

**CITY OF OWOSSO
ORGANIZATIONAL MEETING OF THE CITY COUNCIL
MINUTES OF NOVEMBER 21, 2022
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

City Clerk Amy K. Kirkland administered the Oath of Office to Janae L. Fear (four-year term); Jerome C. Haber (four year term); Emily S. Olson (four year term); and Nicholas L. Pidek (two year term).

City Manager Nathan R. Henne addressed the City Council regarding the custom of having the City Clerk chair the meeting until a mayor is elected.

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

PRESENT: Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law, Emily S. Olson, Susan J. Osika, Nicholas L. Pidek, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

Motion by Councilmember Osika to approve the agenda as presented.

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

ADOPTION OF RULES OF ORDER

City Attorney Scott J. Gould addressed the City Council regarding the rules for abstaining from voting and the staff recommendation for the adoption of Robert's Rules of Order, 11th Edition, as the rules of order.

Motion by Councilmember Fear to adopt Robert's Rules of Order, 11th Edition, as the rules of order.

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

ELECTION OF MAYOR

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

Councilmember Osika nominated Councilmember Teich for Mayor.

Councilmember Olson nominated Councilmember Fear for Mayor.

Further calls for nominations went unanswered, and the floor was closed with two nominees.

Roll Call Vote.

FEAR: Councilmembers Fear and Olson.

TEICH: Councilmembers Haber, Law, Osika, Pidek, and Teich.

Councilmember Robert J. Teich, Jr. was elected as Mayor.

Prior to administering the oath of office to the new Mayor, City Clerk Kirkland noted the Council Chambers were dedicated in honor of Mayor Teich's mother, Virginia "Jo" Teich, the first woman elected to the City Council. Mayor Teich reflected on his mother's service and noted she also served as the first female Mayor Pro-Tem during the course of her tenure. He dedicated his term as mayor in honor of his mother.

City Clerk Kirkland administered the Oath of Office and 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.

Councilmembers Law and Pidek nominated Councilmember Osika for Mayor Pro-Tem.

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

Roll Call Vote.

AYES: Councilmembers Fear, Haber, Law, Olson, Osika, Pidek, and Mayor Teich.

NAYS: None.

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

Mayor Teich indicated that he had received an email from Councilmember Olson prior to the meeting requesting that he consider removing the prayer from the regular order of business because it could be interpreted as being exclusionary to those outside the Christian religion. He said he was not willing to single-handedly make such a decision, but she could put forth a motion for the entire Council if she so desired.

Motion by Councilmember Olson remove the prayer from the Council agenda.

Motion supported by Councilmember Fear.

Significant discussion ensued. Those in favor of removing the prayer from the agenda said the practice could be seen as exclusionary by those that are not Christian, that all citizens of the community deserve to be represented and people should feel free to participate in local government without religious concern. Those in favor of continuing the prayer noted the community's strong Christian background, that removing the prayer could make Christians feel excluded, that the prayers offered in the past have been inclusive of everyone, no one has been singled out, and that prayer recognizes there is power when people gather as a group. It was also noted that in 2014 the U.S. Supreme Court concluded it is not a violation of the Constitution to open government meetings with a prayer so long as there is no discrimination against minority faiths and participation is not coerced.

Roll Call Vote for the motion to remove the prayer from the Council agenda.

AYES: Councilmembers Fear and Olson.

NAYS: Mayor Pro-Tem Osika, Councilmembers Haber, Law, Pidek, and Mayor Teich.

Mayor Teich indicated that with this vote he considers the issue of prayer as having been addressed and he will not entertain requests from Councilmembers to revisit the matter while he is mayor.

CONSIDERATION OF CITY COUNCIL RULES OF PROCEDURE

City Manager Henne briefly detailed the Rules for Roll Call Votes and highlighted the Rule of Civility.

City Clerk Kirkland suggested the Council consider removing the second paragraph of section 5 of the Rules for Addressing a Meeting of the City Council as it applies to virtual meetings and a virtual meeting of the entire Council is no longer allowed by law.

Motion by Councilmember Fear to adopt the following City Council Rules of Procedure with the removal of paragraph 2 of section 5 of the Rules for Addressing a Meeting of the City Council:

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.*

~~*Each person wishing to address the City Council at a virtual meeting shall be afforded one opportunity of up to five (5) minutes duration during the occasion provided 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 5, 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 Councilmember Pidek.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Fear, Haber, Law, Olson, Pidek, and Mayor Teich.

NAYS: None.

MEETING SCHEDULE

City Manager Henne indicated that City Council meetings have traditionally been held the 1st and 3rd Mondays of each month at 7:30 p.m. If there are five Mondays in a month the Council can choose to call an additional meeting on the 5th Monday if they so choose. Lastly, he noted that there are five meetings in 2023 scheduled for Tuesday due to the regular meeting date falling on a Federal holiday.

Mayor Pro-Tem Osika inquired if anyone would be interested in meeting at 7:00 p.m. so meetings wouldn't go so late.

Councilmember Fear said she prefers a 7:30 p.m. start time as it provides a little more time for her to wrap up activities with her children before heading off to the meeting.

Motion by Mayor Pro-Tem Osika to change the regular meeting time for City Council to 7:00 p.m.

The motion fails for lack of support.

Motion by Councilmember Olson 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 Osika.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Fear, Haber, Law, Olson, Pidek, and Mayor Teich.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Stacey Jameson, 425 N. Water Street, said she had recently emailed a few members of Council but had not received a reply or indication the message was received. She also noted that there are people in the community that are uncomfortable with prayer, including her.

Tom Manke, 2910 W. M-21, said that he felt Councilmember Olson had violated the Open Meetings Act earlier in the week when she sent an email to other Councilmembers in an intentional effort to circumvent the Open Meetings Act. He said she was guilty and asked that Council take action before it gets sued. He went on to allege that there were "anomalies" in the election that allowed Ms. Olson, a newcomer to the Council, to receive the most votes in a couple of precincts.

In light of the contentious discussions during the meeting, Bill Farrell, 1520 Hiawatha Drive, thanked the Mayor for running a civil meeting and everyone present for handling themselves well.

Cindy Garber, 810 W. Bennington Road, congratulated the new Mayor and thanked him for upholding the prayer.

Rose Hooper, 708 Fletcher Street, thanked the Council for upholding the community's values. She said she felt the City's newest Councilmember was out of step with the community as she is originally from out of state.

Holly Jo Edwards, 1313 Gould Street, inquired why one Councilmember did not stand for the Pledge of Allegiance, saying it was disrespectful.

Mike Cline, 204 Stratford Drive, cautioned the Mayor about his comment regarding the prayer, saying that citizens have a 1st Amendment right to speak about the prayer if they wish.

Randy Woodworth, 1110 Riverside Drive, tried to clarify the statements of Mr. Cline and Mayor Teich, saying he thinks that Mr. Cline was referring to citizens having a right to comment on whatever they wish and the Mayor was referring to whether Council would take up the issue of the prayer again during his tenure.

Barb Clatterbaugh, 1108 Riverside Drive, former County Commissioner, commented on the importance of the flag as a symbol to U.S. citizens, saying symbolism holds societies together and disrespecting the flag says a lot about a person. She went on to say that elected officials are representatives of the citizens and role models for the next generation.

Eddie Urban, 601 Glenwood Avenue, said that you will lose friends by arguing about religion and politics. He went on to say that we need to help each other out and not break each other down during government meetings. Try to get along and accept other people the way they are, life is too short to do otherwise. Lastly, he indicated that he brought a bunch of refreshments from the Military Order of the Purple Heart for anyone interested.

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 8:05 p.m.

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

Robert J. Teich, Jr., Mayor

Amy K. Kirkland, City Clerk