



NORTH BRANCH CITY COUNCIL AGENDA

MEETING: SPECIAL SESSION
PLACE: CITY HALL, 6408 ELM STREET
DATE: JUNE 1, 2015
TIME: 5:00 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. FACT FINDING REPORT
 - a. Take tabled motion to censure off of the table
 - b. Discussion of Fact Finding Report and pending motion
5. ADJOURN

ACTION
DISCUSSION/ACTION

Upcoming Meeting Reminders

Work Session – June 18, 2015 – 6:30 pm
Regular Session – June 23, 2015 – 7 pm
Work Session – July 2, 2015 – 6:30 pm
Regular Session – July 14, 2015 – 7 pm



City of North Branch

Memo

Prepared By: Bridgitte Konrad

Date: May 27, 2015

Subject: Fact Finding Report

The City Attorney's Fact Finding Report and memo on legal standards has been forwarded to the City Council under separate cover as they are considered Attorney-Client Privileged information. The Council could vote to waive this privilege, but unless that is done those documents are not available to anyone other than the Council.

The April 16 motion to censure was tabled to this meeting. The City Council will need to take action to take that motion off the table. Attorney Squires will be in attendance and will discuss the report prepared by his office. After that review the Council will need to make a determination on what, if any, action will be taken.

Attached are copies of the resolutions that Councilmember Borchardt had presented at the April 16 meeting.

STATE OF MINNESOTA

COUNTY OF CHISAGO

CITY OF NORTH BRANCH

Councilmember (NAME) offered the following Resolution and moved its adoption.

RESOLUTION NO. (To be entered by the City Clerk)

A RESOLUTION TO CENSURE KIRSTEN HAGEN-KENNEDY, MAYOR.

WHEREAS, the North Branch City Council voted numerous times with a majority vote to ask for legislation to be carried forward by our State Representatives and State Senator to increase the number of Commissioners from three to five to serve on the North Branch Water & Light Commission. With the last vote to continue forward with legislation request on January 26, 2015 as noted on Page 7 of the City Council Minutes.

WHEREAS, the North Branch Water & Light Commission by a majority vote on February 17, 2015, passed a motion to send a letter of support for a five member commission to the state.

WHEREAS, on January 26, 2015 City Attorney Jay Squires advised the City Council, "It doesn't preclude a member from offering their position but must qualify it by saying that this is their individual position and not the position of the City of North Branch." Entire statement is on Page 7 of the City Council Minutes for January 26, 2015.

WHEREAS, on March 16, 2015 Mayor Hagen-Kennedy said to the Senate State and Local Government Committee Meeting, "I am before you today as the Mayor of North Branch, along with Councilmember Kathy Bloomquist, a council member of the past 12 years, both of whom are opposed to this legislation."

WHEREAS, on March 16, 2015, Mayor Hagen-Kennedy failed to present any disclaimer to the Senate State and Local Government Committee that she was present as a citizen only when she testified in opposition to the legislation.

BE IT RESOLVED BY THE CITY COUNCIL OF NORTH BRANCH, MINNESOTA:

That Mayor Kirsten Hagen-Kennedy be censured for failure to disclose that she was representing herself as a citizen and not in an official capacity and for using her position of Mayor for personal gain of a personal agenda and not representing the official position of the City of North Branch.

The foregoing motion was duly seconded by Councilmember (NAME) and being put to vote members voted: AYE (#) NAY (#)

KATHY BLOOMQUIST	(VOTE)	JOYCE BORCHARDT	(VOTE)
ROBERT CANADA	(VOTE)	THERESA FURMAN	(VOTE)
KIRSTEN HAGEN-KENNEDY	(VOTE)		

Passed and adopted this 14th day of April 2015.

CITY OF NORTH BRANCH

BY: _____
Kirsten Hagen-Kennedy, Mayor

ATTEST: _____
Bridgitte Konrad, City Administrator

STATE OF MINNESOTA

COUNTY OF CHISAGO

CITY OF NORTH BRANCH

Councilmember (NAME) offered the following Resolution and moved its adoption.

RESOLUTION NO. (To be entered by the City Clerk)

A RESOLUTION TO CENSURE KATHY BLOOMQUIST, COUNCILMEMBER.

WHEREAS, the North Branch City Council voted numerous times with a majority vote to ask for legislation to be carried forward by our State Representatives and State Senator to increase the number of Commissioners from three to five to serve on the North Branch Water & Light Commission. With the last vote to continue forward with legislation request on January 26, 2015 as noted on Page 7 of the City Council Minutes.

WHEREAS, the North Branch Water & Light Commission by a majority vote on February 17, 2015, passed a motion to send a letter of support for a five member commission to the state.

WHEREAS, on January 26, 2015 City Attorney Jay Squires advised the City Council, "It doesn't preclude a member from offering their position but must qualify it by saying that this is their individual position and not the position of the City of North Branch." Entire statement is on Page 7 of the City Council Minutes for January 26, 2015.

WHEREAS, on March 16, 2015 Councilmember Bloomquist said to the Senate State and Local Government Committee Meeting, "My name is Kathy Bloomquist, and I am on the North Branch City Council I was just elected for a 4th term and have lived in the city since 1973."

WHEREAS, on March 16, 2015, Councilmember Bloomquist failed to present any disclaimer to the Senate State and Local Government Committee that she was present as a citizen only when she testified in opposition to the legislation.

BE IT RESOLVED BY THE CITY COUNCIL OF NORTH BRANCH, MINNESOTA:

That Councilmember Bloomquist be censured for failure to disclose that she was representing herself as a citizen and not in an official capacity and for using her position of Councilmember for personal gain of a personal agenda and not representing the official position of the City of North Branch.

The foregoing motion was duly seconded by Councilmember (NAME) and being put to vote members voted: AYE (#) NAY (#)

KATHY BLOOMQUIST	<u>(VOTE)</u>	JOYCE BORCHARDT	<u>(VOTE)</u>
ROBERT CANADA	<u>(VOTE)</u>	THERESA FURMAN	<u>(VOTE)</u>
KIRSTEN HAGEN-KENNEDY	<u>(VOTE)</u>		

Passed and adopted this 14th day of April 2015.

CITY OF NORTH BRANCH

BY: _____
Kirsten Hagen-Kennedy, Mayor

ATTEST: _____
Bridgitte Konrad, City Administrator

STATE OF MINNESOTA
COUNTY OF CHISAGO
CITY OF NORTH BRANCH

Councilmember (NAME) offered the following Resolution and moved its adoption.

RESOLUTION NO. (To be entered by the City Clerk)

A RESOLUTION TO REMOVE KIRSTEN HAGEN-KENNEDY, MAYOR FROM COMMITTEE AND COMMISSION APPOINTMENTS.

WHEREAS, on March 16, 2015 Mayor Hagen-Kennedy said to the Senate State and Local Government Committee Meeting, "I am before you today as the Mayor of North Branch, along with Councilmember Kathy Bloomquist, a council member of the past 12 years, both of whom are opposed to this legislation."

WHEREAS, on March 16, 2015, Mayor Hagen-Kennedy failed to present any disclaimer to the Senate State and Local Government Committee that she was present as a citizen only when she testified in opposition to the legislation.

WHEREAS, Mayor Hagen-Kennedy failed to disclose that she was representing herself as a citizen and not in an official capacity and for using her position of Mayor for personal gain of a personal agenda and not representing the official position of the City of North Branch on March 16, 2015.

WHEREAS, on January 26, 2015 City Attorney Jay Squires advised the City Council, "It doesn't preclude a member from offering their position but must qualify it by saying that this is their individual position and not the position of the City of North Branch." Entire statement is on Page 7 of the City Council Minutes for January 26, 2015.

BE IT RESOLVED BY THE CITY COUNCIL OF NORTH BRANCH, MINNESOTA:

Mayor Hagen-Kennedy be removed from committee and commission appointments for the remainder of her term or until such time a majority vote of the City Council appoints her to any said committees or commissions.

The foregoing motion was duly seconded by Councilmember (NAME) and being put to vote members voted: AYE (#) NAY (#)

KATHY BLOOMQUIST	(VOTE)	JOYCE BORCHARDT	(VOTE)
ROBERT CANADA	(VOTE)	THERESA FURMAN	(VOTE)
KIRSTEN HAGEN-KENNEDY	(VOTE)		

Passed and adopted this 14th day of April 2015.

CITY OF NORTH BRANCH

BY: _____
Kirsten Hagen-Kennedy, Mayor

ATTEST: _____
Bridgitte Konrad, City Administrator

STATE OF MINNESOTA

COUNTY OF CHISAGO

CITY OF NORTH BRANCH

Councilmember (NAME) offered the following Resolution and moved its adoption.

RESOLUTION NO. (To be entered by the City Clerk)

A RESOLUTION TO REMOVE COUNCILMEMBER KATHY BLOOMQUIEST FROM COMMITTEE AND COMMISSION APPOINTMENTS.

WHEREAS, on March 16, 2015 Councilmember Bloomquist said to the Senate State and Local Government Committee Meeting, "My name is Kathy Bloomquist, and I am on the North Branch City Council I was just elected for a 4th term and have lived in the city since 1973."

WHEREAS, on March 16, 2015, Councilmember Bloomquist failed to present any disclaimer to the Senate State and Local Government Committee that she was present as a citizen only when she testified in opposition to the legislation.

WHEREAS, Councilmember Bloomquist failed to disclose that she was representing herself as a citizen and not in an official capacity and for using her position of Councilmember for personal gain of a personal agenda and not representing the official position of the City of North Branch on March 16, 2015.

WHEREAS, on January 26, 2015 City Attorney Jay Squires advised the City Council, "It doesn't preclude a member from offering their position but must qualify it by saying that this is their individual position and not the position of the City of North Branch." Entire statement is on Page 7 of the City Council Minutes for January 26, 2015.

BE IT RESOLVED BY THE CITY COUNCIL OF NORTH BRANCH, MINNESOTA:

Councilmember Bloomquist be removed from committee and commission appointments for the remainder of her term or until such time a majority vote of the City Council appoints her to any said committees or commissions.

The foregoing motion was duly seconded by Councilmember (NAME) and being put to vote members voted: AYE (#) NAY (#)

KATHY BLOOMQUIST	(VOTE)	JOYCE BORCHARDT	(VOTE)
ROBERT CANADA	(VOTE)	THERESA FURMAN	(VOTE)
KIRSTEN HAGEN-KENNEDY	(VOTE)		

Passed and adopted this 14th day of April 2015.

CITY OF NORTH BRANCH

BY: _____
Kirsten Hagen-Kennedy, Mayor

ATTEST: _____
Bridgitte Konrad, City Administrator

STATE OF MINNESOTA
COUNTY OF CHISAGO
CITY OF NORTH BRANCH

Councilmember (NAME) offered the following Resolution and moved its adoption.

RESOLUTION NO. (To be entered by the City Clerk)

A RESOLUTION TO ADMEND RESOLUTION 01-01-12-15 TO APPOINT THE FOLLOWING TO COUNCIL COMMITTEES AND COMMISSIONS FOR THE CITY OF NORTH BRANCH FOR 2015.

BE IT RESOLVED BY THE CITY COUNCIL OF NORTH BRANCH, MINNESOTA:

That the following Committees, Commissions and office designations are hereby made as per diem appointments for 2015:

Acting Mayor	Furman
Audit Liaisons	Borchardt
Cable TV Board	_____
Community Education	Borchardt
Economic Development Authority	_____, _____
	Alt. _____
Executive	_____
Personnel, Labor Negotiations	Furman, Borchardt
Fire Department/Relief	Canada
Rush Line	_____
NB Water & Light	Furman, Alt. Canada
Part Trail Open Spaces	_____, Alt _____
Planning	Furman
ECRDC Region 7E	_____
Transportation Committee	Canada and Furman
Heartland Express TAC	Borchardt
W&L Bond/Finance Review Task Force	_____

The foregoing motion was duly seconded by Councilmember (NAME) and being put to vote members voted: AYE (#) NAY (#)

KATHY BLOOMQUIST	(VOTE)	JOYCE BORCHARDT	(VOTE)
ROBERT CANADA	(VOTE)	THERESA FURMAN	(VOTE)
KIRSTEN HAGEN-KENNEDY	(VOTE)		

Passed and adopted this 14th day of April 2015.

CITY OF NORTH BRANCH

BY: _____
Kirsten Hagen-Kennedy, Mayor

ATTEST: _____
Bridgitte Konrad, City Administrator