

AGENDA	Monday, December 12, 2011	
Public Services Committee		***4:30 PM
	Carnegie Town Hall	
		235
West 10th Street		

* This meeting will start after the conclusion of the 4:00 p.m. Informational Meeting.

1. Call To Order
2. Review and approval of minutes dated November 14, 2011
3. Alarm Ordinance - Update
4. Review Naming Rights Ordinance by Darrin Smith, Director of Community Development
5. Review an Ordinance of the City of Sioux Falls, SD, Amending the Revised Ordinances of the City by Revising Chapter 2 Administration to Change the Day When Council Meetings Are Held
6. Open Discussion
7. Adjournment

Date: 2011-12-12
SIRE Meeting ID: 1602
Meeting Type: Committee Meeting
Subtype: Public Services Committee
YouTube:<https://youtu.be/-jdpwSfA5nQ>
Agenda Item: Not Assigned
Item ID: 60622

The following document(s) are public records obtained from the
City of Sioux Falls.

****NOTE: These minutes are considered DRAFT until approved by the committee at the next Public Services Committee meeting.**

MINUTES

Monday, November 14, 2011

Public Services Committee

* 5:30 PM

Carnegie Town Hall
235 West 10th Street



Members Present: Council Member Sue Aguilar, Council Member Kenny Anderson Jr., Council Member Vernon Brown, and Council Member Michelle Erpenbach

Members Absent: None

Staff Present: Sue Roust, Interim City Clerk and Tamara Jorgensen, CMC, Assistant City Clerk

Guests: Rex Rolfing, Jim Entenman, David Pfeifle, Karen Leonard, Tracy Turbak, Cheryl Rath, Dave Fischer, Elizabeth Whealy, and Beth Wischmeyer

1. Call To Order

Committee Chair Anderson Jr. called the meeting to order at 5:30 p.m.

2. Review and approval of Minutes dated September 12, 2011

A motion was made by Council Member Sue Aguilar and seconded by Council Member Vernon Brown to approve the minutes. Anderson Jr. called for a voice vote and all members present voted yes. **Motion Passed.**

3. Reports and Updates

1. Zoo Agreement Update by Dave Fischer, Assistant Director of Parks and Recreation; Karen Leonard, Assistant City Attorney; and Tracy Turbak, Director of Finance

Dave Fischer distributed Management Agreement Summary documents to the committee. He gave a background on the timeline of the previous agreement with the zoo and the audit findings of February, 2011. Fischer stated that the new agreement will contain the same *basic* responsibilities as the old agreement. The significant changes to the agreement are illustrated in the Management Agreement Summary and were reviewed with the committee. In addition, a resolution was provided entitled "A Resolution Authorizing the City of Sioux Falls to Gratuitously Transfer to the Zoological Society the Live Animal Collection Located at the Great Plains Zoo & Delbridge Museum". Discussion followed.

2. Amendment to Ordinance 14-85, increasing the time between the annual city election and the runoff election from two to three weeks by Sue Roust, Interim City Clerk

Sue Roust reviewed proposed amendments to City Ordinance Section 14-85 Election Results. Roust explained the benefits of approving the proposed amendments and the positive impact this would have on future elections. Discussion followed.

A motion was made by Michelle Erpenbach and seconded by Sue Aguilar to recommend this item for presentation to the City Council. The 1st Reading will be scheduled for December 5, 2011 and the 2nd Reading will be scheduled for December 12, 2011. Anderson Jr. called for a voice vote and all members present voted yes.

Motion Passed

4. **Open Discussion**

There was none.

5. **Adjournment**

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to adjourn the meeting at 6:26 p.m. All members present voted yes. **Motion Passed.**

Tamara Jorgensen, CMC
Assistant City Clerk

Date: 2011-12-12
SIRE Meeting ID: 1602
Meeting Type: Committee Meeting
Subtype: Public Services Committee
YouTube:<https://youtu.be/-jdpwSfA5nQ>
Agenda Item: Not Assigned
Item ID: 60624

The following document(s) are public records obtained from the
City of Sioux Falls.

ORDINANCE NO. 44-97

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADDING REQUIREMENTS FOR NAMING OF CITY FACILITIES.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That the Revised Ordinances of Sioux Falls, SD, are hereby amended by adding an article to Chapter 2, Administration, to read:

Article VII. Naming Facilities

Section 2-70. City Council Approval Required.

No official name shall be changed or given to any city-owned building used for civic, cultural, or recreational purposes unless the name has been approved by the city council. The official name of any of the below-listed facilities may not be changed without the approval of the city council.

- (1) Sioux Falls Baseball Stadium
- (2) Sioux Falls Convention Center
- (3) Sioux Falls Arena
- (4) Washington Pavilion of Arts & Science
- (5) Sioux Falls Public Library
- (6) Harriet L. J. Ronning Branch Library
- (7) Ruth Kennedy Caille Branch Library
- (8) Pettigrew Home and Museum

Section 2-71. Criteria for naming.

The naming of any building may be based upon, but is not limited to, consideration of the following criteria.


- (1) Whether the name is suitable.
- (2) Any benefit to the city.
- (3) The subject of the naming.

Date adopted: JUN 16 1997.

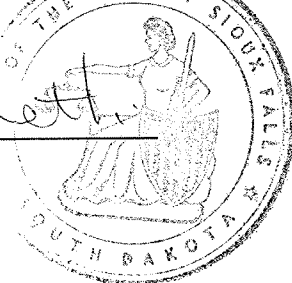


Mayor

ATTEST:



City Clerk



Date: 2011-12-12
SIRE Meeting ID: 1602
Meeting Type: Committee Meeting
Subtype: Public Services Committee
YouTube:<https://youtu.be/-jdpwSfA5nQ>
Agenda Item: Not Assigned
Item ID: 60625

The following document(s) are public records obtained from the
City of Sioux Falls.

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 2, ADMINISTRATION, TO CHANGE THE DAY WHEN COUNCIL MEETINGS ARE HELD.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 2-3 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-3. Council meetings.

- (a) All city council meetings shall be open to the public, unless closed pursuant to state law.
- (b) The city council shall hold meetings on the first, second, and third ~~Monday~~-Tuesday of each month at 7:00 p.m. at the Carnegie Town Hall. The first meeting of the month shall be designated the regular meeting. In addition, any meeting scheduled for the purpose of considering the override of a mayoral veto shall be deemed a regular meeting. When the day fixed for a city council meeting falls on a date designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day, not a holiday.
- (c) Any meeting of the city council may be adjourned to a later date and time, provided that no adjournment shall be for a longer period than until the next scheduled meeting.
- (d) The city council may by resolution, when necessary, change the time and place of any meeting. The resolution shall set forth the circumstances necessitating such change. Such resolution shall be published at least 24 hours prior to the rescheduled meeting. The city clerk, or the city clerk's designee, shall give each council member written notice either in person, by mail, email, or other electronic means of any change from the meeting days established by this section.
- (e) All meetings of the city council shall be open to the media, subject to recording by radio, television, and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings under such rules as the city council may prescribe.

Section 2. That Section 2-5 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-5. Informational meetings and working sessions of the city council.

- (a) The city council may meet in informational meetings and working sessions which shall be open to the general public to review and discuss matters pertaining to the affairs of the city council provided that all discussions and conclusions thereon shall be informal. All agendas for informational meetings and working sessions of the city council shall be posted with at least 24 hours' notice.
- (b) Informational meetings may be held the first three ~~Mondays~~ Tuesdays of the month and on the last ~~Monday~~ Tuesday of the month. When the day fixed for an informational meeting falls on a date designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day, not a holiday. Cancellations must be posted with at least 24 hours' notice to the public.
- (c) Working sessions of the council may be held as needed.
- (d) The city council chair and vice chair shall determine the agenda, with city council input, for all informational meetings and working sessions.

Section 3. That Section 2-7 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-7. Minutes.

- (a) The city clerk, or the city clerk's designee, shall prepare minutes of all regular and special meetings, informational meetings, and committee meetings, ~~and executive sessions~~. The minutes shall be maintained in the office of the city clerk. The minutes shall reflect:
 - (1) The date, time, and place of the meeting or session;~~;~~
 - (2) The members recorded as either present or absent;~~;~~
 - (3) A general description of all matters proposed, discussed, or decided;~~;~~ and
 - (4) Record of any votes taken.
- (b) Approval of minutes of all city council meetings and informational meetings shall be considered at the next regular council meeting. Such minutes may be reviewed by the city clerk, or the city clerk's designee, to correct spelling, numbering, or other such technical defects.
- ~~(c) Minutes of executive sessions shall be sealed in the office of the city clerk. They may be reviewed periodically by the city council in executive session.~~
- ~~(d)~~ Minutes of city council meetings held pursuant to section 2-3(b) of this article shall be published in the city's official newspaper.

Section 4. That Section 2-8 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-8. Journal of proceedings.

- (a) A journal containing the minutes of the council meetings shall be kept by the city clerk's office which shall constitute the official record of the council. Council meeting minutes will be available on the city's website for public view, and copies are available from the city clerk's office upon request.
- (b) The minutes of all the city council meetings shall be open to public inspection, ~~except for proceedings of executive meetings as permitted by state law.~~

Section 5. That Section 2-9 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-9. Presiding officer; duties.

- (a) The presiding officer of the city council meetings shall be the mayor. In the absence of the mayor, the acting mayor shall act as the presiding officer at the city council meetings. The acting mayor may vote on all issues.
- (b) The city council shall designate a council chair and council vice chair to perform the duties of acting mayor pursuant to city charter section 2.03. The chair and vice chair shall serve a one-year term. The election of the city council chair and vice chair shall occur on the third ~~Monday~~ Tuesday in May of each year.

If the vice chair is unable to serve as acting mayor, the council chair may designate a city council member to serve as acting mayor in his or her absence.

- (c) The mayor, or acting mayor, shall preserve strict order and decorum at all regular and special meetings of the city council and confine members in debates to the question under discussion. The mayor, or acting mayor, shall announce the vote on all subjects voted on by the city council.
- (d) The city clerk, or the clerk's designee, shall state every question coming before the city council ~~and shall serve as the parliamentarian for meeting of the city council.~~ The mayor, or acting mayor, shall decide all questions of order; subject, however, to an appeal to the city council, in which event a majority vote of the city council shall govern and conclusively determine a question of order.
- (e) The mayor shall vote only in the case of a tie vote, with his or her name being called last.

Section 6. That Section 2-14 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-14. Order of business.

The business of the council shall be considered in the following order:

- (1) Roll call.
- (2) Invocation.
- (3) Pledge.
- (4) Proclamations, recognitions, awards.
- (5) Approval of consent agenda.
 - a. Approval of minutes.
 - b. Communications.
 - c. Council's internal departmental directives.
 - d. Applications.
 - e. Notice of hearings.
 - f. Other.
- (6) Approval of regular agenda.
- (7) Public input.
- (8) Petitions.
- (9) Unfinished business.
- (10) Introduction and adoption of ordinances.
 - a. Second readings.
 - b. First readings.
- (11) Hearings and resolutions.
- (12) Notice of hearings for street vacations.

(13) Report of officers, boards, committees, commissions, and transfers of unencumbered appropriation balances among programs within a department or organizational unit as provided in the Sioux Falls City Charter Section 5.07(d).

(14) New business.

(15) Items added after agenda deadline.

(16) Adjournment.

(17) Executive session.

Section 7. That Section 2-15 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-15. Agenda.

(a) All reports, communications, ordinances, resolutions, or other matters to be submitted to the council for consideration shall be delivered to the city clerk's office no later than ~~10:00 a.m.~~2:00 p.m. on the ~~Tuesday~~ Monday one week prior to the council meeting. If the ~~Tuesday~~ Monday one week prior to the city council meeting is a holiday, the deadline is ~~10:00 a.m.~~2:00 p.m. on the last day of business preceding that holiday~~preceding Friday~~. All materials related to an agenda item requiring council action ~~documentation requiring council action~~ will be delivered to the city clerk's office in its complete and final format. The city clerk's office shall prepare the agenda in ~~both paper and~~ electronic format and will furnish each member of the council, the mayor, and the ~~city attorney~~directors with access to the information no later than ~~after~~ 13:00 p.m. on the ~~Thursday~~ Wednesday prior to the city council meeting.

(b) Any contract approval items to be considered under communications to the city council on the consent agenda shall be delivered to the city clerk's office no later than 12:00 p.m. on Thursday for consideration at the next Tuesday meeting. At the request of any one council member, an item may be removed from the consent agenda and placed on the regular agenda whenever that council member believes additional discussion on the item is necessary. Removing an item from the consent agenda to the regular agenda to merely ask a few questions or gather background information is not necessary and should be discouraged.

(c) The proposed agenda shall be posted at the city clerk's office and placed on the city's website, with email notice sent to those persons who have requested notice pursuant to law by the close of business on the Friday preceding any meeting to take place on the following Tuesday. Proposed additions to the agenda, in their complete and final format, including a signed agenda approval form, shall be delivered to the city clerk's office no later than Monday at 12:00 p.m. before the Tuesday meeting the next day. Such items shall be listed as "Items added after agenda deadline" on a revised agenda which shall be posted, placed on the website, and noticed at least 24 hours in advance of the Tuesday meeting to the council, the mayor, the directors, and all persons who have requested notice pursuant to law. Any item to be placed on a revised agenda must be separately approved for the agenda by a vote of a majority of the city council members present in order to be considered that same evening.

~~(b)d) Any item in its complete and final format, including a signed agenda approval form, which is passed by a city council committee for consideration by the city council as a whole may be placed on the proposed agenda for the following Tuesday meeting no later than 2:00 p.m., Wednesday. During consideration of new business, the mayor or any two city council members may bring before the city council any business that person feels should be deliberated upon by the city council. These matters can be added to the agenda by a vote of six city council members and will be considered under new business. Formal action on such matters shall be deferred until a subsequent city council meeting, unless consideration is necessary for the immediate preservation of the public peace, health, or safety of the municipal government. If the city council chooses to take immediate action on the newly calendared agenda item, and notice to the public is provided as set forth in SDCL 1-25-1.1, an affirmative vote of six members of the council is required for approval.~~

Section 8. That Section 2-16 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-16. Addressing the council; time limit.

(a) During the public input portion at the start of a city council meeting, no person shall be permitted to speak on a topic that appears later in that meeting's agenda if public input will be received when that agenda item is up for discussion. During public input, city council members are not permitted to engage in a dialogue or discussion with the presenter.

(ab) No person shall address the city council without first securing the permission of the mayor, or acting mayor, to do so.

(bc) Each person addressing the city council shall step up to the microphone in front of the rail, shall give his or her name in an audible tone of voice for the record, and unless further time is granted by the city council, shall be limited to five minutes.

(ed) All remarks shall be addressed to the city council as a body and not to any member thereof.

(de) No person, other than the city council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the city council without the permission of the mayor, or acting mayor.

(ef) No question shall be asked of a city council member except through the mayor, or acting mayor.

(fg) No person, except city council members, shall address the council after a motion is made and seconded unless requested by a city council member.

Section 9. That Section 2-23 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-23. Ordinances, resolutions, motions, and other documents requiring council approval.

(a) No ordinance shall be considered by the city council unless sponsored by two city council members or the mayor.

(b) All proposed ordinances, resolutions, and other documents requiring city council approval, shall, before presentation to the council, have been approved as to form and legality by the city attorney's office. All proposed ordinances and resolutions involving substantive matters of administration shall also be reviewed by the head of the department under whose jurisdiction the administration, of the subject matter of the ordinance, resolution, or other document would devolve. ~~A memo regarding the ordinance or resolution shall be submitted to the mayor and the city council.~~ The sponsor(s) of any proposed ordinance, resolution, or other document shall provide a written or oral explanation to the city council and mayor on the background and impact of the proposed item at least 24 hours prior to its consideration at any city council meeting. All proposed ordinances may be assigned or referred to a council committee for consideration and recommendation.

(c) Ordinances, resolutions, and other matters or subjects requiring action by the city council must be introduced and sponsored by two members of the city council, except that the mayor may present ordinances, resolutions, and other matters or subjects to the city council, and any city council member may move that such ordinances, resolutions, matters, or subjects be adopted; otherwise, they shall not be considered.

(d) No ordinance shall relate to more than one subject. The subject shall be clearly expressed in the title.

~~(e) The city clerk, or the city clerk's designee, shall distribute electronic copies of all proposed ordinances to all members of the council on the Wednesday prior to the city council meeting at which the ordinance is to be introduced. If the ordinance carries an emergency clause, copies of the ordinance must be distributed at least 24 hours prior to the meeting of the city council at which the ordinance is to be considered.~~

~~(e)~~ When a proposed ordinance is referred to a committee of the city council, the committee shall give a report of the proposed ordinance's status to the city council at a subsequent city council meeting or informational meeting. The proposed ordinance shall stand for final action in accordance with the report of the committee, notwithstanding that such committee reports an amended or substituted ordinance, provided that such amendment or substitution is germane to the title of the ordinance originally referred to such committee.

~~(e)~~ The yes and no votes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the city council.

~~(h)~~ An affirmative vote of at least five city council members shall be necessary to pass an ordinance. A resolution, motion, or any other proposition may be adopted by a majority of those present. When any vote is called, each city council member shall respond "yes," or "no."

(h) Upon passage, a number shall be assigned to each ordinance or resolution by the city clerk, or the city clerk's designee.

(i) When passed by the council, unless an ordinance has been vetoed by the mayor, an ordinance shall be signed by the mayor and be attested by the city clerk. If the mayor does not veto an ordinance, but fails to sign the ordinance, the city clerk shall so note the failure to sign on the ordinance, shall attest, and file the ordinance.

(j) Any member of the city council may request formal written city attorney opinions, relating to city business.

(k) Any member of the city council may, for purposes of inquiry, request verbal or written opinion or advice on city legal matters directly from the city attorney.

Section 10. That Section 2-25 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-25. Adjournment.

A motion to adjourn is decided without debate [and without the need for a roll call vote](#).

Section 11. That Section 2-35 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 2-35. Powers of the mayor.

The mayor shall have the power to prescribe executive orders for an interim successor and for the creation of departments of the administration, as provided in City Charter §§ 2.03 and 4.01. The mayor shall also have the power to prescribe such rules and regulations that the mayor deems necessary or expedient for the conduct of employees in departments and administrative agencies subject to his or her authority. The mayor shall have the power to revoke, suspend, or amend any executive order, provided the executive orders do not conflict with city charter or ordinance. All executive orders shall be ~~filed with the city clerk~~ [maintained on InSite and as otherwise prescribed by the mayor](#).

Date adopted: _____ .

Mayor

ATTEST:

City Clerk