

AGENDA
SPECIAL CITY COUNCIL MEETING
HELD ON APRIL 3RD, 2025 AT 6:00 P.M.
AT THE MOUNTAIN HOME CITY HALL
160 SOUTH 3RD EAST STREET

CALL MEETING TO ORDER/ESTABLISH A QUORUM

TOPIC

- 1)Action Item: Deliberation/Decision regarding Police Chief's resignation letter and effective date.
- 2)Action Item: Deliberation/Decision on the golf course concessionaire contract and pay schedule.
- 3)Action Item: Deliberation/Decision regarding Marty Anderson's resignation letter and effective date.

ADJOURN

MINUTES OF THE SPECIAL MEETING OF THE
COUNCIL OF THE CITY OF MOUNTAIN HOME, ELMORE COUNTY, IDAHO,
HELD ON APRIL 3RD, 2025 AT 6:00 P.M.
AT THE MOUNTAIN HOME CITY HALL
160 SOUTH 3RD EAST STREET

The Council of the City of Mountain Home, Elmore County, Idaho, met at Mountain Home City Hall, 160 South 3rd East, Mountain Home, Idaho, on April 3rd, 2025. A quorum was established with Councilman Harjo, Councilman Brennan, and Councilwoman Wirkkala. Councilwoman Garvey by phone. Mayor Sykes was absent.

TOPIC

1)Action Item: Deliberation/Decision regarding Police Chief's resignation letter and effective date.

Councilwoman Wirkkala said she thought that the Mayor was going to be in attendance and that she had questions for him. She also said that they received the Police Chief's letter on April 1, 2025, and that it was dated for March 14, 2025, and they have had a Council meeting since then. She said that she wanted to know what the plan was moving forward. She then asked about getting this item added to the agenda for the next Council meeting.

Councilman Harjo said that this can be tabled until the next meeting and make a request to have this topic added to the agenda.

2)Action Item: Deliberation/Decision on the golf course concessionaire contract and pay schedule.

Councilwoman Wirkkala said that the Mayor emailed the Council on March 31, 2025, about why the concessionaire's payment per contract was not made on February 1, 2025. She said the Mayor then responded that "the concessionaire did not need to pay until he was up and operational per discussion with Council during the contract process", this is a quote. She said that she did not recall this discussion and asked the Council if any of them recall.

Councilman Brennan said that he did not.

Councilman Harjo said that he had some notes from the two meetings in November, where this was an agenda item. He also said that he had no notes on this part of the discussion, he said all he had was the current contract where Section 2 states that the agreement is for a period of 2-years starting on November 27, 2024, and Section 3 where rent would commence on February 1, 2025.

Councilwoman Wirkkala asked if Councilwoman Garvey had any recollection of a conversation about delaying payment.

Councilwoman Garvey said that she did not recall a conversation about delaying payment.

Councilwoman Wirkkala said that the money that was to be paid on February 1st and March 1st was planned to be added to the budget. She said that she made a pretty strong stance on this topic last year, with the previous concessionaire stating that it is not up to the taxpayers to subsidize a private business. She said that she felt bad for the current concessionaire if he was told by the Mayor that he didn't have to pay until April 1st, however there is a law binding contract that states that payments would due starting February 1, 2025.

Councilwoman Wirkkala made a motion to have the current golf course concessionaire pay per their contract, which would include February and March

rent plus utilities. There being no second, the motion died.

Councilwoman Garvey said that she thinks that the Council needs more clarification on why he was told not to pay when he came in to pay. She said that the problem she has and with the things she has heard based on discussions with the Mayor and City staff is that the City did not turn over a turnkey operation to him. She said there were problems that were part of the City's responsibility to fix, that he ultimately had to fix that caused the delays. She said that she thinks there needs to be further discussion before deciding.

Councilwoman Wirkkala said that there were nearly two months of no rent as well as December and January. We knew the conditions of the building when the contract was made. She asked if it was known that there was a problem, why did we not foresee to make the contract start date later than February 1, 2025. She said that the Mayor's email did state that the concessionaire did come in on January 30, 2025, to make payment and was told he didn't have to per the discussion with the Council.

Councilwoman Wirkkala went on to say that there were four items listed in the email that caused the delays; State Health Department required popcorn ceilings in kitchen area to be removed, the contractor selected by the City was delayed by a few days, the concessionaire was unable to obtain an alcohol license from ABC until the remodel was at 80% completion, and the bathroom fixtures and partitions were delayed on shipping.

Councilman Harjo said that at the time they began the ceiling project, there were other State agencies called in for testing, to ensure whether or not there was asbestos in the popcorn ceilings, which there was no asbestos. He said that he'd like to table this until Tuesday's City Council meeting as well.

Councilwoman Wirkkala said that she supports this being tabled.

Councilman Harjo made a motion to table this and enter it as an agenda item on Tuesday's Council meeting. Councilwoman Wirkkala seconded the motion.

Councilman Brennan said that he was going to side with the Mayor on that one, as the City had a lot of blame in the late opening. He said they had engaged in a remodel that was not anticipated to the level it became at the time the contract was signed. He said that he thought they had taken action that was in the best interest of the City long term. He said in his opinion they hadn't subsidized a business because the business was never opened. He said that he didn't want to go down the road of asking him to pay when they hadn't even opened the doors to let him in, due to the remodel ever growing.

Councilwoman Wirkkala said that when you say the City pays it is again the taxpayer paying, that was \$3,200 that was planned to go into the budget that didn't go in, along with the cost of the electricity used. She said that is just her point of view on it.

Councilwoman Garvey said that the electricity would have been on and paid regardless of if there was a person in there or not. She said to her sentiment that the concessionaire was not handed over a place that was turnkey operational, and even the Health Department said it's not operational. She said he wasn't making any money at that time. She said the last thing we need to look at is the amount of money, energy, and resources, that place looks beautiful and hasn't looked that beautiful in a long time. She said that we need to give him credit where credit is due. She said that she supports bringing this back on Tuesday.

Councilwoman Wirkkala said that when she owned her own business and was doing renovations, she still had to make her rent payments even though they weren't open for business yet because she had signed a legally binding

contract.

Councilman Brennan said that he knows a lot of contracts often have a delay of occupancy; however, this one did not. He said the contract does talk about repairs and maintenance of the clubhouse, which says the City shall perform any required repairs and maintenance, except those caused by the concessionaire. He said that he agrees that a contractual matter is a contractual matter, and the Council is responsible for that, but he said he doesn't believe the City did anything wrong aside from not asking the Council's permission. He said that the City did what was in the best interest.

Councilwoman Wirkkala said that's exactly why she asked for this topic to be on the agenda, to find out why it wasn't brought to the Council for decision.

The following vote was recorded:

Councilman Brennan	AYE
Councilwoman Garvey	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

The vote being unanimous, the motion was carried and so ordered.

3)Action Item: Deliberation/Decision regarding Marty Anderson's resignation letter and effective date.

Councilwoman Wirkkala said that citizens have stated they have received Marty Anderson's letter of resignation as military liaison, but to her knowledge, the Council has not received an official letter. She said what she does have is a copy that was texted to her by a constituent who FOIA requested it. She said that she wanted to ask the Mayor why she is getting this type of communication from the citizens and not the Chief Administrator of Mountain Home. She said that she wanted to ask why the Council is not getting that communication that she feels like they should have. She said that she also wanted to confirm the effective date. She asked Legal if this is considered official, being that it's just an email and that there is no signature on it.

Paul Fitzer, City Attorney, said that he, as legal counsel, is accepting, as of March 14, 2025, Marty Anderson's request for resignation from his contractual position and that this is sufficient.

Councilwoman Wirkkala said that per the Military Liaison's contract, it says that "this contract may be terminated by either party with 30 days written notice to the other with or without fault". She said that if this email starts on March 14, 2025, when it was given to the Mayor and the Clerk, but states that he intends to terminate this contract effective April 30, 2025, that is more than 30 days. She said she wants to propose that they accept this email as an effective date of March 14 with an end date of April 14.

Councilman Harjo asked if she is making an official motion at this time.

Councilwoman Wirkkala said that she is proposing it, and she wanted to leave it open for discussion if anyone has discussion. She said the letter is interesting and that her name is mentioned a few times, and that this might be her only time to defend herself. She went on to read portions of Marty Anderson's resignation letter.

Councilwoman Wirkkala made a motion to accept the termination letter with the effective date of March 14, 2025, and with an end date of April 14, 2025. Councilman Harjo seconded the motion.

Councilman Brennan asked Legal that, since this was not an employee of the City but a contractual agent, whether they had the ability to cut this short as a Council, or if that was an Executive decision.

Paul Fitzer said that he thought the City Council had authority, as they were the entity that had authorized the Mayor to enter into the contract, and they were also the ones responsible for the funds and the approval of the budget.

Councilman Brennan called for a recess to confer with Legal at 6:31 pm.

Councilman Harjo called for the City Council meeting to resume at 6:37 pm.

Councilman Brennan said that with the advice of Legal, he would like to make a motion to enter into Executive Session before holding a vote, so that he can relay the conversation he had with Legal. Councilwoman Wirkkala seconded the motion.

EXECUTIVE SESSION

1) Pursuant to Idaho Code Section 74-206(1)(b)- to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent.

Councilman Brennan made a motion to go into executive session pursuant to Idaho Code Section 74-206(1)(b). Councilwoman Wirkkala seconded the motion.

The following vote was recorded:

Councilwoman Garvey	AYE
Councilman Brennan	AYE
Councilwoman Wirkkala	AYE
Councilman Harjo	AYE

The vote being unanimous, the motion was carried and so ordered.

The Council went into Executive Session at 6:39 p.m.

The Council came out of Executive Session at 6:55 p.m.

There was a discussion with Legal about whether another motion can be made while there's already an open motion on the floor, and per Robert's Rules of Order, it is permitted.

Councilwoman Wirkkala amended her motion to accept the Military Liaison's resignation effective March 14, 2025, with an end date of April 14, 2025, and pay to end on April 14, 2025. Councilman Harjo seconded the motion.

The following vote was recorded:

Councilwoman Wirkkala	AYE
Councilwoman Garvey	NAY
Councilman Brennan	AYE
Councilman Harjo	AYE

The majority of the vote being in favor, the motion was carried and so ordered.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 6:56 p.m. by orders from Councilman Harjo.



Scott Harjo, Council President

ATTEST: 

Tiffany Belt, City Clerk

