

**BEMIDJI CITY COUNCIL &
NORTHERN TOWNSHIP**
Special Closed Work Session Agenda
Monday, February 9, 2014



Northern Township
6:30 P.M. (or soon thereafter)

1. CALL TO ORDER / ROLL CALL
2. CLOSE THE MEETING

For the purpose of discussing with the City's Attorney threatened or pending litigation with regards to issues at the Birchmont Drive Assessments.

3. REOPEN THE MEETING
4. ADJOURN

NOTE: All cellular telephones, pagers and BlackBerry devices to be switched to a non-audible function during Council and Committee meetings.



City Attorney's Office

MEMORANDUM

TO: Mayor & City Council
FROM: Alan Felix, City Attorney
DATE: February 9, 2015
RE: Closed Meeting Procedure

Minnesota Statute Section 13D.05, Subd.3(b) provides that:

A public body may close a meeting if the closure is expressly authorized by statute or permitted by the attorney-client privilege. In particular, the attorney-client privilege allows the public body to discuss with its legal counsel threatened or pending litigation.

Consequently, in order to close a meeting, a councilmember should make a motion such as:

I move to close this meeting in accordance with Minnesota Statute Section 13D.05, Subd. 3(b) for the purpose of discussing with the City's Attorney regarding threatened or pending litigation with regards to Birchmont Drive Assessments.

The Mayor would then call for a second, discussion and a vote as with any other motion. A written record of those in attendance must be taken. The meeting must also be tape recorded and the tape maintained for two years.

AF/km