

**MAPLE LAKE SPECIAL CITY COUNCIL**  
September 7, 2021 Minutes

**CALL TO ORDER**

The meeting was called to order at 6:00 p.m. by Mayor Borell.

**ROLL CALL**

**Council Members Present:** Deb Geyen, John Haack, Brian Fondurulia and Kristen Logas.

**Absent:** none

**Others Present:** Renee Eckerly, City Administrator; Jerry Sawatzke, Public Works Director, David Anderson, City Attorney (Kennedy-Graven) via phone

**AGENDA APPROVAL**

*A motion was m/s/p, Logas/Geyen to approve the agenda as written. All present voted in favor.*

**New Business**

a. **2021 Street Project – Right-of-Way Grass, concrete or Asphalt (American Legion)**

The 2021 Street Project plans indicate that dirt/grass was to be put in the right-of-way along Maple Avenue and the American Legion parking lot. Representatives from the American Legion would prefer bituminous. Previously there was grass and irrigation system and city had them remove it and put bituminous down. Legion doesn't want to go back to grass, who is going to maintain.

*A motion was m/s/p, Borell/Geyen to change right-of-way material from grass to bituminous along the American Legion parking lot. All present voted in favor.*

**CLOSED SESSION – DISCUSS PENDING THREAT OF LITIGATION RELATED TO ENCROACHMENT INTO CITY RIGHT-OF-WAY**

*A motion was m/s/p, Borell/Logas to go into closed session pursuant to Minnesota Statutes, section 13D.05, subd. 3(b) to discuss right-of-way encroachments at 118 First Street East in Maple Lake and potential litigation related to the same. Our attorney, Dave Anderson from Kennedy & Graven, is present to discuss the merits of a lawsuit related to said encroachments and the city's options and strategies moving forward. The need for confidentiality in discussing this matter with the city attorney outweighs the purposes of the open meeting law because our legal counsel intends to frankly discuss strategy and merits of the case prior to authorizing litigation. 4 in favor and 1 abstained (Haack).*

Haack left the building

Regular meeting recessed and closed session opened at 6:12 p.m.

Closed session closed and regular meeting reopened at 6:48 p.m.

**Dates to Remember/ Announcements**

- City Council Meeting, Tuesday, September 21, 2021 at 7:00 p.m.

**Adjournment**

*A motion was m/s/p, Fondurulia/Logas to adjourn at 6:49 p.m. All present voted in favor.*

Attest,

Renee Eckerly  
City Administrator