Auditor by September 30, 2022.

Adopted by the City Council this 6th day of September, 2022

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

2. Set Preliminary Budget –

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-155
ADOPT PROPOSED 2023 TAX SUPPORTED BUDGETS**

WHEREAS, State law requires that cities adopt their proposed 2023 Budgets by September 30, 2022, and

WHEREAS, these proposed Budgets may be increased or decreased, but must be finally adopted after the meeting where public comments are received on December 5, 2022,

NOW, THEREFORE, BE IT RESOLVED to propose the following Tax Supported Budgets for 2023:

General	\$6,498,204
Debt Service	\$721,848

Adopted by the City Council this 6th day of September, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

3. Set Public Hearing Dates –

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-156
SET 2023 BUDGET AND PROPERTY TAX LEVY
MEETING DATES**

WHEREAS, the City is required to set dates to consider, receive public comment, and to adopt the 2023 Budget and Property Tax Levy, and

WHEREAS, City staff is in the process of reviewing the budgets, and

WHEREAS, the 2023 Budget and Property Tax Levy meeting will be held at City Hall,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby sets the 2023 Budget and Property Tax Levy meeting date as follows:

Review and public comment and adoption - Monday, December 5, 2022 at 6:00 P.M.

Adopted by the City Council this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

B. LARC FUNDING –

The Council reviewed the document provided by consultants, Rapp Strategies and ICS, concerning funding principles of the Litchfield Area Recreation Center (LARC). He reported the funding formula matches the Council’s request.

Council Member Allen inquired about the \$140,000 in local fundraising included in the LARC funding document. City Administrator Cziok explained that is the gap in funding that has been discussed. Mayor Johnson inquired about the \$1M of City revenue shown on the LARC funding document. City Administrator Cziok explained that the City is trying to close the gap by using cash on hand.

Council Member Dingmann inquired about the 2023 State bonding request of \$1M and what happens if the City is not awarded the additional funds. City Administrator Cziok explained that the scope and scale will change if the City is not awarded the additional \$1M. Council Member Dingmann questioned what would be cut in which City Administrator Cziok responded that administration would be working with consultants on cuts however he thinks there is more room (for cuts) with the finishes included. Cziok added the City may have to eliminate one station (from the four-station gym). Council Member Kotelnicki thinks \$140,000 is low and with the unknowns it is hard to project, adding the last thing to be cut would be a station. Mayor Johnson discussed the funding opportunities that exist with State bonding money and sales tax. Council Member Dingmann commented that the Council committed to no new tax increase.

City Administrator Cziok recommended adopting a resolution supporting the LARC funding principles as outlined and reviewed.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-165
ADOPTING LITCHFIELD AREA RECREATION CENTER (LARC)
FUNDING PRINCIPLES**

WHEREAS, the Council has committed to funding its portion of the Litchfield Area Recreation Center (LARC) without raising the City’s property tax levy for the project; and

WHEREAS, administration has been working with consultants, Rapp Strategies and ICS, to develop a document outlining the funding principles for the LARC project; and

WHEREAS, administration has developed a budget for 2023 with these principles applied; and

Resolution No. 22-9-165– Cont’d.

WHEREAS, the Council agrees to the commitment, language, and description as developed by consultants and provided for review,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby adopts the document developed by consultants, Rapp Strategies and ICS, outlining the funding principles for the LARC project which includes the Council’s commitment to funding the LARC without raising the City’s property tax levy for said project.

Adopted by the City Council this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

C. 2022 STREET MAINTENANCE / SEAL COAT PROJECT –

City Administrator Cziok discussed the street maintenance and seal coat project in progress.

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

**RESOLUTION NO. 22-9-158
AUTHORIZE 2022 STREET MAINTENANCE/SEAL COATING PROJECT**

WHEREAS, the Council has been developing a CIP document; and

WHEREAS, staff has identified the need for street maintenance; and

WHEREAS, the City had a successful Street Maintenance/Seal Coat project completed in 2021; and

WHEREAS, the City received a quote to complete the 2022 Street Maintenance/Seal Coating project; and

WHEREAS, the City has street maintenance funds available,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the quote from Pearson Bros., Inc. in the amount of \$145,870.20 for street maintenance and seal coating to include the Avenues of Capwood, Maplewood, Ames and Cottonwood; St. James Circle and a portion of 7th and 10th Streets; and the Avenues of South Chandler, South Gilman, South Davis, South Hubbard, South Geinitz, Gorman, and East Lockerbie Street; and

BE IT FURTHER RESOLVED that the project be financed by the Infrastructure-Streets fund.

Adopted by the City Council this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

D. SQUAD CARS –

City Administrator Cziok discussed the difficulties in securing bids for police squads. He reported that there is a short window to respond to available vehicles which may not allow time to bring bids to Council for approval. Council Member Miller shared the same concerns with the Sheriff’s Department. The Council discussed the number of vehicles needed. City Administrator Cziok shared that he would like to say two because the City is behind by two, but staff may be coming back to the Council in February or March for the next one already. Police Chief Fank explained that sometimes there is a window of 6-12 hours to respond to available squads. He shared that he typically replaces oldest to newest but sometimes rotates depending on vehicle maintenance needs. Council Member Allen inquired about price range for the squad cars. Police Chief Fank reported that the Dodge Durango usually runs between \$39,000 to \$40,000. Mayor Johnson inquired if the vehicles being replaced are traded in or sold at auction. Police Chief Fank responded that they are taken to public auction. Council Member Carlson suggested authorizing three cars at this time.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-166
AUTHORIZING PURCHASE OF 3 POLICE VEHICLES**

WHEREAS, 2023 pursuit-car productions are very limited; and

WHEREAS, City staff has had difficulty in securing bids for police squads; and

WHEREAS, with the vehicle supply shortage, vehicle manufacturers have only been opening purchase orders in very small windows; and

WHEREAS, the City has been unable to receive pricing from a local dealership with enough time to have it approved by Council,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby gives authorization to staff to secure bids and purchase 3 police vehicles in the event approval by Council doesn’t meet purchasing timelines.

Adopted by the City Council this 6th day of September, 2022.

Approved:

Attest:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

E. THC –

Miranda Gohn, concerned citizen, addressed the Council in hopes that they would reconsider a moratorium concerning THC products. She referenced documents she distributed to the Council prior to the meeting. She shared that there is too much political uncertainty currently with many unresolved issues with the makeup of the legislature. Ms. Gohn discussed options that the Council may be able to consider. She expressed concern about businesses getting a foot hold locally.

City Attorney Wood shared that he hasn’t seen any litigation for cities in proposing moratoriums, adding the Council can establish what they want to see. Council Member Kotelnicki commented that if we don’t make a decision, no decision has to be made.

City Attorney Wood provided clarification relating to legal non-conforming use in that no one has tried that as of today. He explained that if the Council does nothing the State law applies. Council Member Kotelnicki expressed healthcare and youth concerns. Council Member Dingmann questioned whether or not the City should be scared by approving a moratorium. Mayor Johnson said Golden Valley and Alexandria have approved regulation ordinances and the City has model ordinances available. Council Member Kotelnicki responded that we need to do a moratorium. Council Member Dingmann feels like the State will address this issue in the next session and favors a moratorium. Council Member Kotelnicki supported Council Member Dingmann and favors a one-year moratorium.

City Administrator Cziok explained that the Council would need to set a public hearing to consider a moratorium. Council Member Miller shared that we may have regrets if the City goes straight into adopting an ordinance regulating THC products, adding we need to give it time. There was discussion on establishment of a committee to begin the research process. Council Member Kotelnicki questioned whether #4 concerning enforcement was adequate in the proposed interim ordinance. City Attorney Wood responded that classification would be a general misdemeanor. Council Member Dingmann inquired about a moratorium to prohibit the sale. City Attorney Wood responded that there are a number of things lacking in the State Statute.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-167
AUTHORIZE SETTING PUBLIC HEARING ON
INTERIM THC MORATORIUM ORDINANCE**

WHEREAS, the Minnesota Legislature recently amended Minnesota Statutes, section 151.72 relating to the sale of certain cannabinoid products; and

WHEREAS, said new law allows sales and establishes some labeling and testing requirements, but it does establish any licensing criteria or parameters for compliance by retailers and does not prohibit local regulation; and

WHEREAS, Minnesota Statutes, section 462.355, subd. 4 provides that if a municipality is conducting studies or has authorized a study to be conducted for the purpose of considering adoption or amendment to an official control, the City Council may adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens; and

WHEREAS, an interim ordinance may regulate, restrict, or prohibit any use within the city for a period not exceed one year from the effective date of the interim ordinance; and

WHEREAS, the City Council believes that authorizing a study regarding the types of uses that involve the sales, testing, manufacturing and distribution of THC Products is necessary to evaluate the regulatory options available to the City and is for the purpose of protecting the health and safety of Litchfield' s residents,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby authorizes setting a public hearing to consider an interim ordinance prohibiting the establishment of new uses or the expansion of existing uses related to sales, testing, manufacturing and distribution of THC products; and

BE IT FURTHER RESOLVED that the date of the public hearing is to be determined based on the legal requirements.

Adopted by the City Council this 6th day of September, 2022.

Resolution No. 22-9-167– Cont’d.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

F. STAFFING UPDATE –

City Administrator Cziok shared that there may be possible advertisements for maintenance worker/mechanic positions. He reported that there are two vacancies currently and he anticipates a retirement early next year resulting in a mechanic opening. He explained that this was for information purposes only. No formal action was taken.

IX. ADDITIONAL ITEMS –

A. CLAIMS TO AUTHORIZE FOR PAYMENT (Removed from Consent Agenda Item II. C. 1. Computer List of Bills)

1. Computer List of Bills for \$1,314,131.72

Council Member Allen inquired as to where the benches for the cemetery are being funded. City Administrator Cziok responded that the cemetery is funding the benches. She explained that she doesn’t have a problem with that but would like to see the cow gate removed from the cemetery.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-9-168
APPROVE COMPUTER LIST OF BILLS**

WHEREAS, the list of bills was pulled for further discussion; and

WHEREAS, staff clarified that the cemetery fund was where the cemetery benches were funded from; and

WHEREAS, there were no issues with the list of bills presented,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the list of bills as presented.

Adopted by the City Council this 6th day of September, 2022.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

X. ANNOUNCEMENTS –

XI. ADJOURNMENT –

September 6, 2022

The City Council meeting adjourned at 7:02 p.m. by unanimous consent.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR