

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
January 24, 2001, 5:30 P.M., COUNCIL CHAMBERS

The Special Meeting was called to order by Bob Centilli, Council President, at 5:30 P.M.

MEMBERS PRESENT: Brawner, Centilli, Cross, Tinnin, Martinbianco and Wells.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mayor Charles Smiley; J. Major, DPW Director; G. Webster, City Clerk; R. Hamilton, City Attorney; C. Abbey, Administrative Assistant and C. Ladd, Deputy City Clerk.

PURPOSE OF THE MEETING: Interview and Appoint one of the following applicants to Burton City Council to fill the vacancy created by the resignation of Paula Zelenko.

1. Herman Clark
2. Jamie Curtis
3. Rodger Dellar
4. Gary Isham
5. Jane Nimcheski
6. Terry Parker
7. John Stapish
8. Marie Wilson-Noack

Mr. Centilli acknowledged several dignitaries in the audience.

PRESENTATION:

Mr. Centilli reviewed the interview and voting procedures with the Council. He explained that once a name is dropped from the voting, the candidate would be out of the running. He noted that there would be a 10-minute break after the applicants were interviewed.

AUDIENCE PARTICIPATION:

Cheri Mys-Curtis, 2230 Ridgemoor, explained that she is married to Jamie Curtis. Mrs. Curtis spoke in favor of her husband being appointed, stating that he can readily make a decision and is dependable and stable.

COUNCIL DISCUSSION/INTERVIEW OF APPLICANTS:

Mr. Martinbianco stated that this is a very important process the Council has in filling the vacancy. Each candidate must be considered very carefully.

Mr. Centilli read a list of six questions to each of the applicants:

Jane Nimcheski, 2329 N. Genesee Rd., Burton, MI 48509:

Mrs. Nimcheski said she has lived in Burton for 35 years. Her community service activities include serving on the City Council for four years and serving as Mayor for eight years. She has been on both sides of the table and is aware of what the responsibilities of the Council entail. She also works at the Genesee County free medical clinic. She is seeking the position, because it is a short term appointment and knows that the Council will soon be addressing the budget process and thinks her experience would be helpful. Mrs. Nimcheski said she thinks that she would be able to bring a sense of humor back to the Council and end so much of the seriousness. The Council's main responsibility is the City Budget. There are two main issues facing the City, namely the master plan and roads. Mrs. Nimcheski said her past experience would make her a good representative for the City.

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Terry Parker, 4360 Sunnymead, Burton, MI 48519:

Mr. Parker stated that he has lived in Burton since 1979. His community service includes his participation in Paint for Pride through his Church, which is Bristol Road Church of Christ. He applied for the position because he thinks he would be an asset to the Council and he is a member of the Zoning Board of Appeals. He said his qualities include honesty, decision making and being level headed. Mr. Parker said the Council's function as the legislative body of the City, is to make rules and deal with the citizens of the community. The main issue facing the City is the growth and how we will continue giving the citizens the same amount of services in the areas of police, fire and roads. He has reservations about where the money would come from.

John Stapish, 5160 E. Atherton Rd., (PO Box 190134), Burton, MI 48519:

Mr. Stapish commented that he has been attending the Council Meetings for many years. He stated that he would use a practical approach and common sense if selected for the position. He noted that he was born and raised in Burton and his community service includes Parks and Recreation Committee until it was disbanded, as well as the GCCAA, Burton Division that was instrumental in starting the Neighborhood Housing Services. He applied for the position because he thought he might be able to do some good. Mr. Stapish stated that he thinks it is the Council's responsibility to solve the resident's problems and that the main issue facing the City is money.

Herman Clark, 2427 N. Vassar Rd., Burton, MI 48509:

Mr. Clark gave a brief opening statement. He stated that he has resided in Burton for the past 28 years. His community activities consist of being on the Board of Directors for the Burton NHS; Community Relations Chairman for BNHS for 8 years and has been a member of Kiwanis for 17 years, having served in the capacity as President. He said he applied for this position because of being interested in community service and in general, he loves the City. He has many life experiences and has worn many hats throughout his life. His qualities include fairness, honesty; resolving conflicts; intelligent and is a good people person, one who can bring people together. Council responsibilities are to set a good example through deeds and actions. Carefully choosing battles is important and the issues should be those which affects the quality of life. He said conflict is good in the way of keeping people accountable. The main issue facing the City today is parks, roads, expansion and traditional organizational structure in government. We need to move forward to the future. Mr. Clark said this position is a tremendous responsibility and he is seeking it for the right reasons.

Jamie Curtis, 2230 Ridgemoor Ct. (PO Box 93, Davison, MI 48423) Burton.

Mr. Curtis said when he previously came before the Council it was recommended by the President, Paula Zelenko, for the residents to get involved. I was recently appointed to the Zoning Board of Appeals. He said he built a home in 1992 and in 1995 his wife opened her medical practice. He is applying for the position because of his long-term commitment to the City. The qualities he would bring are his life experiences, his ability to resolve conflict in a diplomatic approach and having served in three elected positions in the UAW. The Council's responsibility is to govern the City, maintain fiscal responsibility and to have a prevailing of the minds of the consensus of the board and to keep the best interest of the City and the residents at hand at all times. The main issue facing the City is water and sewer, road conditions and the national economy and what impact this will have on the City as a whole. Mr. Curtis said he has spent most of his adult life making tough decisions. He believes doing the right job takes commitment, dedication and credibility, but most of all a vision for the future. These are his values and assets that he offers to the City as a Council Member.

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Rodger Dellar, 6120 Sandy Lane, Burton, MI 48519:

Mr. Dellar thanked the Council for the opportunity to interview for the Council position. He said he has been a member of the Burton family through his association as a previous firefighter. He has worked for the City government in that aspect and has seen some of the internal workings. He believes he could bring a fresh, unbiased approach in some areas of the City. He said he is also a business owner in the City and has seen many changes in the City, for the good and he thinks he could be an intricate part in building and forming the City for a long and prosperous future. Mr. Dellar said he has lived in the City for the past 12 years and served as a member of the fire department for 9-1/2 years. He is applying for this position because he thinks he has some qualities that he could add to the Council as the City continues to make major strides and improvements. The responsibilities of a Council are to be available and listen to their constituents and to work with the Mayor's Office. They also should form good policy procedures for the City. The main issue facing the City today is roads, both widening and repairing, and water in areas that do not have it available. He said if selected, he would be capable of giving a valid and unbiased input and bring fresh ideas to the table.

Marie Wilson-Noack, 4360 Maplewood Meadows, Grand Blanc, MI 48439:

Mrs. Noack said she has lived her entire life in Genesee County and has lived in Burton since 1999. She is applying for the council position because she wants to contribute and participate in her community. She believes the future growth should be planned and controlled, with an emphasis on meeting the needs of all members of the community. She thinks her educational background and work experience in finance, will provide the tools necessary for her to make the right decisions for the community. Her community activities include Jr. Achievement, mentoring and volunteer tax work. Her qualities include a strong financial background. Mrs. Noack thinks that Council responsibilities include being objective and making good, sound decisions. One of the main issues facing the City is the master plan and monitoring the City's growth. She thanked the Council and stated that if selected, she would be objective and dedicated.

Gary Isham, 3443 Saxon St., Burton, MI 48519:

Mr. Isham commented that the number of talented people, who have applied for the position, challenges the Council in making a selection. He said he has lived in the City for 15 years and his activities include taking an active part in the Veteran's Memorial Pavilion, Chairman of Dollars Against Diabetes for his labor organization and Salvation Army, Adopt a Kettle Program. He is a member of the National League of Cities for 14 months, a poverty reduction study committee, which is appointed through the Mayor's Office in Flint. He has a role in the IMA Foundation recreational program for kids. Mr. Isham applied for the position so he could help make changes in my community. He is a member of the Atherton School Board and feels that education is an important factor in the community. He is willing to be a leader and be involved in the community. The responsibility of a Council person is to be a leader and to work cohesive as a group with the best interest of the City being put forth first. It's important to work for the residents and move the City forward. The main issue facing the City is growth. There are needs in infrastructure, education and meeting the needs of the community as a whole. Mr. Isham concluded by saying that the City of Burton has residents from all walks of life and we need to be aware of our senior citizens and proud of our accomplishments. We need to work together as councilpersons and citizens. He noted that he would like to see Council frame a bright future for his children and grandchildren.

Council Recessed at 6:25 P.M.

Council Reconvened at 6:40 P.M.

A motion was passed to place all applicants' names into nomination. The first round of voting began with Mr. Centilli and continued with the rotation of the council.

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Council Recessed at 7:40 P.M.

Council Reconvened at 8:00 P.M.

Voting continued until round 187. Mr. Centilli had voted for Mr. Isham after his name was eliminated in round 186.

Mr. Martinbianco raised a point of order. He explained, according to the rules, the rounds of voting will continue to rotate through the council members using only the applicants that have garnered at least one vote from the previous round. He said that Mr. Isham's name was not stated in the previous round, so it is eligible.

Attorney Hamilton reviewed the operative factors dealing with this issue. He said a round of votes was completed with six votes cast. One of the votes cast was not an ineligible member. The question before council is whether there should be a revote or disqualify the vote. He said the vote cast by Mr. Centilli was not consistent with the rule and therefore was an invalid vote.

Mr. Cross asked for further clarification. He said there should not be a revote on that round.

The attorney made further clarification and suggested the council establish a rule to address this type of scenario.

Mr. Abbey suggested that Mr. Centilli's vote in the previous round be disqualified and for council to move on to the next round with the remaining eligible applicants.

Mrs. Tinnin asked for clarification on the invalid name.

Mr. Martinbianco clarified that Mr. Isham's name would not be reentered into the vote.

Mr. Martinbianco moved and it was seconded by Mr. Brawner to disqualify Mr. Centilli's vote in the previous round. Motion carried 6-0.

The voting resumed with the three eligible names of Clark, Curtis and Nimcheski.

Council Recessed at 8:45 P.M.

Council Reconvened at 8:55 P.M.

The voting resumed until 9:25 P.M. when a recess was called.

Council Reconvened at 9:45 P.M.

The voting resumed until 10:35 when a brief recess was called.

The meeting was reconvened and voting continued at 10:45 P.M.

After 433 rounds of voting, two of the applicants' names remained. Mr. Centilli felt that Mr. Clark and Mrs. Nimcheski were both fine candidates, however, he felt that Council would not be able to make a selection between the two finalists. He offered a compromise to the situation. He suggested that council appoint Alta Walls, a veteran with 16 years of council experience, until the November election.

There was no support for Mr. Centilli's comments.

Voting resumed until a recess was called at 11:35 P.M.

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Council Reconvened at 11:45 P.M.

Mr. Martinbianco stated that in light of the late hour and the circumstances in not being able to come to a consensus on a replacement, he suggested that the meeting stand recessed until Friday, February 2, 2001 at 5:30 P.M.

Mr. Hamilton said the Charter requirement indicates that it is the Council's responsibility to fill a vacancy in office within 30 days after vacancy occurs. The Charter further goes on to provide that willful violation of the Charter is a misdemeanor. However, I don't think the failure to fulfill the obligation of the Charter, based on the activities here Tonight, could ever be seriously argued. You have reached an impasse and have not willfully failed and made an effort to fulfill your duty. Mr. Hamilton said he didn't see a problem recessing the meeting until February 2, 2001 at 5:30 P.M. You did make a good faith effort.

Moved by Martinbianco, seconded by Brawner to recess the meeting until February 2, 2001 at 5:30 p.m. and City Clerk's Office to provide a posting of the meeting. Motion carried 6-0.

COUNCIL DISCUSSION ACTION:

Moved by Martinbianco, seconded by Mr. Brawner to disqualify Mr. Centilli's vote in the previous round. Motion carried 6-0.

Moved by Martinbianco, seconded by Brawner to recess the meeting until February 2, 2001 at 5:30 p.m. and City Clerk's Office to provide a posting of the meeting. Motion carried 6-0.

COUNCIL ACTION:

Cross moved and Martinbianco seconded the following motion:

1. Approve and authorize placing all applicants' names into nomination.
Motion carried 6-0.

No action was taken because the meeting was recessed until February 2, 2001 at 5:30 P.M.

2. Approve and authorize the appointment of _____, of (address) _____
to the Burton City Council, term expiring November 2001.

Meeting Adjourned at 12:08 A.M.

Gayle Webster
City Clerk

Cheryl M. Ladd
Deputy City Clerk