

# MINUTES

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**McCall City Council  
Special Meeting  
Legion Hall (McCall City Hall - Lower Level)  
August 6, 2009**

## Agenda

Call to Order and Roll Call  
Business  
Executive Session  
Adjournment

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

**Mayor Kulesza called the regular meeting of the McCall City Council to order at 5:30 p.m. Council Member Delaney, Mayor Kulesza, Council Member Scott (via phone) and Council Member Witte answered roll call, a quorum was present. Council Member Bailey was absent.**

City staff present were Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Tim Swanson, Interim Public Works Director; and BessieJo Wagner, City Clerk.

**Mayor Kulesza led the pledge of allegiance at 5:31 p.m.**

## **BUSINESS AGENDA**

### **AB 09-151    Canvassing Special Election Results from August 4, 2009** **Resolution 09-08**

JoAnn Fly, Valley County Elections, presented the election results to Council. She commented that overall the election went well; however there was some electioneering happening. She stated that for future elections there needs to be some preventative measures taken to ensure that electioneering does not happen in the future. Mrs. Fly confirmed that there were 1764 registered voters in McCall with 21 additional voters registered on Election Day, equaling just fewer than 33% voter turnout. The final results were:

The total number of votes cast at said election for **Shall the City of McCall retain its organization under the ‘Council-Manager plan’?**:

Total votes cast	505
In favor of retaining	293
Against retaining	212

Majority votes cast in favor of the City of McCall retaining its organization under the “Council-Manager Plan. Minimum majority votes required for the change in the form of government: 254

Mayor Kulesza thanked Mrs. Fly and her crew for conducting the Special Election for McCall.

**Council Member Delaney moved to proclaim the election results final and adopt Resolution No. 09-08. Council Member Witte Seconded the Motion. In a roll call vote Council Member Delaney, Council Member Witte, Mayor Kulesza and Council Member Scott all voted aye and the motion passed.**

Council Member Scott recommended a Town Hall session to discuss some of the issues brought up during the election process.

Council Member Scott joined the meeting live at 5:37 p.m.

Mayor Kulesza thanked the citizens, who voted, for taking the time to vote and the people that worked to inform the public on the differences of the two different forms of government, the Star-News, Chamber of Commerce, Jerry Mason, Marilyn Arp, Dan Krahn and Sheree Sonfield. He also complimented the City employees and City Manager on how they conducted themselves in a positive and professional manner.

Mayor Kulesza stated that the Council needs to pay attention to some of the issues brought up during the process, making sure that the City Council takes the time and effort to explain the reason behind decision and encourage more citizen involvement in City Council Meetings. Citizens need to provide specific examples of the issues that are current so that the issues can be addressed.

**AB 09-148 Application to hang a highway banner – Payette Lakes Classic Wooden Boat Show**

Dan Hormaechea spoke on behalf of the Payette Lakes Classic Wooden Boat Show.

Council Member Delaney supports hanging the banner and also supports looking at the second location for others to utilize as well.

**Council Member Delaney moved to approve the request to hang a Highway Banner for the Payette Lakes Classic Wooden Boat Show, on the West end of town, from August 7-17, 2009. Council Member Witte Seconded the Motion. In a voice vote Council Member Delaney, Council Member Witte, and Mayor Kulesza all voted aye, Council Member Scott abstained, and the motion passed.**

Council Member Delaney pointed out that if there is ever a conflict with hanging banners, priority should be given to the organization whose event keeps money in McCall.

**AB 09-149 Award contract for Chip Seal Project 2009**

Tim Swanson, Interim Public Works Director, stated that \$125,000 was appropriated for the project and the bid came in at \$90,000. Mr. Swanson clarified that \$85,000 was budgeted originally for the project, and then the department was able to save additional funds due to lower fuel costs and not needing to plow as much snow.

**Council Member Delaney moved to award the Chip Seal bid to lowest qualified bidder Snake River Construction, and to authorize the Mayor to sign the contract. Council**

Member Scott seconded the motion. In a roll call vote, Council Member Delaney, Council Member Scott, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.

**AB 09-150 Award Contract for Replacement of Lift Station 8**

Mr. Kirkpatrick gave a brief explanation of the budget process for funding the project.

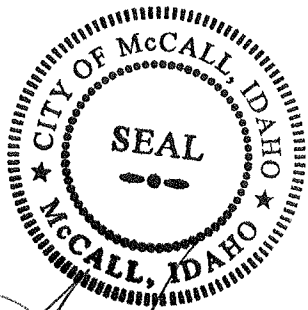
Council Member Delaney moved to award the contract for replacement of Lift Station 8 to lowest qualified bidder Sommer Construction, and authorize the Mayor to sign the contract. Council Member Scott seconded the motion. In a roll call vote, Council Member Delaney, Council Member Scott, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.

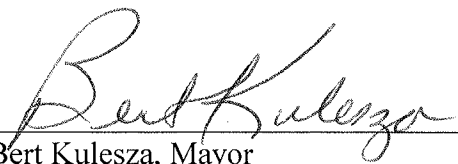
**EXECUTIVE SESSION**

At 6:04 p.m. Council Member Delaney made a motion to go into executive session for Litigation – Pursuant to Idaho Code §67-2345(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Council Member Witte seconded the motion. In a roll call vote Council Member Delaney, Council Member Witte, Mayor Kulesza, and Council Member Scott all voted yes and the motion carried.

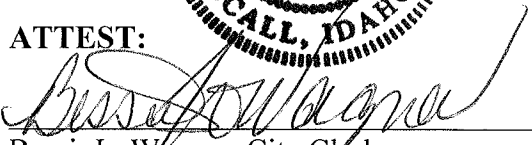
**ADJOURNMENT**

Without further business, the Mayor adjourned the meeting at 7:00 p.m.



  
Bert Kulesza, Mayor

ATTEST:

  
BessieJo Wagner, City Clerk

**MINUTES**

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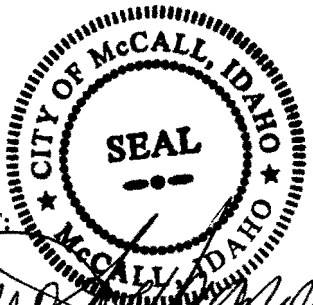
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**The Executive Session portion of the August 6, 2009 minutes were amended on April 22, 2010 to ensure compliance with the requirements of IC §67-2344 (2).**

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Council discussed litigation issues and explored possible strategies and solutions.



ATTEST:

*BessieJo Wagner*  
BessieJo Wagner, City Clerk

*Donald C. Bailey*  
Donald C. Bailey, Mayor