



MAYOR  
Geno Martini

CITY COUNCIL  
Julia Ratti, Ward I  
Ed Lawson, Ward II  
Ron Smith, Ward III  
Mike Carrigan, Ward IV  
Ron Schmitt, Ward V

CITY ATTORNEY  
Chet Adams

**REGULAR CITY COUNCIL MEETING MINUTES**  
**2:00 P.M., Monday, February 24, 2014**  
**City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada**

**1. Call to Order** (Time: 2:00 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:00 p.m.

**2. Roll Call** (Time: 2:00 p.m.)

Mayor Geno Martini, Council Members Julia Ratti (2:05), Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams (Shirle Eiting at 2:57) and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

Staff Present: Mindy Falk, Nancy Munson, Ron Korman, Brian Allen, Jill Valdez, Francine Burge, John Martini, Dan Hamlin, Karen Hood, Steve Driscoll, Chris Syverson, Michael Drinkwater, Jeff Cronk, Neil Krutz, Adam Mayberry, Chris Cobb, Tom Garrison, Shirle Eiting, Brian Cason, Tracy Domingues, Cyndi Boggan, George Graham, Todd Saxberg, Bill Lutsch, Kim Laber, Andy Hummel, Bob King, Jim Rundle, Heidi Shaw, Armando Ornelas, Jon Ericson, Mark Andersen, Ed McDonald, Wayne Webber, Karen Melby, JD Kiley, Jeff Wright, Brian Miller, Terry Shackelford, Jean Marie Walsh, Shauna Nelson, Tim Thompson, Kathy Clewett, Dan Marran, Rich Brown

**Invocation Speaker** (Time: 2:01 p.m.)

The invocation was provided by Tom White, Church of Latter Day Saints.

**Pledge of Allegiance** (Time: 2:02 p.m.)

The Pledge of Allegiance was led by Council Member Lawson.

**Comments from the Public** (Time: 2:02 p.m.) - None

**Approval of the Agenda** (Time: 2:02 p.m.)

**Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.**

Mayor Martini requested item 6.5 be heard after item 8.1. A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the agenda, moving item 6.5 after item 8.1. Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

**3. Recommendation to Approve Minutes of February 10, 2014** (Time: 2:03 p.m.)

**3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for February 10, 2014**

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the minutes of the Regular Meeting of February 10, 2014, as outlined by staff. Council Members Lawson, Smith, Carrigan, Schmitt, YES. Council Member Ratti, ABSENT. Passed unanimously with those present.

**4. Announcements, Presentations, Recognition Items and Items of Special Interest** (Time: 2:04 p.m.)

**4.1 Proclamation "Nevada Moves Day"** (Time: 2:04 p.m.)

Mayor Martini read the document that proclaimed March 19, 2014 as "Nevada Moves Day" and encouraged citizens to walk or bicycle their children to school while celebrating the benefits of increased safety and health, this day and throughout the year. Safe Routes to School Coordinator MJ Cloud received the proclamation along with Robbie Bowlin from Jerry Whitehead Elementary School, Bobby Carlbloom of Katherine Dunn Elementary School and Joey Carlbloom of Katherine Dunn Elementary School. A video presentation demonstrated children's activities in this endeavor.

**4.2 Presentation: "Farm Fresh for Kids"** (Time: 2:11 p.m.)

A presentation by Karthik Rohatgi, Davidson Academy at UNR, creator of this non-profit organization in Nevada, which benefits families and small-scale farmers through farmer's market vouchers. Additional information can be found at [www.farmfreshforkids.org](http://www.farmfreshforkids.org)

Council Member Ron Smith asked where the funding comes from for the \$5 vouchers. Mr. Karthik said Great Basin Cooper, Davidson Academy and others have participated, but the organization needs more community sponsors. Donations can be made on line.

Mayor Martini thanked Mr. Karthik for his efforts and the excellent presentation.

**4.3 Special Events Report: Review of FY13 and Preview of FY14** (Time: 2:19 p.m.)

Special Events Coordinator Francine Burge provided a presentation of the year in review. Ms. Burge said the event objectives are to promote tourism, stimulate economic impact and encourage civic pride. In addition, Ms. Burge said there were 41 events in 2013 which included 77 events days, 732,160 in attendance and 11 new events including Shamrock Shuffle, Rabbit Run, Cops and Burgers, Touchin' Trucks, Western Heritage Festival, My Wake Challenge and Frightmare. Future events include Pets on the Plaza, Food Truck Downtown and Funkenfest. Current cost recovery is at 75%. Ms. Burge thanked Fred Cornelius for photographing the events.

Council Member Ron Schmitt requested better event accounting, indicating the total costs to the city for events, to include salaries, back office and all expenses involved in Sparks' special events. Parks and Recreation Director Tracy Domingues said the goal is for the producer of the event to cover the city's costs; not to be in a profit-making situation. Ms. Domingues said with the exception of the Hometowne Christmas Parade, 100% of city services are covered by the event producer. She said with the 92-93% cost recovery, which is the best ever, the city is gaining on event recovery.

Mr. Schmitt thanked staff, Adam Mayberry and the BLT team. Mayor Martini thanked Ms. Domingues for creation of new events, and commented that the figures don't take into consideration the sales tax we gain with the events. The Mayor also thanked staff for their work.

**5. Consent Items** (Time: 2:31 p.m.)

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve the consent items as submitted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period January 23, 2014 through February 5, 2014. (FOR POSSIBLE ACTION)**

An agenda item from Finance Manager Jeff Cronk recommending the City Council approve the report of claims and bills as presented in the staff report.

**6. General Business**

**6.1 Discussion and possible direction on City of Sparks ballot questions for the 2014 general election** (Time: 2:32 p.m.)

An agenda item from Community Relations Manager Adam Mayberry advising Council that any ballot questions before Sparks voters in 2014 needs to be prepared and submitted to the Washoe County Registrar of Voters by July 21. The deadline for the Registrar to receive arguments and rebuttals is August 8. The City is under no requirement to submit a question(s) for the 2014 general election, but due to necessary deadlines and timing, it is important to begin the discussions now should there be a question(s) brought before Sparks voters. Staff will note any general ballot question concepts that come from today's discussion, and may return for further discussion and possible approval at a future Sparks City Council Meeting.

In answer to Council Member Schmitt's question, Community Relations Manager Adam Mayberry said at this time he has no knowledge of Washoe County or City of Reno bringing forward any local governance issues.

Council Member Carrigan expressed interest in putting an extra penny in the property tax on the ballot to bring in revenues to support the addition of seven new police officer positions. He said Council could impose such a tax on its own, however, he favors putting an advisory question on the ballot. Council Member Lawson said he supports putting this issue on the ballot. Council Member Ratti said she does not believe the issue would survive the ballot and said the Council should decide whether or not to approve the tax.

Council Member Schmitt said he would support a ballot issue to combine the justice court and municipal courts, as the Charter Committee has recommended. He said in the past the judicial court handled all issues and then in 1978 the City of Sparks exercised an option to establish a municipal court. Council provided direction to Mr. Mayberry to provide background knowledge on the history of the two courts and the part the NRS played in splitting the court.

**6.2 Discussion and possible direction to initiate amendments to Titles 5 and 9 to allow for the business licensing of medical marijuana establishments operating within the City of Sparks in compliance with Nevada Senate Bill 374 (2013) and**

**the State of Nevada's forthcoming regulations for medical marijuana establishments.** (Time: 2:40 p.m.)

An agenda item from Assistant City Manager Steve Driscoll providing the City Council the opportunity to direct staff to prepare and bring forward for the Council's consideration amendments to Titles 5 and 9 (City of Sparks Zoning Ordinance) to allow for the business licensing of medical marijuana establishments who propose to operate within the corporate boundaries of the City of Sparks in compliance with Nevada Senate Bill 374 (2013) and the State of Nevada's forthcoming regulations for medical marijuana establishments.

Assistant City Manager Steve Driscoll said Title 5 is a companion item that deals with zoning ordinances. It deals with business license application in the Sparks Municipal Code and performing city-driven background checks. Mr. Driscoll seeks permission to perform research and return to Council with considerations to license the four functions, which include growth facilities, manufacturing facilities, dispensaries and testing. He said Title 9 deals with policing action related to background checks.

Mr. Driscoll said the current allocation allows Sparks up to two dispensaries. The county is allocated six additional dispensaries and it will determine how that allocation is directed ... either to the county or either city or both cities. Mr. Driscoll said that a franchise has been discussed as a potential option.

Mr. Driscoll said staff is not to work on ordinance changes without permission from council. Driscoll said they are seeking permission to move forward with the business licensing research and return to council with findings.

Council Member Lawson clarified the city may elect to license any number of growth facilities; the city is limited in the number of dispensaries only.

Council Member Ratti said the process should be impartial and that everyone who meets our requirements should get forwarded to the state to make impartial decisions as to who will get the dispensary licenses.

Council Member Carrigan said he wants Sparks to attract the most in terms of licensing fees.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to direct the City Manager to prepare a draft and bring forward for City Council consideration amendments to Titles 5 and 9 to allow for the business licensing of medical marijuana establishments operating within the City of Sparks. Discussion followed.

Mr. Driscoll said the city's goal is to have everything in front of council by June 2014. He said Las Vegas business license people are working diligently on the business license component. The speed at which Sparks is moving is set to be as close to the state's timeline as possible.

Council Member Lawson said he would like to see the City utilize partiality and favoritism in licensing selections to ensure that good business people are involved in the process. He wants the qualifications to be high, based on business and financial acumen.

Council Member Carrigan said he does not care how many licenses Sparks gets; he wants the city to be out ahead and when the state says “go” that Sparks is ready to act. He said he is not in favor of sitting back and waiting and it is in Sparks’ best interest to be quickly informed and ready.

Mr. Driscoll said the city has made it very clear that it is not in a position to make any decisions at this time as to who will or won’t be considered for licensing, but rather the city is now establishing licensing criteria and qualifications.

Council Member Ratti said her sense of urgency comes from two places: (1) it’s a very complex process and needs to be done right; (2) several of her constituents have licenses to use and no source to offer the product.

Mr. Driscoll said there appears to be an option for the city to not allow growth, production or testing of medical marijuana, but discussions related to dispensaries indicate the state may fill a geographical need if an area goes un-served.

Council Member Schmitt asked if at any time the council will be asked if they want to move forward with the dispensaries. He said with trying to get people here for special events, the council needs to weigh in on do we want to go through this process; is this something we want to proceed with?

Council Member Smith said although he is against use of marijuana, he does support the city moving forward with the process.

Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**6.3 Consideration and possible approval of additional cost for the NV Energy Agreement for the Adjustment of Utility Facilities between the City and NV Energy, for the Prater Way Phase III Streetscape Enhancement Project, Federal Project No. STP-0031(088) and E.A. 73503, in the amount of \$196,238.73. (Time: 3:12 p.m.)**

An agenda item from Capital Projects Manager Chris Cobb recommending Council approve the additional costs. The City of Sparks Council approved the original NV Energy Agreement on Aug. 22, 2011. The Franchise Agreement between the City and NV Energy requires that the City has to reimburse NV Energy for the cost of undergrounding the Overhead Power Transmission Facilities for the Prater Way Phase III Streetscape project. The original estimated cost for NV Energy to underground the power from View Street to 22nd Street along the north side of Prater Way was \$454,725. This comprised of a contracted construction estimate of approximately \$214,442 for undergrounding of conduits and NV Energy’s cost to install the new wiring at \$240,283. There is no impact to the general fund.

Capital Project Manager Chris Cobb said the city missed the mark on the estimated cost by 33%. Council Member Schmitt said there may be a violation of state law because of the amount of the additional costs. Assistant City Attorney Shirle Eiting said the city is bound by the contract.

Council Member Ratti supported Council Member Carrigan’s objection that the funding for the additional expenses on this project should not come from one particular ward, but rather be spread out among all wards.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve the additional cost for the NV Energy Agreement for the Adjustment of Utility Facilities between the City and NV Energy in the amount of \$196,238.73 and report back to Council on the distribution of the funding sources. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

Mayor Martini thanked Mr. Chris Cobb for his work. This is Mr. Cobb's last meeting, as he is leaving the city to work for the school district.

**6.4 FIRST READING and possible discussion of Bill No.2667, PCN13021 – A request to change the existing zoning on a property approximately 5.03 acres in size from Industrial (I) to Tourist Commercial (TC) located at 1795, 1817, 1819, 1845 and 1865 Glendale Avenue. (Time: 3:32 p.m.)**

City Clerk Teresa Gardner read the ordinance by title. The second public discussion and reading will be Monday, March 10, 2014 at the regular city council meeting.

**6.5 Consideration, discussion and possible action on the Mayor's appointment of a City Manager, with City Council confirmation, including presentations and interviews of qualified candidates. (Time: 3:37 p.m.)**

An agenda item from Employee and Customer Service Manager Chris Syverson recommending the Mayor and City Council consider, discuss and possibly take action on the Mayor's appointment of a City Manager, with City Council confirmation. Cards were cut to determine who presented first. Mr. Neil Krutz presented first, followed by Mr. Steve Driscoll.

Mayor Martini said each candidate has had an opportunity to speak with Council Members and each candidate will make a presentation, with questions and answers to follow. Mayor Martini noted this is a public process and all parts of the process are to be held in public.

After each candidate made a presentation outlining their qualifications and after they responded to questions from the Mayor and City Council, Mayor Geno Martini appointed Mr. Steve Driscoll as City Manager.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to confirm the appointment of Mr. Steve Driscoll as City Manager. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Lawson, NO. Motion passed 4-1.

**7. Public Hearing and Action Items Unrelated to Planning and Zoning – None**

**8. Planning and Zoning Public Hearings and Action Items**

**8.1 Public Hearing, 2nd Reading, discussion and possible action of CA-1-14 Bill No. 2666 an ordinance amending Title 20.43 of the Sparks Municipal providing standards for the erection of any new school or the alteration of an existing school and other matters properly relating thereto pursuant to Nevada Assembly Bill 87 (2013). (Time: 3:33 p.m.)**

An agenda item from Senior Planner Jim Rundle recommending Council approve CA-1-14. Assembly Bill 87 was passed in 2013 by the state legislature and signed into law by Governor Sandoval requiring the City of Sparks, City of Reno, and Washoe County to provide consistent

development standards for the construction of new schools in Washoe County. The Planning Commission forwarded a recommendation of approval to the City Council to adopt this code amendment. There is no impact to the general fund.

Mayor Martini opened for public comment. There was no public comment. Mayor Martini closed the item for public comment.

Council Member Carrigan clarified that this assembly bill was just for Washoe County. Council Member Lawson said the city worked hard with Assemblyman Daly to present this compromise.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to adopt Bill No. 2666 amending Title 20 of the Sparks Municipal Code Municipal providing standards for the erection of any new school or the alteration of an existing school and other matters properly relating thereto pursuant to Nevada Assembly Bill 87 (2013). Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

**9. Closed Door Sessions - None**

**10. Comments**

**10.1 Comments from the Public** (Time: 4:28 p.m.)

Richard "Skip" Daly representing Labor Union Local 169 spoke regarding a complaint filed about the Galaxy Theater job, indicating the City of Sparks' third party vendor did not meet its obligation. This is a prevailing wage issue and part 608; the complaint was filed by the union. Mr. Daly said Frasier Masonry was to respond within 15 days and did not do so. He said the City will not meet with union, indicating they want to correspond and answer the issue(s) in writing. Council Member Schmitt asked if the organization requested a meeting with the City of Sparks and if not, that request should have been made direct to the city. Deputy City Manager for Community Services Neil Krutz instructed RDC to meet with union reps later this week.

**10.2 Comments from City Council and City Manager** (Time: 4:35 p.m.) - None

**11. Adjournment** (Time: 4:36 p.m.)

Council was adjourned at 4:36 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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