

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, April 5, 2021, 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
City Administrator	Dave Cziok	Present
Assistant City Administrator	Joyce Spreiter	Present
Assistant City Attorney	Rebecca Rue	Present
City Engineer	Chuck DeWolf	Present
Independent Review	Brent Schacherer	Present
KLFD	Tim Bergstrom	Present

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 – March 15, 2021

B. FINANCIAL REPORTS TO APPROVE: None.

C. CLAIMS TO AUTHORIZE FOR PAYMENT –

1. Computer List of Bills for \$7,153,528.40

D. OTHER PAYMENTS:

1. Phase 2 Generation Improvements –

April 5, 2021

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-72
AUTHORIZE PAYMENT NO. 12
FOR THE PHASE 2 GENERATION 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. 12 for the Phase 2 Generation Improvements totaling \$69,783.20 as attached and on file.

Adopted by the City Council this 5th day of April, 2021.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

E. ORDINANCES – SECOND READINGS:

1. Ordinance No. 807 –

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-69
SECOND READING OF ORDINANCE NO. 807
AMENDING THE ZONING ORDINANCE
154.011 BOUNDARIES OF OFFICIAL ZONING MAP, APPENDIX B - ZONING MAP
R-3, MULTI-FAMILY DISTRICT**

WHEREAS, a First Reading was given on March 15, 2021, Resolution No. 21-3-56,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the Second Reading of Ordinance No. 807, amending Zoning Ordinance 154.011 Boundaries of Official Zoning Map, Appendix B - Zoning Map, and

BE IT FURTHER RESOLVED that this be entered into the Book of Ordinances as Ordinance No. 807 and into the Codified Ordinances of the City of Litchfield.

Adopted by the City Council this 5th day of April, 2021.

April 5, 2021

Resolution No. 21-4-69– Cont’d.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

F. LICENSES:

1. Application for Lawful Gambling Permit –

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-67
LAWFUL GAMBLING PERMIT FOR AN EXEMPT ORGANIZATION
LITCHFIELD AREA MENTORSHIP PROGRAM - KINSHIP**

WHEREAS, an application for a lawful gambling license exemption was considered from the Litchfield Area Mentorship Program - Kinship,

NOW, THEREFORE, BE IT RESOLVED to approve the application for an Exemption from a Lawful Gambling license for the Litchfield Area Mentorship Program – Kinship on June 25th, 2021 at Litchfield United Methodist Church, 1000 S. Sibley Ave., 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 5th day of April, 2021.

Approved:

Attest:

MAYOR

ASSISTANT CITY ADMINISTRATOR

2. Sales on Public Property –
a. Again & Again, Too
b. First Lutheran Church MST 2023
c. Boy Scout Troup 3353
d. Little Red Schoolhouse, District 59, Inc.
3. 3.2 Percent Malt Liquor On-Sale License Applications – Litchfield Fireman’s Relief Association

G. OTHER ROUTINE MATTERS:

1. Employment Offer –

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-68
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 2021 Budget, and

WHEREAS, the supervisors will adjust the wage schedule for 2021 part-time employees to fill these positions, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Litchfield to offer 2021 part-time employment with the City of Litchfield, to the following:

<u>Department</u>	<u>Re-Hires</u>	<u>New Hires</u>
<u>Golf Course</u>	Ava Provencher Sara Tierney Maison Olson Mark Johnson Kyle Olson Kalley Spreiter	Ethan Caron Lavern Wendroth Sadie Rick Alicia Hansen
<u>Cemetery</u>	Larry Dahl Marshall Carlson	Duane Hickler
<u>Compost</u>	Gary Groskreutz Gary Schrothberger	
<u>Parks</u>	Butch Jaster Rick Loge Patrick Benson Bryce Kuechle Bret Wendtland Cade Marquardt Jack Ramthun Riley Taber Ben Alsleben Bennett Lecher Christian Kelsey	Connor Taber Bradley Larson

Adopted by the City Council this 5th day of April, 2021.

April 5, 2021

Resolution No. 21-4-68– Cont’d.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

2. Greater Litchfield Opera House Noise Ordinance Variance Request –

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-70
APPROVE REQUEST FOR EXEMPTION FROM NOISE ORDINANCE**

WHEREAS, the City of Litchfield has a noise ordinance in place, and

WHEREAS, the City received a request for a private event to be held at the Opera House on August 7, 2021,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that Cailie Bapp and Dylan Hepokoski be granted an exemption from the noise control regulations for the date as stated above.

Adopted by the City Council this 5th day of April, 2021.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

H. COMMUNICATIONS:

1. Minutes & Reports:

- a. Heritage Preservation Commission – March 22, 2021
- b. Personnel Committee – March 25, 2021

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

April 5, 2021

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-73
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 5th day of April, 2021.

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 P.M. PUBLIC HEARING – STREET VACATION –

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 5:33 p.m. to consider adopting an ordinance vacating a portion of South Geinitz Avenue.

There were no oral or written comments. An attendance list is on file. Mayor Johnson closed the hearing at 5:34 p.m.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-71
FIRST READING FOR ORDINANCE NO. 808
FOR A STREET VACATION FOR
A PORTION OF SOUTH GEINITZ AVENUE**

WHEREAS, a petition has been filed with the City of Litchfield for the vacation of a portion of South Geinitz Avenue, in the City of Litchfield, Meeker County, Minnesota, and

April 5, 2021

Resolution No. 21-4-71– Cont’d.

WHEREAS, the Planning Commission considered this petition at its meeting on May 13, 2019 and recommended that the City Council set a hearing to consider this petition, and

WHEREAS, the City Council reviewed the petition at its meeting on May 19, 2019, and

WHEREAS, the petition does not meet the requirements of Minnesota Statute §412.851 in that the petition was not submitted by a majority of the owners of land abutting on the street, and

WHEREAS, the abutting property owner initiating the petition wishes to pursue vacation of the street for expansion purposes,

WHEREAS, the Council may by resolution vacate any street on its own motion, and

WHEREAS, the City Council held a public hearing on April 5, 2021 at City Hall, after due published and posted notice had been given as well as personal mailed notice to all affected property owners by the Assistant City Administrator, to consider the vacation of a portion of South Geinitz Avenue, in the City of Litchfield, Meeker County, Minnesota and all interested and affected persons were given the opportunity to voice their concerns and be heard, and

WHEREAS, there were no objections received at the hearing, and

WHEREAS, it is in the best interest of the public to grant this vacation,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Litchfield that this be the First Reading of Ordinance No. 808 to vacate a portion of South Geinitz Avenue, in the City of Litchfield, Meeker County, Minnesota, described as follows:

Tract A:

The West Half of Geinitz Avenue lying southerly of the southerly right of way line of the Great Northern Railroad and northerly of the westerly extension of the south line of Lot 2, Block 1 of ISAACSON’S ADDITION TO THE CITY OF LITCHFIELD to the east line of Block 2 of said ISAACSON’S ADDITION TO THE CITY OF LITCHFIELD, according to the plat thereof, as recorded and on file in the office of the County Recorder of Meeker County.

Tract B:

The East Half of Geinitz Avenue lying southerly of the southerly right of way line of the Great Northern Railroad and northerly of the westerly extension of the south line of Lot 2, Block 1 of ISAACSON’S ADDITION TO THE CITY OF LITCHFIELD to the east line of Block 2 of said ISAACSON’S ADDITION TO THE CITY OF LITCHFIELD, according to the plat thereof, as recorded and on file in the office of the County Recorder of Meeker County,

April 5, 2021

Resolution No. 21-4-71– Cont’d.

AND BE IT FURTHER RESOLVED that said street vacation is contingent upon completion of final documents, easement reservations and agreements provided by the City Attorney.

Adopted by the City Council this 5th day of April, 2021.

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 – None.

VI. COMMITTEE REPORTS –

A. PERSONNEL COMMITTEE –

1. City Administrator Performance Evaluation –

Council Member Dingmann discussed completing the annual performance evaluation for City Administrator Cziok. He reminded the Council that the evaluation document used in the past had been condensed and had worked well for the last evaluation. He asked if the Council wanted to make any changes to said form. With no changes proposed, Council Member Dingmann said the form would be provided electronically to Council Members and requested that it be completed and returned to him by April 26, 2020. He added the Personnel Committee would like to have the responses to compile the information to be discussed at an open or closed session, at City Administrator Cziok’s discretion, in May at a regularly scheduled Council meeting.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-75
APPROVING CITY ADMINISTRATOR
PERFORMANCE EVALUATION PROCESS AND TIMELINE**

April 5, 2021

Resolution No. 21-4-75– Cont’d.

WHEREAS, the performance evaluation process for the City Administrator was delayed in 2020 due to COVID19, and

WHEREAS, the Personnel Committee reviewed the previous performance evaluation process along with the evaluation document, and

WHEREAS, the Personnel Committee provided a timeline along with the performance evaluation document with no changes for Council consideration, and

WHEREAS, it was determined that Council Members complete the performance evaluation document and submit to Personnel Committee Member Ron Dingmann, and

WHEREAS, the Personnel Committee will review the completed documents and prepare a report for the Council, and

Resolution No. 21-4-75– Cont’d.

WHEREAS, the Council will review the report prepared by the Personnel Committee in an open or closed meeting at the discretion of City Administrator Cziok,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the City Administrator performance evaluation document as provided, and

BE IT FURTHER RESOLVED that Council Members provide their completed City Administrator Performance Evaluation documents to Personnel Committee Member Ron Dingmann by April 26, 2021 allowing for the Personnel Committee to compile the information and prepare a report to the Council at a regularly scheduled meeting in May 2021.

Adopted by the City Council this 5th day of April, 2021.

Attest:

Approved:

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. SHADY’S NO. 7, INC. –

1. Liquor License Application –

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

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-76
APPROVING ON-SALE AND SUNDAY LIQUOR LICENSE
FOR SHADY’S NO. 7, INC.**

WHEREAS, Council approval is required for liquor licensing, and

WHEREAS, Shady’s No. 7, Inc., has submitted an application for an On-sale and Sunday Liquor License, and

WHEREAS, a background check has been completed and reviewed by the Council,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves the application from Shady’s No. 7, Inc., for an On-sale and Sunday Liquor License for property located at 405 West Pleasure Drive.

Adopted by the City Council this 5th day of April, 2021.

Approved:

Attest:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

2. Tobacco License Application –

Council Member Mathwig recommended that the tobacco license application from Shady’s No. 7, Inc. be denied based on the lack of information provided on the application. He said the Council has denied previous applications based upon incomplete applications. It was noted that although Shady’s No. 7, Inc. had completed the liquor application and provided similar information, the tobacco application is a separate application. Council Member Miller expressed her agreement with Council Member Mathwig’s recommendation.

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

April 5, 2021

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-77
DENYING CIGARETTE LICENSE APPLICATION
SHADY'S NO. 7, INC.**

WHEREAS, the City received an application for a cigarette license from Shady's No.7, Inc., and

WHEREAS, the City Tobacco Ordinance sets forth certain criteria for denial of an ordinance which includes any prior violations concerning the sale of tobacco products, and

WHEREAS, the Council determined the need to add background checks to the application process moving forward, and

WHEREAS, a background check was completed and reviewed by the Council, and

WHEREAS, Section 111.17 of the City of Litchfield's Tobacco Ordinance provides for the basis of denying a Tobacco application, and

WHEREAS, the Council identified findings of fact for denial of the application, and

WHEREAS, the Council identified several areas of the application that were either left blank, contained non-applicable responses or considered incomplete, and

WHEREAS, the Council found that the applicant fails to provide information required on the application, as referenced in Subdivision A.4. under Section 111.17 Basis for Denial of License,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby denies the cigarette license application from Shady's No.7, Inc. based on the findings of fact stated above.

Adopted by the City Council this 5th day of April, 2021.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

B. GAMBLING PREMISE PERMIT APPLICATION –

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

April 5, 2021

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-74
LAWFUL GAMBLING PREMISE PERMIT FOR AN EXEMPT ORGANIZATION
LITCHFIELD GOLF CLUB, INC.**

WHEREAS, a lawful gambling premise permit application was considered from Litchfield Golf Club, Inc.,

NOW, THEREFORE, BE IT RESOLVED to approve the application for a Lawful Gambling Premise Permit for Litchfield Golf Club, Inc. to be located at Shady's No. 7, 405 West Pleasure Drive, 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 5th day of April, 2021.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR

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

C. DOWNTOWN FAÇADE GRANT –

City Administrator Cziok outlined considerations for Council review in determining a downtown façade grant. The level of fiscal commitment, along with placing a cap on the dollars allotted to the downtown façade grant program was discussed. The Council also discussed availability to the grant for applicants in good standing with the City including being current with taxes and utilities. Concern was expressed regarding the condition of some of the properties and whether they should be compliant in order to receive grant dollars. City Administrator Cziok explained the difficulties for staff concerning approval of in-kind hours/DYI hours included in the past grant program.

Due to the complexity of the grant program being considered, City Administrator Cziok advised the Council to provide a series of motions outlining the Downtown Façade Grant program so that a resolution can be prepared for final approval which includes all the details in their entirety.

After review, it was moved by Council Member Kotelnicki, seconded by Council Member Allen, to approve a Downtown Façade Grant for up to \$8,000 per parcel; requiring a one to one match by the property owner; retroactive to January 1, 2021 and through December 31, 2023; and the grant program be capped at \$80,000. Upon roll call vote, all members present voted aye, whereupon the motion carried.

April 5, 2021

After review, it was moved by Council Member Kotelnicki, seconded by Council Member Dingmann, to not include in-kind or DIY hours in the new Downtown Façade Grant program. Upon roll call vote, all members present voted aye, whereupon the motion carried.

After review, it was moved by Council Member Miller, seconded by Council Member Mathwig, that staff presents for review potential nuisance properties that need to be taken care of and comply in order to be able to apply for the new Downtown Façade Grant. Upon roll call vote, all members present voted aye, whereupon the motion carried.

D. HYDROSEEDER –

City Administrator Cziok explained the proposed equipment would be a new skid mounted unit used to apply seed mixed with a cover agent which helps keep seed moist during initial turf growth. Staff has identified areas that are difficult to keep wet and where sod can be difficult to maintain in which a hydroseeder would be beneficial. While contractors have provided the service in the past, staff believes having a unit on hand will be more cost effective. Cziok said the financing of said equipment would be split based upon usage to include trees, parks, golf course, sewer and water funds. Although sod works best on new burial plots, older areas of the cemetery could benefit from the unit as well.

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

**CITY OF LITCHFIELD
RESOLUTION NO. 21-4-78
AUTHORIZE PURCHASE OF HYDROSEEDER**

WHEREAS, City staff has been evaluating equipment needs for 2021, and

WHEREAS, City staff continues to strive to be more efficient, and

WHEREAS, City staff has recommended purchasing a new hydroseeder, and

WHEREAS, City staff has solicited quotes for said equipment, and

WHEREAS, the City received a quote from Trenchers Plus, Inc. of Burnsville, MN in the amount of \$16,250.00,

AND WHEREAS, the Equipment Revolving Fund has sufficient funds to accommodate the purchase,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Litchfield hereby approves purchasing a new Finn Hydroseeder Model T30 from Trenchers Plus, Inc. of Burnsville, MN in the amount of \$16,250.00.

April 5, 2021

Resolution No. 21-4-78– Cont’d.

Adopted by the City Council this 5th day of April, 2021.

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 –

A. WORK SESSION –

The Council held a joint work session with Meeker County Board Members to review options concerning the intersection at US Hwy 12 & County Road 34. Minutes of the work session are on file. No formal action was taken.

XI. ADJOURNMENT –

The City Council meeting adjourned at 6:24 p.m. by unanimous consent.

Attest:

Approved:

ASSISTANT CITY ADMINISTRATOR

MAYOR