

# MINUTES

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**McCall City Council  
Special Meeting  
March 5, 2008**

## Agenda

Call to Order and Roll Call  
Executive Session  
Adjournment

## **CALL TO ORDER AND ROLL CALL**

**Mayor Kulesza called the special meeting of the McCall City Council to order at 8:34 a.m. Council Member Bailey, Council Member Briem, Council Member Kraemer, Mayor Kulesza and Council Member Scott (via telephone) answered roll call. A quorum was present.**

Also present were Lindley Kirkpatrick, City Manager; Fred Quiel, Deputy City Manager / Administrative Services, and Walter Eisenstein, Deputy City Manager / Infrastructure & Community Development. City Attorneys present (via telephone) were Kim Trout, David Krueck, Bill Nichols, Bill Hanlon, Eric Herringer, and Dean Torkleson.

Mayor Kulesza read the following statement: "Recent developments in the Wausau/St. Clair lawsuit, including correspondence from the plaintiffs' attorneys regarding the conditions under which they will agree to vacate the contempt of court hearing scheduled for March 6, 2008, make it imperative that the City Council review and discuss this correspondence and determine if the conditions demanded by Wausau and St. Clair are acceptable or whether the City will need to file a Chapter 9 bankruptcy. Allowing the contempt motions to proceed to hearing on March 6, 2008 will likely lead to immediate financial loss. These latest developments occurred late Tuesday such that there was insufficient time to schedule or notice a meeting sooner. The news media was notified of the meeting as soon as it was scheduled."

## **EXECUTIVE SESSION**

**Council Member Bailey moved to go into Executive Session for litigation pursuant to Idaho Code §67-2345(1)f to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation. The motion was seconded by Council Member Briem. In a roll call vote, all members voted aye, and the motion carried.**

The Council discussed litigation pursuant to Idaho Code §67-2345(1)f.

At 9:24 a.m., Council Member Scott moved to return to regular session. Council Member Briem seconded the motion, and in a roll call vote, all members voted aye and the motion passed.

## REGULAR SESSION

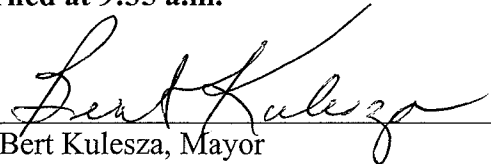
Council Member Kraemer moved to authorize Council to sign the stipulations from Wausau and St. Claire. Council Member Briem seconded the motion and in a roll call vote, all members voted aye and the motion passed.

Council Member Bailey asked that copies of the stipulations be provided to the Star News.

Council Member Bailey moved to adjourn the meeting. Council Member Briem seconded the motion and in a roll call vote, all members voted aye and the motion passed.

## ADJOURNMENT

Without further business, the meeting was adjourned at 9:35 a.m.

  
Bert Kulesza, Mayor

ATTEST:

  
Fred Quiel, Deputy City Clerk /  
Administrative Services