



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special City Council Meeting Closed Executive Session

January 6, 2010

### CALL TO ORDER

The meeting was called to order by Mayor Pro Tempore Sandahl at 4:30 p.m. in the Council Chambers.

### ROLL CALL

*Members Present:* Sue Sandahl, Mayor Pro Tempore; Pat Elliott; Fred Wroge; and Tom Fitzhenry.

*Members Absent:* Debbie Goettel, Mayor.

*Staff Present:* Steven Devich, City Manager; Mike Eastling, Public Works Director; Kristin Asher, City Planner; Corrine Heine, City Attorney; John "Mac" LeFevre, City Attorney; and Cheryl Krumholz, Recording Secretary.

City Attorney Heine stated that a Closed Executive Session was requested to discuss a possible settlement proposal and litigation risks related to the CSM Shops at Lyndale damages resulting from the Lyndale Bridge project. City Attorney Heine stated the City Council may return to open meeting following the closed session.

By unanimous consent the City Council left the Council Chambers at 4:31 p.m. to conduct a Closed Executive Session in the Executive Conference Room.

<b>Item #1</b>	<b>SPECIAL CITY COUNCIL CLOSED EXECUTIVE SESSION IN EXECUTIVE CONFERENCE ROOM FOR DISCUSSION AND CONSIDERATION OF THE CONDEMNATION CASE AT SHOPS @ LYNDALE</b>
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The Closed Executive Session was called to order by Mayor Pro Tempore Sandahl in the Executive Conference Room at 4:33 p.m.

*Members Present:* Debbie Goettel, Mayor (via telephone conference); Sue Sandahl; Pat Elliott; Fred Wroge; and Tom Fitzhenry.

*Staff Present:* Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Kristin Asher, City Planner; Corrine Heine, City Attorney; John "Mac" LeFevre, City Attorney; and Cheryl Krumholz, Recording Secretary.

The Closed Executive Session was convened pursuant to M.S. 13D.05.

The Closed Executive Session was adjourned by unanimous consent at 5:04 p.m. in the Executive Conference Room.

<b>Item #2</b>	<b>RECONVENE IN OPEN SESSION IN COUNCIL CHAMBERS FOR POSSIBLE CITY COUNCIL ACTION</b>
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The open session meeting was called to order by Mayor Pro Tempore Sandahl at 5:07 p.m. in the Council Chambers.

*Members Present:* Sue Sandahl, Mayor Pro Tempore; Pat Elliott; Fred Wroge; and Tom Fitzhenry.

*Members Absent:* Debbie Goettel, Mayor.

*Staff Present:* Steven Devich, City Manager; Mike Eastling, Public Works Director; Kristin Asher, City Planner; Corrine Heine, City Attorney; John "Mac" LeFevre, City Attorney; and Cheryl Krumholz, Recording Secretary.

M/Fitzhenry, S/Wroge to approve the proposed settlement agreement as presented by legal counsel.

Motion carried 4-0.

<b>ADJOURNMENT</b>
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The meeting was adjourned by unanimous consent at 5:09 p.m.

Date Approved: \_\_\_\_\_

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 Suzanne M. Sandahl  
 Mayor Pro Tempore

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 Cheryl Krumholz  
 Recording Secretary

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 Steven L. Devich  
 City Manager