



AGENDA

**LINDSTROM
COUNCIL
WORK SESSION with Closed portion
WEDNESDAY, MARCH 29, 2023
5:00 P.M.
Lindstrom City Hall
13292 Sylvan Ave., Lindstrom, MN**

Start the meeting

General Business

1. OJ Juice Discussion (pg. 2)

MAYOR STATES GROUNDS FOR CLOSED PORTION OF MEETING

CLOSE MEETING FOR APPRAISAL REVIEW

1. OJ Juice Appraisal Review (pgs. 3-4 & handout)

ADJOURNMENT:

STAFF REPORT

MEETING DATE: March 29, 2023

SUBMITTED BY: Interim City Administrator

ITEM: OJ Juice Discussion

Kirstin Chatfield, City Economic Development Consultant, will lead the discussion regarding the OJ Juice property including the grant process. Nancy Hoffman Chisago County EDA/HRA, will also assist with the discussion.

The Lindström City Council is meeting at 5:00 p.m. on March 29, 2023, a portion of the meeting will be Closed to review real property appraisal data. The following discusses how the Open Meeting Law and Data Practices Act apply in these circumstances.

I. Open Meeting Law

The Council may close a meeting to review appraisal data pursuant to Minnesota Statutes § 13D.05 subd. 3(c). The procedure to close the meeting is as follows:

1. Before closing the meeting, the City Council must state on the record the specific grounds for closing the meeting, describe the subject to be discussed, and identify the particular property that is the subject of the meeting. The Mayor should read the following statement into the record prior to closing the meeting:

“The Council is closing the session pursuant to Minnesota Statutes Section 13D.05 subd. 3(c) to review confidential or protected nonpublic appraisal data of real property located at 13229 St. Croix Avenue, Lindstrom, Minnesota.”

2. The meeting must be recorded and the property must be identified on the recording. The recording must be preserved for eight years, and must be made available to the public after all property discussed at the meeting has been purchased or sold or has abandoned the purchase.
3. A list of Council members and all other persons present at the closed meeting must be made available to the public after the closed meeting.

Council members have a fiduciary duty to the City to keep the information they receive and the discussions they have at the closed meeting confidential until such future date when the data become public. The content of the meeting becomes public after the purchase of the property or abandons the purchase.

II. Data Practices Act

Under Minn. Stat. § 13.44 subd. 3, appraisals and appraisal data are classified as confidential or protected nonpublic. That classification means the appraisal is not accessible by members of the public or the subject of the data (i.e. the property owner). EDA Board Members have access to the appraisal data because their duty as Board Members reasonably requires that they be given access to the appraisal. However, EDA Board Members have a fiduciary duty to the City to not share the appraisal data with members of the public or the property owner until the data becomes public. Appraisal data becomes public when the negotiating parties enter into an agreement for the purchase and sale of the property.

STAFF REPORT

MEETING DATE: March 29, 2023

SUBMITTED BY: Interim City Administrator

ITEM: OJ Juice Appraisal Review Discussion

Kirstin Chatfield, City Economic Development Consultant, will lead the closed portion of the discussion on the appraisal review regarding the OJ Juice property located at 13229 St. Croix Avenue, Lindstrom, Minnesota. Nancy Hoffman Chisago County EDA/HRA, will also assist with this discussion.