City Council Item

August 25, 2025

Item	Pending Litigation	
File No.		**Item No:** L.1
Agenda Section	CLOSED SESSION	
Prepared By	Jenny Potter, City Clerk	
Reviewed By		

SUGGESTED ACTION N/A	
Motion Type	N/A
Strategic Priority	N/A

SUMMARY

BACKGROUND

A closed meeting is a meeting of a public body that the public is not allowed to attend. Under Minn.Stat. 13D.05, subd. 3, public bodies may choose to close meetings to discuss pending or threatened litigation with legal counsel. The City Council will meet in Closed Session to discuss pending or threatened litigation related to property damage as a result of a watermain break at 6361 Melody Lane.

A claim was filed with city's insurer, the League of Minnesota Cities Insurance Trust. The LMCIT finding is that the city would not be held legally liable for the damage and therefore, no payment can be made under the liability coverage.

Liability is not automatically assumed by cities in cases like this. For the City to be found negligent, all of

the following must be found:

- There must be a defect in the water line
- They must have had notice or knowledge of the defective condition in the line
- Upon notice of the defect, they must fail to respond in a timely manner
- As a direct result of their failures, damages occurred.

DISCUSSION

BUDGET

RECOMMENDATION

ATTACHMENTS

GL456172 Kelly