

CITY COUNCIL PROCEEDINGS
BEMIDJI, MINNESOTA
Special Work Session – September 17, 2012

Pursuant to due call and notice, a work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, September 17, 2012, at 8:15 p.m. in the Conference Room of City Hall, Mayor Larson presiding.

Upon roll call, the following Councilmembers were declared present: Larson, Waldhausen, Johnson, Albrecht, Thompson Absent: Negard, Hellquist

Staff Present: City Manager John Chattin, Finance Director Ron Eischens, Public Works Director/City Engineer Craig Gray, City Clerk Kay Murphy

Mayor Larson stated that the purpose of the special work session was to discuss threatened or pending litigation.

City Attorney Felix advised that given that 50 formal written objections (objections filed with letter prepared by Plaintiff's attorney, Zenas Baer) were filed at the Assessment Hearing on Tuesday, September 11th, including five of the seven properties subject of the City's assessment process, and given the historical fact that in all of the earlier assessment and reassessment efforts involving Birchmont Drive the formal objections were filed in similar fashion and always resulted in appeals of the assessments levied, and given the formal settlement letter invitation received from Mr. Baer by legal counsel for the City and the Township, there are sufficient grounds meeting the threshold basis for closing the meeting to discuss the threatened litigation of the respective adoptions of the two proposed assessment rolls.

Motion by Waldhausen, seconded by Johnson, to close the meeting in accordance with Minnesota Statute Section 13D.05, Subd. 3(b) for the purpose of discussing with the City Attorney threatened or pending litigation. Motion passed unanimously. Public hearing closed at 8:20 p.m.

Councilor Thompson left the meeting at 9:40 p.m.

Motion by Waldhausen, seconded by Johnson, to reopen the meeting at 6:19 p.m. Motion carried unanimously.

ADJOURN

There being no further business the meeting adjourned at 9:55 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk