

Mayor:
Mark Steffenson
Councilmembers:
Judy Hanson
Kristy Barnett
Kristy Janigo
Rachelle Johnson



City Council
closed session agenda
November 20, 2023
6:30 p.m.

Address:
12800 Arbor Lakes Pkwy
Maple Grove, MN 55369
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maplegrovern.gov

"Serving Today, Shaping Tomorrow"

1. CALL TO ORDER
2. Pursuant to Minn. Stat. § 13D.05, subd. 3(b), the City Council will meet with legal counsel in closed session to discuss legal strategy and the possibility of settlement in light of litigation against the City threatened by the property owner of 7890 Queensland related to a sewer back-up that occurred on October 17, 2023.

Documents:

[Memo - Request for Closed Session Meeting regarding sewer back-up at 7890 Queensland.pdf](#)

ADJOURNMENT



Memorandum

Date: November 13, 2023
To: Heidi Nelson
CC: Vince Vander Top
From: Justin Templin
Re: Request for Closed Session Meeting regarding sewer back-up at 7890 Queensland

Mr. Vander Top was informed by the owner of the referenced property that he has consulted legal counsel and intends to sue the City for damages he alleges he incurred because of a sewer back-up. Based on the tenor and content of follow-up conversations between the property owner and City staff, it appears likely that the property owner will carry out that threat unless the City admits liability and meets his full demand.

Because of the real and present threat of litigation, I recommend that the City Council hold a meeting in closed session under Minn. Stat. § 13D.05, subd. 3(b).

While the City has not yet been sued and no case is presently pending against it, the City requires absolute confidentiality for a discussion of this matter. A confidential meeting will allow members of the City Council to have a candid and forthright discussion with counsel without the risk of disclosing the City's strategy for defense or consideration of reconciliation to the claimant. The intention of the closed meeting is not to discuss any matter presently on the City Council agenda. The meeting will only involve discussion of the threatened legal action and strategy for defense of it.

If the City Council discussed this matter with counsel in an open session during a public meeting, it would have a significant negative impact on the City's ability to protect its rights. The discussion in closed session will not involve any other public business. Moreover, the discussion in closed session will benefit the public because any financial liability resulting from the claim would be taxpayer-funded.