

**DEEPHAVEN CITY COUNCIL CLOSED EXECUTIVE SESSION  
MONDAY, JANUARY 5, 2009  
MINUTES**

1. **CALL MEETING TO ORDER:** Mayor Paul Skrede called the meeting to order at 6:03 p.m.

PRESENT: Mayor Paul Skrede, Councilmembers Steve Adams, Kim Crockett, John Wheaton and Keith Kask

STAFF: Zoning Coordinator Gus Karpas and City Administrator Dana Young

2. **Executive Closed Session regarding McNulty Construction Company v. City of Deephaven pursuant to Minn. Stat. 13D.05 Subd. 3(B) for Attorney Client Privilege to discuss settlement and litigation strategy.**

Motion by Councilmember Wheaton to enter into Executive Closed Session pursuant to Minn. Stat. 13D.05 Subd. 3(B) for Attorney Client Privilege to discuss settlement and litigation strategy. Seconded by Councilmember Adams. Motion carried 4-0

Councilmember Crockett enters at 6:05 p.m.

City Attorney Kim Kozar was present to discuss settlement and litigation strategy concerning McNulty Construction Company vs. City of Deephaven.

3. **Adjournment**

Motion to adjourn by Councilmember Adams. Seconded by Councilmember Wheaton. Motion carried 5-0. The meeting adjourned at 6:35 p.m.

Respectfully submitted,

Dana H. Young  
City Administrator