

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, October 16, 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	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
Operations Engineer	Mike Geers	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 Meeting – October 2, 2023

B. FINANCIAL REPORTS TO APPROVE:

- 1. Electronic and Wire Transfer Report

C. CLAIMS TO AUTHORIZE FOR PAYMENT:

- 1. Computer List of Bills for \$347,207.58

D. OTHER PAYMENTS:

- 1. Water Treatment Facility Improvement Project –

**CITY OF LITCHFIELD
 RESOLUTION NO. 23-10-173
 AUTHORIZE PAYMENT NO. 11
 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. 11 for the 2022 Litchfield Water Treatment Facility Improvement Project totaling \$76,000.00 as attached and on file.

Adopted by the City Council this 16th day of October, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

2. Commercial and Holcombe Ave. Drainage Improvements –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-176
AUTHORIZE PAYMENT NO. 2 AND CHANGE ORDER NO. 1
FOR THE COMMERCIAL STREET & HOLCOMBE AVENUE
DRAINAGE IMPROVEMENTS**

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. 2 and Change Order No. 1 for the Commercial Street & Holcombe Avenue Drainage Improvements \$44,007.26 as attached and on file.

Adopted by the City Council this 16th day of October, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

E. ORDINANCES – SECOND READINGS:

1. Ordinance No. 820 –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-174
SECOND READING FOR ORDINANCE NO. 820
AMENDING ORDINANCE NO. 766
TO AMEND AND EXTEND THE CABLE TELEVISION FRANCHISE TERM
FOR NUVERA COMMUNICATIONS, INC.**

WHEREAS, a First Reading was given on October 2, 2023, Resolution No. 23-10-162,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the Second Reading of Ordinance No. 820 an Ordinance amending Ordinance No. 766 to Amend and Extend the Cable Television Franchise Term for Nuvera Communications, Inc.; and

BE IT FURTHER RESOLVED that this be entered into the Book of Ordinances as Ordinance No. 820, and into the Codified Ordinances of the City of Litchfield.

Adopted by the City Council this 16th day of October, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

2. Ordinance No. 822 –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-175
SECOND READING FOR ORDINANCE NO. 822
AUTHORIZING SALE OF PUBLIC PROPERTY
WEST RIPLEY STREET – ADJACENT TO THE GOLF COURSE**

WHEREAS, a First Reading was given on October 2, 2023, Resolution No. 23-10-164,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the Second Reading of Ordinance No. 822 Authorizing Sale of Public Property to Litchfield Building Center (LBC); and

BE IT FURTHER RESOLVED that this be entered into the Book of Ordinances as Ordinance No. 822, and into the Codified Ordinances of the City of Litchfield.

Adopted by the City Council this 16th day of October, 2023.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR

- F. LICENSES: None.
- G. OTHER ROUTINE MATTERS:
 - 1. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-178
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>Civic Arena</u>	Nickolas Kuechle	Brooke Caron Carson Brummond

Adopted by the City Council this 16th day of October, 2023.

Attest:

ASSISTANT CITY ADMINISTRATOR

Approved:

MAYOR

H. COMMUNICATIONS TO REVIEW :

- 1. Minutes & Reports:
 - a. Housing Meeting Minutes – October 3, 2023
 - b. Planning Commission Minutes – October 9, 2023
 - c. Airport Advisory Board – October 9, 2023

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-179
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 16th day of October, 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 – None.

V. COMMISSION RECOMMENDATIONS –

A. PLANNING COMMISSION –

- 1. Site Plan Approval Request - by First District Association at 101 S. Swift Ave. -

Council Member Carlson provided the findings and recommendations of the Planning Commission. He informed the Council that he received a call from a representative of First District Association reporting that there would be one additional truck that will use Swift Avenue due to the new building addition in reference to condition #5. The condition brought forth by the Planning Commission for consideration stated no additional truck traffic.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-177
GRANT SITE PLAN APPROVAL FOR STRUCTURE REPLACEMENT TO FIRST
DISTRICT ASSOCIATION
FOR PROPERTY LOCATED AT 101 SOUTH SWIFT AVENUE**

WHEREAS, the Applicant is requesting site plan approval for an expansion project that includes the demolition and replacement of a structure on site, and

WHEREAS, the property is located at 101 South Swift Avenue, in the I-2 General Industry District, and

WHEREAS, the Planning Commission reviewed a request for site plan review by Tom Bruce of Rice Companies on behalf of First District Association, and

WHEREAS, the project includes the demolition of 17,728 square feet of “Plant 1”, to be replaced with a 15,700 square foot building addition; and

WHEREAS, the new addition will have exterior finishes to match the existing structures on site, and

WHEREAS, one existing access to Swift Ave. will be removed and relocated further south, and

WHEREAS, no additional parking is required by the project, 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 101 South Swift Ave., subject to the following conditions:

1. Detailed construction plans for the project shall be submitted for review and approval prior to construction. Construction shall adhere to the site plan submitted with this application.
2. Detailed drainage calculations shall be submitted for review and approval. The project shall comply with the City’s stormwater ordinance.
3. Any street or curb and gutter area disturbed by construction shall be restored to match the in-place style and sections.
4. FDA shall confirm if there are any proposed changes to the parking lot on the west side of Swift Avenue. The plans included a sheet showing the parking lot however, there does not appear to be any changes.
5. One additional truck will use Swift Avenue due to the new building addition. Any additional traffic shall be required to use Sibley or Ripley for access to and from the site.
6. FDA will be responsible for obtaining all necessary permits to complete the project.
7. FDA shall confirm if their existing wells will stay in their current location.
8. FDA shall identify any impacts to the City’s infrastructure systems and determine if any additional capacity is needed. The City and FDA will collaborate to address these impacts.
9. The 18 evergreen trees and 4 hackberry trees shall be planted as shown on the site plan by October 1, 2024, and shall meet minimum size requirements prescribed within the Zoning Ordinance at the time of planting.

Adopted by the City Council this 16th day of October, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

VI. COMMITTEE REPORTS –

A. HOUSING COMMITTEE –

City Administrator Cziok reported that there was a fair amount of discussion at the Housing Committee meeting related to rental property and inspections. He reviewed the process that took place in 2015 in which Assistant City Attorney Rue provided a model ordinance for Council consideration utilizing the housing rental ordinance from Glencoe at that time. He shared the Council chose to not move forward with the ordinance at that time. Cziok explained his apprehension about the process again and timing with the Downtown Grant and the LARC. He said staff is supportive however he is concerned about the level of Council support moving the rental ordinance forward. He shared that the City could pick up where we left off beginning with City Attorney review of the model ordinance prepared in 2015, followed by Council review.

Mayor Dingmann expressed concern about additional costs for implementing the ordinance, whether fees would cover the costs or there would be an impact to taxes. Council Member Allen thinks it’s essential for the safety of our community. In response to Council Member Larson’s inquiry on what the City would be looking for in the process, Council Member Allen said heating, plumbing and conditions of rental property, adding that some are pretty bad.

Council Member Mathwig shared that rental housing evolved from discussions on funding availability to recondition buildings presented by Lisa Graphenteen at the Housing Committee meeting. Council Member Kotelnicki agreed with Council Member Mathwig and shared concerns about employee safety in enforcing the rental ordinance relating to housing inspections. Council Member Carlson inquired about results of the rental ordinance the City of Glencoe already had in place when the City developed the model ordinance in 2015. He would like to get feedback from Glencoe if they reached the outcome they were looking for.

Council Member Miller expressed concern about impacts to renters with implementation of the rental ordinance noting the possibility of rental property owners passing the costs along to their renters. She doesn’t want to increase the burden on renters with rental prices in the area already high. Council Member Larson inquired about what stopped the Council from adopting a rental ordinance prior. City Administrator Cziok shared that the Council was apprehensive with impacts to renters and landlords. Council Member Larson shared that there are landlords that are taking care of their properties. Mayor Dingmann discussed passing on the costs of implementing the rental ordinance and whether it would be a fee for landlords or combination of fees and taxes. Council Member Kotelnicki shared input she has received and believes it will be beneficial to the community and will level the playing field.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-182
PROCEEDING WITH RENTAL ORDINANCE**

WHEREAS, a model rental ordinance was developed and presented in 2015 for Council consideration; and

WHEREAS, the Council did not proceed with the model rental ordinance; and

WHEREAS, the Council wishes to proceed with a rental ordinance at this time; and

WHEREAS, the City Attorney will review the 2015 model rental ordinance and update as necessary; and

WHEREAS, the updated model rental ordinance will be presented to the Council for review and consideration,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby authorizes proceeding with review and updating the 2015 model rental ordinance as necessary for Council consideration; and

BE IT FURTHER RESOLVED that administration is allowed latitude to accomplish.

Adopted by the City Council this 16th day of October, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

B. AIRPORT A/D BUILDING –

City Engineer DeWolf reviewed the airport terminal building needs and funding available to address said needs. He shared that there was consensus of the Airport Advisory Board on the project scope. Council Member Mathwig said that previous minutes concerning the airport indicate the needs. He discussed federal funding allocations and said the City receives \$150,000 annually. City Engineer DeWolf discussed fuel system upgrades in response to Mayor Dingmann’s inquiry on future needs. Council Member Mathwig explained that is a different funding process with the State covering 70%, adding the estimated project costs are between \$800,000 to \$1M. Council Member Mathwig reported that the Airport Advisory Board is functioning well.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-180
AUTHORIZING AIRPORT TERMINAL BUILDING REHABILITATION**

WHEREAS, there are ongoing maintenance needs at the Litchfield Airport; and

WHEREAS, the Airport Terminal Building needs rehabilitation with the goal to improve overall aesthetics and functionality; and

WHEREAS, the City has accumulated \$212,536 in FAA Entitlement funds available for airport improvements; and

WHEREAS, FAA Entitlement funds can be utilized to cover 90% of costs for eligible airport projects; and

WHEREAS, the federal entitlement requires a 10% match from the City and/or the City and State; and

WHEREAS, since 2015 the State has been participating 5% reducing the City share to 5%; and

WHEREAS, the Council reviewed the proposed airport terminal building rehabilitation project needs identified,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby authorizes the Airport Terminal Building Rehabilitation project as presented and authorizes preapplication for funding and moving forward with the process including design and bidding.

Adopted by the City Council this 16th day of October, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

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

VII. LEGAL CONSIDERATIONS – None.

VIII. BUSINESS –

A. DOWNTOWN GRANT –

1. Professional Services Update –

City Administrator Cziok reported on the meeting that took place with Todd Grover of MacDonald and Mack concerning the \$2M Downtown Façade Grant. He explained that no one has had experience with DEED before with the grant being the first of its kind. Cziok believes this warrants further research and suggested the same representatives meet with other firms, to include WSB and New History, before selecting any professional services.

It was moved by Council Member Miller, seconded by Council Member Mathwig, to authorize City Administrator Cziok, Mayor Dingmann, and Council Member Kotelnicki, to meet with WSB and New History relating to professional services for the \$2M Downtown Grant process, to extend an invite to Representative Urdahl if he is available, and bring back recommendations to the Council moving forward. The motion passed with 7 votes in favor and 0 against.

2. Downtown Council Request –

Council Member Kotelnicki provided information on a \$150,000 - \$750,000 grant from Save America’s Treasures from the National Trust of Historic Places. She shared that Litchfield Downtown Council voted to apply for the grant. While it needs Council approval, she explained that Litchfield Downtown Council or the City could be the applicant. The intentions would be to complement the \$2M Downtown Grant in that this particular grant would be for interior improvements while the DEED grant is for exterior improvements. She discussed using the \$2M DEED grant as a match for this grant.

Council Member Larson inquired about the ability to get to the grant process with all the other projects and expressed concern about pushing more on the plate. Council Member Kotelnicki discussed using the City as a fiscal agent and taking a percentage of the grant to decrease some of the workload. Council Member Larson inquired about a future work session to discuss a strategic plan. City Administrator Cziok explained that the topic would have to be placed on the next agenda for further discussion.

Since the deadline for this new potential grant isn't until mid-December, the Council discussed tabling discussions until the first meeting in November allowing more time to review. It was moved by Council Member Allen, seconded by Council Member Larson, to table discussion on the Save America's Treasures grant until the November 6, 2023 Council meeting. The motion passed with 7 votes in favor and 0 against.

3. Point of Contact –

City Administrator Cziok discussed the need to clarify the point of contact relating to the \$2M DEED grant moving forward referring to the email from a DEED representative. City Administrator Cziok is the representative with DEED for the LARC project.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-183
APPROVING DEED GRANTS POINT OF CONTACT**

WHEREAS, the City has been awarded a \$2M grant from DEED for downtown façade improvements; and

WHEREAS, DEED is requesting to coordinate its grants efforts through one person and that be City Administrator Cziok; and

WHEREAS, City Administrator Cziok is the point of contact for the LARC grant from DEED,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby confirms administration be the point of contact for all DEED applications until further notice.

Adopted by the City Council this 16th day of October, 2023.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

Upon roll call vote, all members present voted aye with the exception of Council Member Kotelnicki abstaining, whereupon the resolution was declared adopted.

B. EAST HIGHWAY 12 LIGHTING –

City Administrator Cziok discussed the need to replace light poles on East Highway 12 as identified by MnDOT due to the condition of the poles. He explained that City staff recommended purchasing additional poles because of the cost estimate and in order to have poles on hand when needed.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 23-10-181
APPROVE EAST HIGHWAY 12 LIGHT POLE REPLACEMENT**

WHEREAS, MnDOT has identified light poles on East Highway 12 that need to be replaced; and

WHEREAS, MnDOT provided an estimate to add lighting into their surface rehabilitation project next summer; and

WHEREAS, City staff has provided estimates for the City installing 31 new poles along East Highway 12 for approximately \$100,000 which is significantly less than MnDOT’s estimate with the project not the same as MnDOT; and

WHEREAS, City staff recommends purchasing 45 poles based on the cost estimate received and in order to have extra poles on hand,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the City purchasing 45 poles light poles with 31 poles to be replaced on East Highway 12 .

Adopted by the City Council this 16th day of October, 2023.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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 Larson, to adjourn the City Council meeting at 6:27 p.m. Motion Carried.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR