

July 27, 2018

Subject: Public Input

Pursuant to Resolution No. 56-18, adopted at the City Council Meeting of Tuesday, June 19, 2018, the following policy¹ applies to the Public Input portion of City Council meetings:

Each regular meeting of the Sioux Falls City Council is governed by Robert's Rules of Order unless it conflicts with City Ordinance or Charter. During the public input portion at the start of the regular Council meeting, no person shall be permitted to speak on a topic that appears later on the regular agenda as public input is taken for all regular agenda items and this portion shall last no more than 30 minutes. To accommodate and respect all viewpoints, citizen comments for the public input portion at the start of the meeting and for agenda items are limited by ordinance to no more than three minutes each. (SFCO §30.015).

During a special meeting of the City Council, public input will only be allowed for the agenda item after the staff presentation, but before City Council discussion and voting. Each speaker will be allowed up to five minutes

Public comment will be received at each City Council budget hearing, informational, committee, task force and working session meeting. The meeting agenda shall conclude with an item called "public comment." Each speaker will be allowed up to five minutes to speak on any agenda item. At least 15 minutes shall be allotted for public comment. The City Council values input from citizens, and if time allows, the 15-minute minimum should be expanded by the Chair. If time allows, the council may ask the chair to extend the public comment period when the information addresses a complex issue or the topic requires specialized knowledge.

The Sioux Falls City Council informally endorsed a policy on April 18, 2013, to discontinue segregating proponents and opponents during public testimony. The Chair reserves the right to limit the number of speakers during any agenda item following one

¹ *From the City Council Policy and Procedures Manual, p. 4*

hour of testimony, but may be overridden by the Council. Any member of the Council may call on a citizen to provide additional public testimony.

A laptop computer and document camera are available to the public for use during the public input portion. Citizens desiring to use the document camera will be assisted by staff during the meeting. Citizens desiring to show any item contained in electronic file format will follow the procedure below:

1. Physically deliver the file on a USB drive to the City Clerk's Office no later than noon the day of the meeting but during office hours;
2. Council staff will scan for viruses and download the file from the USB to the public laptop while the citizen is present;
3. The file will be rejected if it is corrupt or the content contains profanity or nudity;
4. Public input is limited to five minutes and is governed by the Code of Ordinances.
5. Council staff will assist in accessing the file at the Council meeting.

This section (public input) will be made available to the public as a stand-alone handout which also includes SFCO §§ 30.008, 30.015, 30.018–30.020. *From the City Council Policy and Procedures Manual, p. 4, adopted June 19, 2018 (Res. No. 56-18)*

§ 30.008 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) (1) The city council shall designate a council chair and council vice chair to perform the duties of acting mayor pursuant to city charter § 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 Tuesday in May of each year.

(2) 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. 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. (1992 Code, § 2-9) (Ord. 50-95, passed 3-20-1995; Ord. 31-96, passed 3-18-1996; Ord. 76-99, passed 7-19-1999; Ord. 52-11, passed 7-11-2011; Ord. 24-12, passed 4-2-2012)

§ 30.015 ADDRESSING THE COUNCIL; TIME LIMIT.

- (a) Public input shall be allowed for any item on the regular agenda.
- (b) Notwithstanding division (a) above, the public input portion at the start of a city council meeting, held pursuant to § 30.001(b), shall last no more than 30 minutes and will be limited to topics which do not involve those agenda items appearing later in the regular agenda as public input will be received when that agenda item is up for discussion.
- (c) No person shall address the city council without first securing the permission of the mayor, or acting mayor, to do so.
- (d) 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 three minutes.
- (e) Electronic presentations that require audio and/or visual equipment shall not be allowed. This provision shall not be construed to restrict electronic or hard copy photos from being presented by the public during a regular meeting.
- (f) All remarks shall be addressed to the city council as a body and not to any member thereof.
- (g) 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.
- (h) No question shall be asked of a city council member except through the mayor or acting mayor.
- (i) No person, except city council members, shall address the council after a motion is made and seconded unless requested by a city council member.

(1992 Code, § 2-16) (Ord. 50-95, passed 3-20-1995; Ord. 52-11, passed 7-11-2011; Ord. 24-12, passed 4-2-2012; Ord. 55-18, passed 7-3-2018)

§ 30.018 DECORUM.

- (a) While the city council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council or disturb any member while speaking or refuse to obey the orders of the city council or the mayor, or acting mayor, except as otherwise herein provided.
- (b) Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the council shall be forthwith, by the mayor, or acting mayor, barred

from further audience before the city council, unless permission to continue be granted by a majority vote of the city council.

(1992 Code, § 2-19) (Ord. 50-95, passed 3-20-1995; Ord. 52-11, passed 7-11-2011)

§ 30.019 ENFORCEMENT OF DECORUM.

Upon instructions of the mayor, or acting mayor, law enforcement shall place any person who violates the order and decorum of the meeting under arrest, and cause him or her to be prosecuted under the provisions of this Code.

(1992 Code, § 2-20) (Ord. 50-95, passed 3-20-1995; Ord. 52-11, passed 7-11-2011)

§ 30.020 PERSONS AUTHORIZED TO BE WITHIN RAIL.

No person except city officials and their representatives shall be permitted within the rail in front of the city council chamber without the express consent of the mayor, or acting mayor.

(1992 Code, § 2-21) (Ord. 50-95, passed 3-20-1995; Ord. 52-11, passed 7-11-2011)