

**CITY COUNCIL SPECIAL MEETING
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey City Council conducted a Special City Council Meeting on Tuesday, February 21, 2012, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Mayor Jeffrey Wise
 Councilmember Randy Backous
 Councilmember David Elvig
 Councilmember Colin McGlone
 Councilmember Jason Tossey

Members Absent: Mayor Bob Ramsey
 Councilmember Sarah Strommen

Also Present: City Administrator Kurtis Ulrich
 Deputy City Administrator Heidi A. Nelson
 Human Resources Representative Colleen Lasher
 City Attorney William K. Goodrich

CALL TO ORDER

Acting Mayor Wise called the special meeting of the City Council to order at 5:34 p.m..

APPROVE AGENDA

Motion by Councilmember Elvig, seconded by Acting Mayor Wise to approve the agenda as presented.

Motion carried. All present voted in favor.

COUNCIL BUSINESS

4.1: Discuss Strategy for Responding to a Threatened Lawsuit by an Employee Against the City

City Attorney Goodrich stated he is advising the Council that the City has received notice of threatened litigation by an employee of the City. He recommended the meeting be closed under the Attorney-Client privilege which is Minnesota Statute 130.05 Subd. 3(b) to discuss strategy relating to the threatened litigation. Before closing the meeting, he stated he would like the City Council to consider a motion adopting the following findings:

- 1) That the City council cannot make an informed decision without the advice of counsel;

- 2) That the advice of counsel cannot be freely given or reasonable discussion had when the opponent can listen at a public meeting;
- 3) That public dollars are at risk in the event sound decisions are not made;
- 4) That the City Attorney and City Council are in agreement that only the specific matter at hand will be discussed at the closed meeting;
- 5) That absolute secrecy at this juncture of the litigation is necessary; and if the meeting is held in public, the City risks having its trial strategy and defense positions made public and known to the other side substantially putting at risk the City's defense of the case and exposing the City to possible considerable monetary damages.

Motion by Councilmember Elvig, seconded by Acting Mayor wise to adopt the findings as presented by the City Attorney.

Motion carried. Voting Yes: Acting Mayor Wise, Councilmembers Elvig, Backous, McGlone, and Tossey. Voting No: None. Absent: Mayor Ramsey and Councilmember Strommen.

Motion by Councilmember Elvig, seconded by Acting Mayor Wise to close the meeting to the public, based on the findings.

Motion carried. All present voted in favor.

The meeting was closed to the public at 5:37 p.m.

The meeting was opened back up to the public at 6:02 p.m.

3. ADJOURNMENT

Motion by Councilmember Tossey, seconded by Councilmember Backous, to adjourn the meeting.

Motion carried.

The Special City Council Meeting was adjourned at 6:02 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Jo Ann M. Thieling
City Clerk

Minutes drafted by City Clerk Jo Thieling