

NOTE: Minutes are considered 'Draft' until amended or approved at the next scheduled meeting.

MINUTES Wednesday, November 30, 2011

Charter Revision 3:30 PM at Carnegie Town Hall

Commission Meeting 235 West Tenth Street

Members Present: Richard O. Gregerson, Dennis W. Aanenson, De Knudson, Robert Thimjon, Pauline Poletes

Members Absent: None

Staff Present: David Pfeifle, City Attorney; Cari Hanzel, Paralegal/Clerk; and Tamara Jorgensen, CMC, Assistant City Clerk

Guests: Sue Aguilar, Dean Karsky, Cheryl Rath, and Joe Kirby (by telephone)

1. Call To Order

Gregerson called the meeting to order at 3:30 p.m.

2. Introduction

A. Members

Gregerson welcomed everyone to the first meeting of the Charter Revision Commission Meeting. The members and staff gave a brief introduction and an overview of their background.

B. Organization and Background Information

Pfeifle gave a review of the Charter Revision Commission timeline and a review of the Charter.

3. Election Of Chair And Vice Chair

A motion was made by Knudson and seconded by Thimjon to nominate Pauline Poletes as Chair. A voice vote was taken and all members present voted yes. Motion Passed.

A motion was made by Aanenson and seconded by Knudson to nominate Richard Gregerson as Vice Chair. Gregerson respectfully declined the nomination.

A motion was made by Knudson and seconded by Aanenson to nominate Robert Thimjon as the Vice Chair. A voice vote was taken and all members present voted yes. Motion Passed.

At this time, Poletes assumed the role as Chair for the meeting.

4. New Business

A. Outline of Commission Meeting Timeline

Pfeifle explained that the Charter Revision Commission is required (by ordinance) to have one public meeting annually. Pfeifle suggested that a schedule be set up to include one more meeting in December and a few more meetings in January. This would allow time for the Commission to

review recommended changes to the Charter received by citizens. A report needs to be presented to the City Council by the end of January, 2012. Additional deadlines apply before proposed changes can be added to the ballot for the April 2012, election.

Future Charter Revision Commission Meetings will continue to be held at 3:30 p.m. at the Carnegie Town Hall, 235 W. 10th Street. After discussion, the following dates were selected for those meetings: Friday, December 16, 2011; Wednesday, January, 4, 2012; and Friday, January 27, 2012.

Voting was discussed at this time. Pfeifle stated that, in the past, before an item can be added to a ballot for public vote, this group required a vote of a super-majority of the Commission members. With this Commission, a majority vote is three and a super-majority vote is four. Gregerson stated that their past practice was for everyone to vote if the item was recommending a change to the Charter. If a member cannot be physically present, the option of the member being present by telephone was suggested.

Discussion was held regarding holding a meeting after 5:00 p.m. to encourage public input from citizens who could not attend during the day.

B. Consideration of Whether and/or When to Extend Invitations for Input from Mayor, City Council Members, City Directors and the Public

All of the Commission members would like invitations extended immediately. Pfeifle suggested that the City Attorney's Office issue a press release to request public input and to include the future meeting dates.

A motion was made by Gregerson and seconded by Aanenson granting permission for the City Attorney's Office to issue a press release as discussed. A voice vote was taken. All members present voted yes. Motion Passed.

Pfeifle explained that written submissions could be accepted for input from anyone regarding changes to the Charter. The correspondence should be received at least three days in advance of the meeting so the items can be sent to the Commission members for review.

C. Ground Rules For Commission Votes - Majority vs. Super-majority

A motion was made by Knudson and seconded by Aanenson that a super-majority vote would be needed before an item can be added to a ballot. A voice vote was taken. All members present voted yes. Motion Passed.

D. Discussion of Future Meeting Dates

Item handled. See Item 4A for action taken.

5. Public Input

Joe Kirby spoke to the Commission via conference call. He wanted to give the commission background information on the original Charter. Kirby stated that he was one of the original writers of the first draft of the City Charter in 1994. The original role of the City Council was to serve in a part time capacity (10-15 hours a week) addressing policy and legislative issues. He would like the Charter Commission members to consider cutting back the role of the City Council members so that more citizens could serve on the Council.

Kirby would also appreciate if the Commission could consider "instant run-off voting", which is also called "Ranked Choice Voting". When there are multiple candidates for the same office, this process allows the citizen to select his/her choice of candidate by putting the number 1-2-3 next to their selection.

Knudson asked if there were any additional cities in the Midwest of comparable size to Sioux Falls that have used Ranked Choice Voting. Kirby stated that St. Paul recently had an election where this method was used. Minneapolis has also used this method.

Poletes asked Kirby to send links of the voting runoff information to Pfeifle so he could make them available for the Commission to review.

Thimjon asked if this was an item that the Commission could review or if they would need approval from the State. Pfeifle stated that he would have to check State law and he would also like to speak to Sue Roust about it. He has already told Roust that this subject may come up at this meeting and they will need to discuss it again in more detail.

Knudson asked Kirby for additional information regarding his suggestion on cutting back time for City Council Members. Kirby reviewed the City Commission form of government and how that operated. For a number of reasons, a new form of government was researched by the League of Women Voters. The Strong Mayor/City Council form was selected as the best method to suit Sioux Falls. The Mayor would run City government with the Council being part-time, not having offices or staff, and meeting infrequently. He would like the Commission to see what can be done to reduce the role of the City Council so they do not have to work so many hours. Knudson stated that she was on the City Council for eight years and that she never felt like it was close to a full time job.

Kirby stated he has spoken with a friend who now serves on the City Council. This person had to get off some volunteer boards because of the large amount of time that was required to serve on the City Council.

Gregerson asked Kirby if the language for the original Charter came from a City that had a city manager, not a strong mayor. Gregerson asked if there should be a difference in the Charter when you have a mayor that is elected vs. a city manager. Discussion followed.

Kirby will be sending to Pfeifle copies of documents from 1990 that described the role of the City Council. Pfeifle received permission from Kirby to post this information on the City's website.

Gregerson asked if the statutory authority for Home Rule could be included in their binders for future reference. This information states the limitations of Home Rule.

Knudson gave recognition to the two City Council Members and the citizen in attendance. Knudson asked if they had any thoughts or if they wished to add to public comments.

Gregerson asked Poletes how she would like to run the meetings and recommended that questions be directed through the Chair. She agreed to this process for the future meetings.

6. Adjournment

A motion was made by Gregerson and seconded by Aanenson to adjourn the meeting at 4:14 p.m. A voice vote was taken and all members present voted yes. Motion Passed.

Tamara Jorgensen, CMC

Assistant City Clerk

A reminder that the next Charter Revision Commission Meeting is scheduled for Friday, December 16, 2011, at 3:30 p.m. at the Carnegie Town Hall, 235 W. 10th Street.