

**CITY OF OWOSSO
ORGANIZATIONAL MEETING OF THE CITY COUNCIL
MINUTES OF NOVEMBER 18, 2024
7:00 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

City Clerk Amy K. Kirkland administered the Oath of Office to Carl C. Ludington (four-year term); Rachel M. Osmer (four-year term); Robert J. Teich, Jr. (four-year term); and Christopher D. Owens (two-year term).

City Manager Nathan R. Henne called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was led by Utilities Director Ryan E. Suchanek.

PRESENT: Councilpersons Janae L. Fear, Jerome C. Haber, Carl C. Ludington, Emily S. Olson, Rachel Osmer, Christopher D. Owens, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

Motion by Councilmember Fear to approve the agenda as presented.

Motion supported by Councilmember Haber and concurred in by unanimous vote.

ADOPTION OF RULES OF ORDER

City Manager Henne opened the discussion of the Rules of Order saying they look a little different this year. The major differences being the strict use of Roberts Rules of Order, changing the meeting time to 6:30 p.m., and setting a definitive agenda structure. He went on to note that he is in the process of arranging an educational session on parliamentary procedure.

Councilmember Fear indicated she prefers to keep the meeting start time at 7:30 so that she can attend her children's events. City Manager Henne noted that he suggested a 6:30 start time to be considerate to staff members, business owners, and service providers that must attend the meetings. Discussion then moved to the conduct of prayer at each meeting.

Councilmember Fear moved to amend the proposed Rules of Order, to change the prayer to a moment of silence to better accommodate citizens with different beliefs.

Motion supported by Councilmember Olson.

Roll Call Vote.

AYES: Councilmembers Fear, Olson, and Osmer.

NAYS: Councilmembers Ludington, Owens, Haber, and Teich.

Motion fails for lack of affirmative votes.

Councilmember Olson expressed a willingness to compromise on the issue, suggesting that the language on the agenda could be changed to indicate the prayer is optional and the mayor could indicate the same during the meeting.

Motion by Councilmember Olson to indicate the prayer is optional both verbally at the meeting and on the agenda.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Osmer, Fear, and Olson.

NAYS: Councilmembers Haber, Ludington, Teich, and Owens.

Motion fails for lack of affirmative votes.

Councilmember Olson asked where the offense was in stating that participating in the prayer was optional. Councilmembers Owens and Teich expressed their feeling that individuals know they do not have to participate in the prayer if they don't want to.

Motion by Councilmember Osmer to indicate on the agenda that the prayer is optional.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Fear, Olson, and Osmer.

NAYS: Councilmembers Owens, Haber, Teich, and Ludington.

Motion fails for lack of affirmative votes.

Motion by Councilmember Teich to approve the following resolution adopting the Rules of Order, setting meeting times, and other details related to the conduct of City Council meetings as proposed:

RESOLUTION NO. 200-2024

TO ADOPT UPDATED RULES OF ORDER FOR CITY COUNCIL MEETINGS

WHEREAS, the City Council of the City of Owosso seeks to conduct its meetings, as well as those of its boards, commissions, and committees, in a manner that promotes transparency, efficiency, and public accessibility; and

WHEREAS, the City Council has reviewed and updated its Rules of Order to enhance meeting structure, clarify procedural guidelines, and ensure respectful and effective interactions among Council members, staff, and the public; and

WHEREAS, the updated Rules of Order align with best practices in municipal governance, incorporating standards from Robert’s Rules of Order – Newly Revised, to support consistent and orderly decision-making;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that:

FIRST: the City Council of the City of Owosso hereby adopts the following Rules of Order, effective immediately, to govern all City Council meetings and the meetings of the City’s boards, commissions, and committees.

RULES OF ORDER

Preamble

The City Council of the City of Owosso hereby adopts these Rules of Order to guide the conduct of its meetings as well as the meetings of the City’s boards, commissions, and committees. Robert’s Rules of Order – Newly Revised – shall be the governing rules for all meetings of the City Council and its boards, commissions and committees, ensuring orderly proceedings, effective decision-making, and respect for all participants and members of the public in attendance.

Chapter 1: General Provisions

- 1) Authority: Roberts Rules of Order, Newly Revised, shall govern the conduct of all City council meetings and meetings of its boards, commissions, and committees. No deviation from these rules will occur except as explicitly provided by these rules or state law.
- 2) Meetings:
 - a) Regular Meetings: The Council shall hold regular meetings on the 1st and 3rd Monday of every month at 6:30 PM in Council Chambers at Owosso City Hall (301 W Main St) unless otherwise posted according to the Michigan Open Meetings Act (Public Act 267 of 1976).
 - b) Special Meetings: Special meetings may be called subject to the Michigan Open Meetings Act.
 - c) Quorum: A majority of the Council members shall constitute a quorum to conduct business.
- 3) Presiding Officer:
 - a) The Mayor shall preside over all meetings of the City Council. In the Mayor’s absence, the Mayor Pro Tem shall preside. If both are absent, the Council shall select an Acting Mayor Pro Tem from its members in attendance at the meeting.
- 4) Precedence of Motions:
 - a) Non-Debatable

- I) To Adjourn
- II) To Lay on the Table
- III) To Call for the Previous Question
- IV) To Postpone to a Certain Date
- b) Debatable
 - I) To Postpone Indefinitely
 - II) To Recess for a Definite Time
 - III) To Refer
 - IV) To Amend
- 5) Points of Order:
 - a) The Mayor or presiding officer shall be addressed as “Mr. Mayor/Madam Mayor/Your Honor” “Mr. Chair/Madam Chair.” The Mayor Pro Tempore, when acting for the Mayor, shall be addressed as “Mayor Pro Tem.” Members of the Council shall be addressed as “Councilman/Councilwoman/Councilmember.”
 - b) A motion may be made by saying “Mr. Mayor/Madam Mayor/Your Honor, I move that...etc.”
 - c) A speaker is out of order when speaking of matters foreign to the issue
 - d) Rule violations must receive immediate attention from the Chair for a ruling
 - e) It is the privilege of any member to request a roll call vote
 - f) On questions that are debatable, the minority has the right to deliberate.
- 6) Reconsideration: A request by a member of the Council to reconsider a vote on any question which may be reconsidered shall be in order as hereinafter set forth:
 - a) It must be moved by one who voted with the prevailing side or by one who was absent when the vote was taken. For the purpose of this section of the Rules of Procedure, a person who is absent shall be defined as any member of the Council who was not present at the meeting at which the vote was taken.
 - b) The making of this motion is subject to time limits as follows: the motion to reconsider can be made only on the same day the vote to be reconsidered was taken or either of the next succeeding two regular meetings after the original vote was taken.
- 7) Appeal from Ruling of the Chair: An appeal from the ruling of the Chair, if supported, must be put to a vote of the Council. A majority vote of the members of the Council present in favor of the appeal shall overrule the Chair.
- 8) ROBERTS RULES OF ORDER, NEWLY REVISED, SHALL DIRECT ALL PARLIAMENTARY MATTERS IF NOT EXPLICITLY ADDRESSED IN THESE RULES OF ORDER.

Chapter 2: Agenda and Order of Business

- 1) Agenda Preparation: The agenda shall be prepared by the City Manager and City Clerk, distributed to all Council members as part of the council meeting packet prior to meetings, and made available to the public.
- 2) Order of Business: The following standard order of business shall be followed unless changed by a vote of Council.
 - a) Prayer/Invocation
 - b) Pledge
 - c) Roll Call
 - d) Agenda
 - e) Minutes
 - f) Proclamations and Special Presentations
 - g) Public Hearings
 - h) Citizen Comment
 - i) Council Comment
 - j) Consent Agenda
 - k) Items of Business
 - l) Citizen Comment

- m) Council Comment
- n) Communications
 - I) Manager's Report (1st meeting of the month)
 - II) Department Reports (2nd meeting of the month)
 - III) General items staff wishes to inform city council.
- o) Next Meeting
- p) Board and Commission Openings

Chapter 3: Details on Agenda and Order of Business

- 1) Subject to permission from the Mayor, the "Opening Prayer or Invocation" shall be offered by a member of Council, any local clergy leader in attendance, or any person in attendance.
- 2) Subject to permission from the Mayor, leading the "Pledge of Allegiance" shall be offered to any person in attendance at the meeting – including Council, staff, and attendees.
- 3) The "Consent Agenda" shall include those items on the regular agenda which are considered routine and non-controversial by the City Manager and City Clerk. The following shall be included in the consent agenda unless properly subject to the rules during the approval of the agenda:
 - a) Approval of Bills
 - b) Approval of Bids
 - c) Setting dates for public hearings
 - d) Approval of annual recurring expenditures and/or contracts to the lowest bidder meeting specifications previously approved by Council in the annual budget
 - e) Additional routine items
- 4) Special Presentations and Proclamations must be pre-approved by the Mayor.

Chapter 4: 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 ensure 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 ensure 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.

Chapter 5: Rules for Addressing a Meeting of the City Council, Board, or Commission Meeting

- 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 ensure 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 name and address, and address their comments to the Mayor.
- 5) Each person wishing to address the City Council at an in-person meeting shall be afforded two opportunities of up to four (4) minutes and three (3) minutes duration during the occasions provided for the citizen comment periods. 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.
 - a) When citizen complaints, suggestions, or questions are presented to Council during public comment periods, other than items already on the agenda, the Mayor or presiding officer shall first determine whether the issue is legislative or administrative in nature and then:
 - I) If Legislative: A complaint, suggestion or question about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Council may refer the matter to the Administration for study and recommendation.
 - II) If Administrative: A complaint, suggestion, or question regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the City Manager, the Chair should then refer the complaint directly to the City Manager for his or her review if said complaint has not been so reviewed. The City Council may direct that the City Manager brief or report to the Council when his or her response is made.
- 6) The citizen comment periods described in paragraph 5, excluding public hearings, shall last up to thirty minutes. If time expires for the comment 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 period shall be permitted during a Council meeting.

Chapter 6: Election of the Mayor and Mayor Pro Tem

- 1) Nominations and Election: The election of the Mayor and Mayor Pro Tem shall be handled by open nomination and roll call vote. If only one candidate is nominated, Council members will cast a yes or no vote. If multiple candidates are nominated, each Council member will vote by naming their preferred candidate.

Chapter 7: City Council Seating Assignments

- 1) The Mayor shall set the seating arrangement for City Council between the 1st and 2nd regular meetings of the Council term. This excludes the seating arrangement for the Clerk, City Manager, City Attorney, and Public Safety Director.

Chapter 8: Suspension and Amendment of Rules

- 1) Suspension of Rules: Any rule may be suspended by a two-thirds vote of council members present. The motion to suspend the rules shall list the specific purpose or intent for the suspension.
- 2) Amendment of Rules: These rules may be amended by a two-thirds vote of the Council at a regular meeting, provided the proposed amendment has been submitted in writing at a prior meeting.

Chapter 9: Enforcement of Rules

- 1) Sergeant at Arms: The City's Public Safety Director or designee shall serve as the Sergeant at Arms to enforce order at Council meetings when required or requested by the Mayor.
- 2) Enforcement by the Mayor: The Mayor, as presiding officer, shall enforce these rules during Council meetings. Any person, including council members, staff, or citizens, who violates the rules of Order and Decorum may be removed from the meeting following this process:
 - a) Request, warning, loss of speaking privilege, removal from the meeting by sergeant at arms

Chapter 10: 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 Councilmember Haber.

Roll Call Vote.

AYES: Councilmembers Haber, Ludington, Owens, and Teich.

NAYS: Councilmembers Fear, Olson, and Osmer.

ELECTION OF MAYOR

City Manager Henne explained the method of voting for the election of the Mayor and Mayor Pro-Tem and opened the floor for nominations.

Councilmember Haber nominated Councilmember Teich for Mayor.

Further calls for nominations went unanswered and the floor was closed with one nominee.

Roll Call Vote.

AYES: Councilmembers Fear, Haber, Ludington, Olson, Osmer, Owens, and Teich.

NAYS: None.

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

ELECTION OF MAYOR PRO-TEM

Mayor Teich opened the floor for nominations for Mayor Pro-Tem.

Councilmember Olson nominated Councilmember Osmer for Mayor Pro-Tem.

Councilmember Ludington nominated Councilmember Haber for Mayor Pro-Tem.

Further calls for nominations went unanswered and the floor for nominations was closed.

Roll Call Vote.

Haber for Pro-Tem: Councilmembers Haber, Ludington, Owens, and Teich.

Osmer for Pro-Tem: Councilmembers Fear, Olson, and Osmer.

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

CITIZEN COMMENTS AND QUESTIONS

Robert Hooper, 708 Fletcher Street, thanked Councilmembers for the way they handled themselves during the discussions on the prayer, calmly engaging one another while trying to work out differences. He said he was thankful that we as citizens of the United States have the right to a republican government.

Tom Manke, 2910 W. M-21, congratulated the newly elected Councilmembers. He went on to say that he expects Councilmembers to serve the entire community, not just one subset, indicating that he felt attacked by certain members of the Council. Councilmember Olson called for a point of order, asking if it was permissible for people to lie to the public when making citizen comments. It was noted that the speech of citizens commenting during a meeting is protected by the First Amendment. Mr. Manke continued his comments, accusing the Fair Mavens of numerous nefarious deeds including rioting.

Geno Phillips, 17201 W. Ridge Road, Oakley, shared the testimony of God saying Councilmembers have entered a position of sacrifice and they should look to Jesus for guidance.

Karen Mead-Elford, 1330 W. King Street, congratulated all the newly elected Councilmembers. She went on to say that it was disappointing to see the prayer mandated rather than allowing the moment to be more inclusive. She asked if we were really following Jesus by mandating prayer to others.

Pastor Bill Moull, 1335 W. North Street, asked that everyone please listen to each person that speaks. As a pastor he doesn't want to force anyone to do anything, but wants people to be seen, heard and loved.

Jeff Turner, 204 Oakwood Avenue, said he didn't know what the big deal was about the prayer because most of the people present at the meeting tonight wouldn't be here in two weeks.

City Manager Henne explained the rules for abstaining from voting.

ADJOURNMENT

Motion by Councilmember Olson for adjournment at 7:46 p.m.

Motion supported by Councilmember Fear and concurred in by unanimous vote.

Robert J. Teich, Jr., Mayor

Amy K. Kirkland, City Clerk