

CITY OF BURTON  
SPECIAL COUNCIL MEETING MINUTES  
SEPTEMBER 28, 1992, 7:00 P.M., POLICE/FIRE FACILITY

The Special Meeting was called to order by Tom Martinbianco, Council President, at 7:06 P.M.

MEMBERS PRESENT: C. Abbey, K. Cox, C. Cross, T. Hammon, T. Martinbianco, A. Walls and P. Zelenko.

BENTLEY SCHOOL BOARD PRESENT: D. Austin, G. Grantner, J. Wilson, D. Ives, D. Cromer, B. Kitchen and R. Jerisk.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor Charles H. Smiley, Dr. Ella Burton, Bentley Superintendent, Wm. Young, J. Benthall, Police Chief and W. Walworth, City Clerk.

PURPOSE OF THE MEETING: DISCUSSION WITH BENTLEY BOARD OF EDUCATION IN REGARDS TO CROSSING GUARDS AND OTHER MATTERS THAT MIGHT ARISE.

PRESENTATION: Mayor Charles H. Smiley/Dr. Ella Burton, Bentley Superintendent

Mayor Smiley introduced Dr. Burton and asked each body to introduce their members.

Dr. Burton introduced Mr. Grantner, who introduced his board. He said Mr. Austin would be late.

Mr. Martinbianco asked the Council to introduce themselves. He asked Mr. Young to summarize the issue.

Mr. Young gave a historical report on what had transpired to date.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh, said she had a long time interest in this issue and reviewed her involvement to date. She said the crossing guard issue should be a budget item in the Police budget each year and that Flint includes it in their budget.

Ralph LaDuke, 544 Shamrock Lane, asked if he could speak on the issue after the board discussion. Mr. Martinbianco said yes.

Mr. LaDuke said when he was on the board they thought it was not in the best interest of the Bentley Board to pursue the issue at that time, and the crossing guard was the responsibility of the Bentley Board. He said it was not fair of the present board to come back now and try to change the previous boards decision.

COUNCIL DISCUSSION/BENTLEY BOARD OF EDUCATION:

Mr. Cross asked the Attorney to summarize the issue.

Mr. Hamilton said the bottom line was that the City probably had some financial obligations under the law, but the intent of the law was that both parties make a joint determination which may be in question.

Mr. Cromer reviewed the law and said he wanted the best interest of the community served.

Mr. Abbey said he had no problem with our responsibility, but expressed concern on the lack of participation by the City in the process.

Mr. Young said it was an administrative decision and the Police Department did have involvement.

Mr. Martinbianco expressed concern that it appeared to be a unilateral decision by the Bentley Administration.

Mr. Grantner said that in the past, the City had taken a position that they were not responsible. He said he thought the close working relationship with the law enforcement agency gives substance to the request.

Mr. Young was asked when he attempted to involve the City . He said at the end of 1988-89.

Mr. Ives said they should have instituted a meeting back then with the City.

Mr. Cross asked if there were any agreements on swapping of services to settle the issue.

Mr. Young said he thought Mr. Collard was attempting to do that, but to his knowledge, there was no agreement.

Mr. Martinbianco asked if a rate of pay was set?

Mr. Young said the Board did and it was probably lower than other schools in the County.

Mr. Hammon said that as Finance Chairman, there would be no answers tonight, but it had been a good meeting. He said he valued the relationship between the two groups. However, he said he did not want to get caught up in legal technicalities and suggested that the issue be addressed by a joint committee of each board, with three from each side. He said our case was unique, as we are operating on only 5 mills. He said the State Legislature needs to clarify the rules for both parties.

Mr. Abbey asked what kind of monies were involved to date.

Mr. Young said \$17017.20 from 1988-89 and \$6799.61 from 1989-90.

Mr. Abbey said he was not opposed to a joint committee and the issue needs to be resolved.

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Mr. Hammon said there was more at stake than just a past settlement. He said other schools, like Bendle, could also come back on the City.

Mr. Cross wanted assurances that the meeting would come under the open meetings act and that minutes would be taken.

Mr. Kitchen said the committee must also address future situations.

Mr. Hamilton said not only pay was an issue, but also jurisdiction. He noted that school statutes were not applicable to City statutes.

Mr. Martinbianco asked about the watermain issue into Bentley Jr. High. He asked if that was coming from a building and site fund.

Mr. Ives replied yes.

Mr. Cross asked if the meeting would be a subcommittee meeting of the Council.

Mr. Martinbianco said yes, as it would be a finance subcommittee meeting.

Mr. Smiley asked that the attorney costs, of any in-depth study, be split between the parties.

COUNCIL ACTION:

Moved by Hammon, supported by Abbey to form a three person committee from each board to resolve the issue. Motion carried 7-0.

Meeting Adjourned at 8:20 P.M.

Respectfully Submitted,

William R. Walworth  
Burton City Clerk

WRW/cml