

Dalton Gardens City Council Special Meeting
Tuesday, January 21, 2020 @ 4:30 p.m.
City Hall 6360 N. 4th Street, Dalton Gardens, ID

CALL MEETING TO ORDER: Meeting called to order by Mayor Edwards at 4:35 PM

ROLL CALL:

Present were Councilmembers Carrie Chase, Aaron O'Brien, Robert Wuest, Ray Craft and Mayor Dan Edwards. Also present Caitlin Kling, City Attorney and Teresa Janzen, Deputy City Clerk

1. EXECUTIVE SESSION: IDAHO CODE 74-206(1)(F): TO COMMUNICATE WITH LEGAL COUNSEL FOR THE PUBLIC AGENCY TO DISCUSS THE LEGAL RAMIFICATIONS OF AND LEGAL OPTIONS FOR PENDING LITIGATION.

Motion to enter Executive session was made by **AO'Brien**; seconded by **CChase**.

Roll Call Vote:

CChase: yes

AO'Brien: yes

RWuest: yes

RCraft: yes

Motion carries.

2. DISCUSSION OF ACTION RELATED TO CRANDALL v CITY OF DALTON GARDENS

RWuest: summarized that the Council has spent the past two weeks since installation as the new council, researching the existing files and documents regarding this 4 year ongoing case. He expressed disappointment that the previous council did not heed the 2nd opinion dated 5/2017 from Holden, Kidwell, Hahn, & Crapo or the Judge's decision on 11/19/19. He apologized to the citizens of Dalton Gardens for the previous Council's actions.

CChase: Noted that it was a shame that the previous Council ignored the advice of counsel. Shame the amount of time and money put in to this case since 5/2017. No evidence that the 2nd opinion was discussed among the Council

RCraft: Stated that this situation seemed to start as a neighborhood situation but ended up benefitting the whole Dalton Gardens community.


RWuest made motion to accept the judgement of the Court in the case of Crandall v. The City of Dalton Gardens, and made a motion to pay the Plaintiff's attorney fee claim in the amount of \$37,400. Further, request that our Litigation Counsel work with the Crandall's Attorney to file a stipulation to dismiss the case with prejudice. **CChase** seconded.

Roll Call Vote:

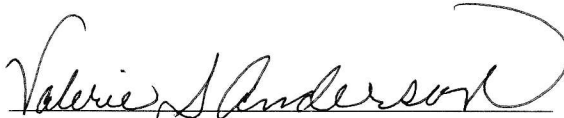
CChase: yes
AO'Brien: yes
RWuest: yes
RCraft: yes
Motion Carries.

ADJOURN:

RWuest made a motion to adjourn the meeting. **AO'Brien** seconded. Adjourned at 5:45 PM



Dan Edwards, Mayor



Valerie S. Anderson, Clerk/Treasurer