

**OWOSSO CITY COUNCIL  
ORGANIZATIONAL MEETING**

**NOVEMBER 12, 2013**

**7:30 PM**

City Manager Donald D. Crawford addressed the City Council regarding the custom of having the City Clerk chair the meeting until a Mayor is elected.

City Clerk Amy K. Kirkland administered the Oath of Office to David B. Bandkau (four year term); Burton D. Fox (four year term); Robert J. Teich, Jr. (four year term); and John V. Greenway (two year term).

City Clerk Kirkland called the meeting to order at 7:35 p.m. and lead the Pledge of Allegiance to the Flag.

**PRESENT:** Councilpersons Bailey, Bandkau, Eveleth, Fox, Frederick, Greenway, and Teich.

**ABSENT:** None.

**APPROVE AGENDA**

Motion by Councilperson Fox to approve the agenda as presented.

Motion supported by Councilperson Bailey and concurred in by unanimous vote.

**ADOPTION OF RULES OF ORDER**

City Attorney William C. Brown addressed the City Council regarding the rules for abstaining from voting and the staff recommendation for the adoption of Robert's Rules of Order, 1990 Edition – 9<sup>th</sup> Edition, as the rules of procedure.

Motion by Councilperson Greenway to adopt Robert's Rules of Order, 1990 Edition – 9<sup>th</sup> Edition as the rules of procedure.

Motion supported by Councilperson Bailey and concurred in by unanimous vote.

**ELECTION OF MAYOR**

City Clerk Kirkland explained the method of voting for the election of Mayor and Mayor Pro-Tem.

Councilperson Bailey nominated Councilperson Frederick for Mayor.

Nominations were closed with one nominee.

Roll Call Vote.

**AYES:** Councilpersons Bailey, Bandkau, Eveleth, Fox, Frederick, Greenway, and Teich.

**NAYS:** None.

City Clerk Kirkland administered the Oath of Office and turned over the chair of the meeting to Mayor Frederick.

**ELECTION OF MAYOR PRO-TEM**

Councilperson Greenway nominated Councilperson Eveleth for Mayor Pro-Tem.

Nominations were closed with one nominee.

Roll Call Vote.

**AYES:** Councilpersons Bailey, Bandkau, Eveleth, Fox, Greenway, Teich, and Mayor Frederick.

**NAYS:** None.

City Clerk Kirkland administered the Oath of Office to Mayor Pro-Tem Eveleth.

**CONSIDERATION OF CITY COUNCIL RULES OF PROCEDURE**

Councilperson Bailey requested that should the proposed Rules of Procedure be adopted that the Civility Rule be posted in the Council Chamber so that visitors will know what behavior is expected.

Motion by Councilperson Eveleth to adopt the following Rules of Procedure:

## CITY COUNCIL RULES OF PROCEDURE

### **Rules for Roll Call Votes**

1. *These rules are adopted pursuant to Section 5.4(j) of the Charter of the City of Owosso.*
2. *The purpose of these rules is to establish the procedure to be followed when conducting a roll call vote of City Council members.*
3. *When requested by the Mayor or, in his or her absence, the presiding officer, to conduct a roll call vote, the City Clerk shall call the names of all Council members except the Mayor in a random order followed by the name of the Mayor.*
4. *The City Clerk shall implement these rules in such a manner as to insure that the order in which names of Council members is called shall vary from one roll call vote to the next.*
5. *The City Clerk shall use a computer randomization program or other similar method to insure that each Council member's name has a statistically equal probability of appearing in any given position in the order of the roll call.*
6. *If a member of the Council is absent from a meeting, the City Clerk may strike his or her name from the roll call and such striking shall not constitute a violation of the procedure for random roll call voting. If the Mayor is absent from a meeting, the name of the presiding officer shall be included in the random roll call vote.*

### **Rules for Addressing A Meeting of the City Council**

1. *These rules are adopted pursuant to Section 3(5) of P.A. 267 of 1976, commonly known as the Open Meetings Act.*
2. *The purpose of these rules is to establish procedures to be followed when persons desire to address a meeting of the City Council so as to insure that all persons who wish to do so are afforded an adequate opportunity to exercise the right to address their city government while conducting the public business in an orderly, professional manner.*
3. *Persons wishing to address a meeting of the City Council shall do so during times set aside on the agenda for that purpose and at other times when recognized by the Mayor for the purpose of addressing the meeting.*
4. *Persons wishing to address the City Council and attending officials shall stand, raise a hand, or otherwise signal a desire to speak, and wait to be recognized by the Mayor. When so recognized, persons shall give their names and addresses, and address their comments and/or questions to any City official attending the council meeting.*
5. *Each person wishing to address the City Council shall be afforded one opportunity of up to four (4) minutes duration during the first occasion provided for citizen comments and questions, one opportunity of up to three (3) minutes duration during the last occasion provide for citizen comments and questions and one opportunity of up to three (3) minutes duration during each public hearing; provided, however, that comments made during public hearings shall be relevant to the subject for which the public hearings are held.*
6. *In addition to the opportunities to address the City Council described above, a citizen may respond to questions posed to him or her by the Mayor or members of the Council provided that members of the Council have been given the floor by the Mayor to pose such questions.*
7. *Each citizen comment and question period described in paragraph 6 excluding public hearings shall last up to thirty minutes. If time expires for the comment and question period and additional time appears necessary to accommodate citizens wishing to address city officials, the council may vote to extend the period for a specific length of time. Only one such extension of each comment and question period shall be permitted during a Council meeting.*

### **Rule of Civility**

1. *Council members, City staff, and members of the public will communicate respectfully with each other in their conversations, reports, debates, and testimony. All present will listen attentively to others when they are speaking, not interrupt others or carry on side conversations; and when given the floor will speak to the issues at hand, not engage in personal attacks or use derogatory language, and will honor the right of all to contribute to public policy deliberation.*

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Bailey, Bandkau, Fox, Greenway, Teich, Mayor Pro-Tem Eveleth, and Mayor Frederick.

NAYS: None.

**MEETING SCHEDULE**

Motion by Councilperson Teich to continue to hold City Council meetings on the first and third Monday of each month at 7:30 p.m.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Greenway, Teich, Bandkau, Bailey, Fox, and Mayor Frederick.

NAYS: None.

**CITIZEN COMMENTS AND QUESTIONS**

Neil White, 1214 Devonshire Court, said he had invested money to have blue prints drawn up for a 3400 square foot house he planned to construct on his property and was disgusted to find out the City had instituted rules for the construction of new homes that require homes to look similar to the homes already in the neighborhood, effectively prohibiting his project.

Former Mayor Pro-Tem Cindy Popovitch congratulated all of the newly elected Council members and welcomed them to the group. She said she appreciated them stepping up and running for office and she offered any help she could provide.

Mayor Pro-Tem Eveleth extended a welcome to the new Council members and thanked his fellow Council members for electing him Pro-Tem.

Councilperson Bailey inquired whether Mr. White had sought a variance so he would be able to construct his house. She pointed out the intent of the policy was to help preserve property values not to obstruct property owners from building. She said there were avenues available for those that wish to construct something that does not follow the letter of the law. She reminded Mr. White that the answer to a question is always no until you ask, and encouraged him to explore his options with City staff.

Mayor Frederick thanked the Council for re-electing him as Mayor for the 3<sup>rd</sup> time. He said the honor of his repeated elections was not lost on him. He went on to say that all those at the table come with specific skill sets, desires, and concerns and he encouraged them all to delve into their areas of interest to collectively move the community forward.

**ADJOURNMENT**

Motion by Councilperson Bailey, supported by Mayor Pro-Tem Eveleth for adjournment at 7:53 p.m. and concurred in by unanimous vote.

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Benjamin R. Frederick, Mayor

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Amy K. Kirkland, City Clerk