

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING, SEPTEMBER 24, 2018**

The meeting was called to order at 6:30 p.m. in City Hall Council Chambers by Mayor Mike Kuhle with the following Council Members present: Larry Janssen, Alan Oberloh, Chad Cummings, Amy Ernst, Mike Harmon.

Staff present: Steve Robinson, City Administrator; Dwayne Haffield, Director of Engineering; Janice Oberloh, City Clerk.

Others present: Robert Scott, Attorney with Flaherty and Hood (via conference telephone call).

CLOSED SESSION UNDER MINN. STAT. 13D.05, SUBD. 3(B) - ATTORNEY - CLIENT PRIVILEGE - PENDING LITIGATION: CITY OF WORTHINGTON V. SPIRIT SPE PORTFOLIO 2006-2, LLC. ET AL., NOBLES COUNTY DISTRICT COURT FILE NO.: 53-CV-18-119

Mayor Kuhle stated that Council would be going into closed session under Minnesota Statute 13D.05, Subd. 3(b) - Attorney-Client Privilege - to discuss legal strategy regarding a condemnation action pending in district court pursuant to which the City has acquired property interests needed for the construction of the County Ditch No. 12 / Okabena Creek flood mitigation project.

The motion was made by Council Member Janssen, seconded by Council Member Cummings and unanimously carried to close the meeting at 6:33 p.m.

The meeting was re-opened at 6:53 p.m.

The motion was made by Council Member Harmon, seconded by Council Member Ernst and unanimously carried to approve stipulation for settlement of Parcel 2 with Spirit SPE Portfolio 2006-2, LLC for a total settlement amount of \$147,184.69.

The motion was made by Council Member Cummings, seconded by Council Member Oberloh and unanimously carried to approve stipulation for settlement of Parcel 3 with Michael A. Schwalbach for a total settlement amount of \$8,300.00.

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to, pursuant to Minnesota Statutes, Section 13.44, subd. 3(c) make the City's updated damages appraisals for the outstanding parcels prepared by McKinzie Metro Appraisal, dated August 15, 2018, and any property owner appraisals received from the owners of such parcels, public data.

ADJOURNMENT

The motion was made by Council Member Janssen, seconded by Council Member Oberloh and unanimously carried to adjourn the meeting at 7:55 p.m.

Janice Oberloh, MCMC
City Clerk