

Minutes	Tuesday, May 29, 2018	
Council Working Session	3 PM	
Sioux Falls City Council	Carnegie Town Hall	
	235 West 10th Street	

Members Present: Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly  
Members Absent: None

1. Call To Order

2. Discussion of a formal policy adding public comment opportunities during the Council s non-regular meetings.

Council Chair Christine M. Erickson explained that the intent of the working session is to develop a framework to implement a recently-amended provision of HB 1172, which becomes effective on July 1, 2018. The scope of the Council working session would be limited to Council public meetings for which public input is not already taken.

Council Member Greg Neitzert discussed a handout that included his ideas for discussion at the session to include those meetings which fall within the scope of the working session's purpose.

Council Member Theresa Stehly asked for clarification regarding the applicability of chair discretion to City Council meetings. Attorney Diane Best noted the law provides discretion to the chair of the governing body, but there is already an ordinance in place to allow for public input at the beginning of each City Council Meeting. Discussion about the power of the chair and City policy making authority followed.

Council Member Janet Brekke expressed that the Council should establish procedures for public input in ordinance and noted a potential conflict between state law and the City Charter. She proposed that the City continue to follow the structure for regular meeting input already established in ordinance, but to also look at procedures for various other boards and commissions.

Council Member Marshall Selberg proposed that the Council provide for 15 minutes of public input at the conclusion of the Council s non-regular meetings. The period would limit speakers to five minutes each and to topics discussed at the meeting; time- and topic-permitting, the period could be extended. Stehly followed up by noting an existing Council policy which allows any member of the Council to call upon a citizen to provide additional public testimony. Neitzert agreed with the limit of five minutes per speaker to ensure consistency across all meetings. He also stated that 15 minutes should only be viewed as the minimum amount of time for input. If time allows, then Council policy should reflect the desire to continue input.

It was noted that the Council was in general agreement that a policy may include: a minimum of 15 minutes to be provided at the end of said meetings; speakers would be limited to five minutes each on a topic presented at the meeting; flexibility would be provided to allow additional speakers; and, that the policy would cover special, committee, informational, working sessions, and budget hearings. Further discussion should be held with the Counties regarding joint meetings.

Neitzert proposed that committee and Task Force meetings should also include input.

Stehly asked for clarification on the process for coordinating any changes to the joint meetings and also noted that the time allotted for informational and committee meetings may have to be adjusted to reflect any changes.

Council Member Curt Soehl recommended that the Council remain focused on non-

regular council meetings and asked for clarification on the next steps required to implement any proposed Council policy on the topic.

It was recommended that the policy be included as an update to the Council's Policies and Procedures Manual, the update of which would be adopted by Resolution. Ideally a resolution would be adopted no later than the City Council Meeting of June 19th, however, the Council would comply with state law regardless.

The Council further discussed whether public input would be included as an agenda item at special meetings where only one item is discussed. It was concluded that those items would include public input at the time of reading. Brekke expressed that any chosen policy should focus on getting the public involved in the process in such a way that it is meaningful for the public and the Council.

Stehly asked how input would be managed when staff is also speaking during the public input portion. It was noted that per policy, council members may call on any citizen to provide input.

Neitzert recommended clear guidance on the above and also proposed that individuals would only be permitted to speak once during the comment period. Brekke noted that an action by the Council could provide for exceptions to speaking length. She also proposed that input should be divided by pros and cons, that chair summaries of input should be eliminated, and that repetitive testimony should be allowed. Staff noted the decision to discontinue dividing pros and cons stems from a Council decision made in 2013.

Erickson asked if any members of the public had input to provide.

Bruce Danielson discussed the importance of transparency and recommended that the public be permitted to ask questions of staff. He further noted the frustration some citizens have when they are invited to meetings by Council Members, but are unable to speak. He encouraged a sensible approach to allocating time for input, the importance of a clear policy to guide the chair, the value of input after first readings, and understanding the efforts citizens go to in order to provide input.

Neitzert reiterated that the placement of input on the agenda is important; he proposes that it be kept at the end of a meeting, but acknowledged that some circumstances may vary. He also noted that special meetings which are ceremonial in nature such as the State of the City Address, Budget Address, and Installation Ceremony need to be addressed.

The Council discussed next steps and concluded: the framework presented at the working session will be referred to the Operations Committee for drafting. The Committee will then present its draft to the Council; as previously noted, ideally the Council will be able to consider any proposed changes to the Policy Manual at the June 19th City Council meeting.

### 3. Adjournment

Council Chair Christine M. Erickson adjourned the meeting at 4:09 p.m.

Thomas M. Greco  
City Clerk