

I. CALL TO ORDER.

A regular meeting of the City Council of the City of Litchfield was held in the City Council Chambers at the City Hall on Monday, October 3, 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 at 5:41pm
City Administrator	Dave Cziok	Present
Assistant City Administrator	Joyce Spreiter	Present
Assistant City Attorney	Rebecca Rue	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 Minutes – September 19, 2022

B. FINANCIAL REPORTS TO APPROVE:

- 1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT –

- 1. Computer List of Bills for \$902,878.28

D. OTHER PAYMENTS: None.

E. ORDINANCES – SECOND READINGS: None.

F. LICENSES:

- 1. Lawful Gambling Permit – VFW –

**CITY OF LITCHFIELD
 RESOLUTION NO. 22-10-176
 LAWFUL GAMBLING PERMIT TO CONDUCT OFF-SITE GAMBLING FOR
 AN EXEMPT ORGANIZATION V.F.W. POST 2818**

WHEREAS, an application for a lawful gambling license to conduct off-site gambling was considered from the V.F.W. Post 2818,

NOW, THEREFORE, BE IT RESOLVED to approve the application to conduct off-site gambling from a Lawful Gambling license for the V.F.W. Post 2818 for February 11, 2023, on Lake Ripley, at the southwest edge of the City of 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 3rd day of October, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

G. OTHER ROUTINE MATTERS: None.

H. COMMUNICATIONS:

1. Minutes & Reports:

a. Heritage Preservation Commission – September 26, 2022

2. Correspondence:

a. Meeker County Zoning Administrator Notice of Public Hearing

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

**CITY OF LITCHFIELD
RESOLUTION NO. 22-10-179
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 3rd day of October, 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 –

A. 5:30 PUBLIC HEARING – CONSIDER INTERIM ORDINANCE NO. 813 REGARDING THC PRODUCTS –

This being the time, date and place set, with all notices published and posted as required by law, Mayor Johnson opened the public hearing at 5:32 p.m. to consider an interim ordinance regarding THC products.

Mayor Johnson shared the intentions of the interim ordinance concerning THC products. An attendance list is on file. No written comments were received.

Oral comments were as follows:

- 1. Miranda Gohn – 612 East 3rd Street – Ms. Gohn expressed thanks to City Administrator Cziok and staff for helping guide her through the process.

Mayor Johnson closed the public hearing at 5:35 p.m. Council Member Carlson inquired about what the process was moving forward. City Administrator Cziok responded that it is dependent on the Council with what their wishes are for a committee. Council Member Carlson encouraged both Council and community members be engaged on the committee.

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

**CITY OF LITCHFIELD
 RESOLUTION NO. 22-10-177
 FIRST READING OF ORDINANCE NO. 813
 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.**

WHEREAS, the Council wishes to add Codified Ordinance Title XI: Business Regulations: Chapter 117: THC: Sections 117.01 through 117.07; and

WHEREAS, the Council held a public hearing on October 3, 2022 allowing for public input in considering 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,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the First Reading of Ordinance No. 813, an ordinance adding Codified Ordinance Title XI: Business Regulations: Chapter 117: THC: Sections 117.01 through 117.07.

Adopted by the City Council this 3rd day of October, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

IV. ACKNOWLEDGMENT OF AUDIENCE/PRESENTATIONS – None

V. COMMISSION RECOMMENDATIONS –

A. HERITAGE PRESERVATION COMMISSION –

- 1. Certificate of Appropriateness Application – By JSI-32, Inc. – 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 Dingmann, to adopt the following:

**CITY OF LITCHFIELD
RESOLUTION NO. 22-10-178
GRANT CERTIFICATE OF APPROPRIATENESS
TO JSI-32, INC.
FOR PROPERTY LOCATED AT 236 NORTH SIBLEY AVENUE**

WHEREAS, the Litchfield Heritage Preservation Commission held a hearing on Monday, September 26, 2022, to consider a Certificate of Appropriateness Application request by JSI-32, Inc., 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 installation of four new vinyl windows and a new storm door on rear of building; scraping, priming, and painting trim white on rear of building to match neighboring buildings, repairing and painting stairs and deck on rear of building to a previously approved color, and replacement of patio rooftop on rear of building with new white tin roof to match white tin over the steps, 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, deteriorated historic features will be repaired rather than replaced, 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 JSI-32, Inc., for property located at 236 North Sibley Avenue.

Adopted by the City Council this 3rd day of October, 2022.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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. LARC UPDATE –**

City Administrator Cziok reported that the LARC communication team, consisting of himself, ISD #465 Superintendent Beckie Simenson, and strategists are meeting on a weekly basis now until the election. He shared that the City has had some feedback in that the City is not taking a lead as far as communication. He discussed future communications from the City moving forward. Cziok reported that a 2nd mailer, in a postcard format, would be sent while the school will be doing a social media blast. He shared there are a couple letters to the editor to be published yet; there will a meet and greet at Mimi's downtown this Thursday and two weeks from Thursday; and there will also be newsmaker programming.

City Administrator Cziok shared suggested language responses provided by the strategists to assist Council Members from staying away from the advocacy side for the project. He explained that the City has the responsibility to inform constituents but not advocate for the project. Council Member Carlson shared that there are still questions that we need to answer and get out to the community. Council Member Dingmann has had frequent asks about membership fees and inquired if the committee could provide some information. Council Member Kotelnicki responded that it is difficult until we know what the facility will be at this time, however she said the fees will be similar to what facilities in other communities are charging which have indicated \$35/month for a single membership and \$55/month for family memberships. No formal action was taken.

B. KAYAKS –

City Administrator Cziok provided the Council with options for funding the purchase of two kayak trailer units. He reported that the community reinvestment fund has cash and would be a better fit. He explained that the capital equipment revolving fund is not traditionally how the City would fund a purchase but could be considered. Cziok said the issue with the capital equipment revolving fund is it would impact the general fund by approximately \$18,000 over a period of four years since it is a new purchase. He has had communication with the vendor and with Sleepy Eye. He shared that City staff has discussed other options to consider with providing equipment and advised purchasing one unit in 2023 and monitoring usage which would be consistent with operational norms. City Administrator Cziok recommended using the community reinvestment fund to finance the purchase.

Council Member Dingmann inquired about impacts to other projects with taking \$75,000 from the community reinvestment fund. City Administrator Cziok responded that there are no immediate projects that will be impacted. He said we need to allocate money to the dog park and that is an unknown investment at this point. He shared that there are some funds coming in from the Optimist Park Improvement project over several years (from the Litchfield Baseball Association.) Council Member Dingmann inquired about the ability to put business advertisements on the trailer to create additional funding. City Administrator Cziok responded that the vendor doesn't allow the trailer to be marked up. He said there is an agreement outlining the conditions.

Council Member Kotelnicki asked why we are going back to question the purchase having passed a resolution supporting the purchase. She expressed concern about opening the topic up for discussion since it was already approved and stressed the need to be one and done. She discussed the annual general fund transfers and shared that the City could transfer more into the community reinvestment fund to replenish at that time. In response to Council Member Miller's inquiry, Council Member Kotelnicki said Sleepy Eye has campgrounds. Council Member Allen inquired about fundraising. Council Member Carlson discussed the difficulties in decision making with seeing things from both sides and moving on after the decision.

City Administrator Cziok said the purchase will be made from the community reinvestment fund unless he hears anything different. Council Member Carlson inquired about ownership of the trailers and if for some reason it is not successful, the ability to sell a unit. City Administrator Cziok responded that the vendor would help sell since it would be a benefit to the vendor as well. No formal action was taken.

C. USE OF ARP FUNDS & 2023 BUDGET –

Council Member Kotelnicki discussed the 5% tax increase and expressed concern that there was minimal discussion where the funds are going. She would like to see a longevity bonus given to employees and implemented before the end of the year. She inquired about using the ARP funds to avoid raising taxes. Council Member Miller shared that her first thought was to see money given to employees. She shared that Meeker County has distributed \$500 to employees with another \$500 anticipated to be distributed yet.

City Administrator Cziok discussed the use of the funds for security purposes. He doesn't have the information back on potential costs. Mayor Johnson shared that previous discussions about use of the funds included storm sewer improvements at the LBC intersection. He agreed with distributing some funds to employees. Council Member Dingmann inquired about determining the distribution to employees. City Administrator Cziok responded that there are 43 full time employees and inquired about consideration of distribution to part-time employees and potential criteria for distribution. He advised having further discussions on the use of ARP funds.

Council Member Dingmann questioned whether or not the funds could be used to reduce the tax burden. City Administrator Cziok advised a work session to discuss options for consideration. Council Member Kotelnicki shared that she would like to see distribution to employees for longevity and not for hazard pay. City Administrator Cziok requested Council Members ideas prior to the work session in order to provide additional information at the work session.

It was moved by Council Member Miller, seconded by Council Member Kotelnicki, to hold a work session following the October 17, 2022 Council meeting to discuss further the use of ARP funds. Upon roll call vote, all members present voted aye, whereupon the motion carried.

IX. ADDITIONAL ITEMS – None.

X. ANNOUNCEMENTS – None.

XI. ADJOURNMENT –

The City Council meeting adjourned at 6:17 p.m. by unanimous consent.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR