

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
JANUARY 11, 2007, 4:00 P.M., COUNCIL CHAMBERS
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The Meeting was called to order by Council President Gary Isham at 4:03 p.m.

MEMBERS PRESENT: Conley, Isham, LaDuke, Major, Tinnin and Wells.

MEMBERS ABSENT: Cross.

OTHERS PRESENT: Attorney R. Austin and G. Webster, City Clerk.

PURPOSE OF THE MEETING: To confirm the appointment of Ralph LaDuke to Burton City Council.

PRESENTATION:

Mr. Isham thanked the members that called this Special Meeting so Council could clear up any discrepancies regarding this appointment.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St., opposed the appointment of Mr. LaDuke for the following reasons: Council did not interview him.

He was not asked to have a background check or drug test.

She spoke regarding a report that went to the Genesee County Drain Office.

There should be a filing of full disclosure prior to becoming a Council member.

There is no southend representation on the Council.

She felt the next highest vote getter from the previous election should be considered.

John Stapish, P.O. Box 190134, opposed the appointment of Mr. LaDuke because he was defeated in a prior election and he works for the Atherton Schools Board.

COUNCIL DISCUSSION:

Mrs. Tinnin wanted to know what business consulting services or any type of business he is doing with the City of Burton. She wanted to know if he would submit to a drug test and background check.

Mr. LaDuke said he was not doing any business with the City of Burton.

Mr. Wells felt it was inappropriate to asked Mr. LaDuke to submit to testing. No other Council member has done this.

Mr. Isham indicated that prior to Mr. LaDuke being hired by Atherton he had a thorough background check and drug test.

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Mr. LaDuke and other members said they would not have a problem with having a drug test and background check.

The Council wanted to know the status of the appointment with another 3-2 vote of Council.

Attorney Rick Austin referred to his previous opinion. Mr. LaDuke continues to occupy the position of City Council person by virtue of the vote that was taken before. The "Vacancies in Office" provision of the Charter provides that he stays in office until a competent tribunal rules otherwise. Mr. LaDuke is currently an office holder. He has taken the Oath. There can be no further business taken at this meeting.

COUNCIL ACTION:

Wells moved and Major seconded the following motion:

1. Approve and authorize the confirmation of Ralph LaDuke to Burton City Council.
- Motion carried 3-2, with Conley and Tinnin voting no and LaDuke abstaining.

Meeting adjourned at 4:15 p.m.

Gayle Webster, CMC
City Clerk