



MAYOR  
Geno Martini

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

CITY ATTORNEY  
Chet Adams

CITY MANAGER  
Stephen Driscoll

## REGULAR CITY COUNCIL MEETING MINUTES

2:00 P.M., Monday, October 12, 2015

City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada

### 1. **Call to Order** (Time: 2:01 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:01p.m.

### 2. **Roll Call** (Time: 2:01 p.m.)

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt, City Manager Steve Driscoll, City Attorney Chet Adams and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

### 3. **Opening Ceremonies**

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

The invocation was provided by Pastor Pete Vossler, Crosswinds Assembly of God Church.

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

The Pledge of Allegiance was led by Council Member Ed Lawson.

### 4. **Public Comment** (Time: 2:03 p.m.)

Ardena Perry stated opposition of Bill No. 2694.

Chelsie Kern spoke in support of Bill No. 2694.

### 5. **Agenda** (Time: 2:10 p.m.)

#### 5.1 **Approval of the Agenda (FOR POSSIBLE ACTION)**

Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists. Council Member Ratti confirmed the public was aware the public hearing for Bill No. 2695 discussing feral cats would be at 6:00 p.m. and the public hearing for Bill No. 2694 for urban agriculture would be during this meeting.

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

**6. Minutes (Time: 2:11 p.m.)**

**6.1 Consideration and possible approval of the minutes of the Sparks City Council Concurrent meeting on September 21, 2015 and the regular Sparks City Council meeting on September 28, 2015. (FOR POSSIBLE ACTION)**

A motion was made by Council Member Smith, seconded by Council Member Bybee, to approve the minutes of the Sparks City Council Concurrent meeting on September 21, 2015 and the regular Sparks City Council meeting on September 28, 2015. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**7. Announcements, Presentations, Recognition Items and Items of Special Interest**

**7.1 Proclamation: "International Walk to School Day" (Time: 2:12 p.m.)**

Mayor Martini proclaimed Wednesday, October 7, 2015 as "International Walk to School Day" and encouraged citizens of Sparks to walk or bicycle with their children to school while celebrating the benefits of increased safety and health. The proclamation was presented to Ms. M. J. Cloud.

**7.2 Proclamation: "Keeping the Lights on After School" (Time: 2:17p.m.)**

Mayor Martini proclaimed October 22, 2015 as "Lights On After School Day" and committed our city to engage in innovative afterschool programs and activities that ensure the lights stay on and the doors stay open for all children after school. The proclamation was presented to Parks & Recreation Director Tracy Domingues. A moment of silence was held for the 13 year old boy in Sparks who was recently injured in a drive-by shooting.

**7.3 Presentation: "Dilworth STEM Middle School 7th and 8th grade high performers" (Time: 2:21 p.m.)**

Sr. Administrative Analyst Kathy Clewett introduced Dilworth's STEM Coordinator Beth Whalen. The 7th grade studied what the body system does, how it works with other systems in the body and what diseases can affect the system; Kyana Ramirez Aguilar and Citlali Lopez presented their project. The 8th grade studied "Water: what is the matter". Some of the 8th graders visited TMWRF and some were able to work with the scientists from TMWRF while they were analyzing the water from the Marina; Belen Roman Estrada, Andrew Tilley, Ivan Hernandez and Deja Jones presented their project.

**7.4 Presentation: "The Role of Red Cross in Responding to Disasters and Emergencies". (Time: 2:40 p.m.)**

Red Cross Executive Director Zanny Marsh presented information on disaster response in our Sparks Community and how community partners work together to provide client assistance, service to armed forces and volunteer services. Ms. Marsh offered to send Council email notifications each time the Red Cross responds to a fire in their ward; City Manager Driscoll will coordinate this with Ms. Marsh.

**7.5 Presentation: "Sparks 13th Annual Mayor's Cup Golf Tournament". (Time: 2:50 p.m.)**

Recreation Supervisor Andre Stigall said the Sparks Mayor's Cup Golf Tournament is in its 13<sup>th</sup> year and has raised close to \$70,000 over the years to benefit the Sparks Youth Scholarship Fund which helps children from low income households participate in the city's recreation programs. The tournament will be held on Friday, October 23 at Red Hawk Golf and Resort.

**8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:53 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, Bybee, Schmitt, YES. Passed unanimously.

**8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period September 10, 2015 through September 23, 2015. (FOR POSSIBLE ACTION)**

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

**8.2 Consideration and possible approval of a Reversion to Acreage Map for Marina Villa Condominiums. (FOR POSSIBLE ACTION)**

An agenda item from City Engineer John Martini recommending approval of the map. Landcap Sparks, LLC has submitted a reversion to acreage map for the Marina Villa Condominium Tract Map 4811 as recorded with the Washoe County Recorder on July 31, 2007. This reversion to acreage map is needed to accommodate design changes to the Marina Villa Condominium project. Upon approval and recordation of this reversion to acreage map, the developer will submit a new final map, in accordance with the current design, to the City of Sparks for review and approval. The reversion to acreage map has been reviewed by the Community Services Department and has been found to be acceptable. There is no impact to the general fund.

**8.3 Consideration and possible approval of a contract for the Gym Floor Replacement Project, Bid# 15/16-007, to Floorcraft LLC., in the amount of \$176,495. (FOR POSSIBLE ACTION)**

An agenda item from Capital Projects Manager Brian Cason recommending Council approve the contract. The gym floor at the Alf Sorensen Recreation Center has become deformed and buckled in various areas throughout the floor because of moisture infiltration caused by the lack of a vapor barrier, inadequate expansion joint around the perimeter of the floor, and moisture from the hillside on the north side of the building. This project will replace the existing gym floor and add a vapor barrier that will prevent future moisture damage. Budget is available in the FY16 CIP; there is no impact to the general fund.

**8.4 Consideration and possible acceptance of a State Homeland Security Program Grant in the amount of \$6,966 for the purchase of Duo Dote Nerve Agent Antidote kits. (FOR POSSIBLE ACTION)**

An agenda item from Fire Battalion Chief Jim Reid recommending Council accept the grant award. In an effort to enable first responders to protect themselves and assist victims from a chemical Hazmat release, the Sparks Fire Department needs to replace 150 expiring Duo Dote Nerve Agent Antidote Kits. The Duo Dote Antidote kits will protect public safety personnel during a terrorist event, primarily from the release of nerve agents. The medication in the kits prevents the body from absorbing the agent, protecting responders and possible victims. The total amount of the grant, \$6,966, covers the entire purchase of the 150 kits. There is no impact to the general fund.

**8.5 Consideration and possible approval of a sub-grant agreement with Washoe County to accept a Local Emergency Planning Committee Grant in the amount of \$8492 for the purchase of a "Powder Keg," a specialized dry chemical fire extinguishment system. (FOR POSSIBLE ACTION)**

An agenda item from Fire Battalion Chief Jim Reid recommending Council accept the grant award. With the purchase of the Powder Keg system, the Sparks Fire Department will be able to have a fully equipped vehicle to effectively mitigate most fuel related fires. The Powder Keg is designed to extinguish three dimensional fires. A three dimensional fire occurs when a flammable product is spilling from a pipe or container under pressure. The total amount of the grant is \$8,492, with SFD contributing funds of \$1,448.54.

**8.6 Consideration and possible approval of an interlocal agreement with the City of Reno for the management and disposition of the Federal Motor Carrier Safety Administration High Priority Grant Program (MCSAP) in the amount of \$12,035 for the purpose of conducting vehicle inspections and traffic enforcement activities that focus on large trucks. (FOR POSSIBLE ACTION)**

An agenda item from Police Chief Brian Allen recommending approval of the interlocal agreement. The U.S. Department of Transportation Federal Motor Carrier Safety Administration (FMCSA) is offering a MCSAP High Priority Grant Program to the Reno Police Department and to the Sparks Police Department in the amount of \$12,035 for the purpose of conducting vehicle inspections and traffic enforcement activities that focus on large trucks in work zones and drivers of large trucks who may be distracted. The interlocal agreement with the City of Reno is for the management and disposition of the MCSAP grant funds.

**9. General Business**

**9.1 Consideration and possible acceptance of the 2015 COPS Office Hiring Program (CHRP) grant in the amount of \$250,000 over a three year period for two full-time police officers. (FOR POSSIBLE ACTION) (Time: 2:53 p.m.)**

An agenda item from Police Chief Brian Allen recommending Council accept the COPS grant. The U.S. Department of Justice, Office of Community Oriented Policing Services has announced that the Sparks Police Department has been awarded the 2015 COPS Hiring Program (CHP) Grant. The Police Department sought the direction of City Council to apply for this grant on June 8, 2015 seeking two full-time positions. The two (2) full-time police officers will be designated as Community Relations Officers. Funding from the COPS Office is limited to \$125,000 per officer for the three year period of the grant. A fourth year is expected to be fully funded by the partnering agency; however, there are opt out clauses if there is a financial burden. The cost to the city would be approximately \$175,000 per officer over three years.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve to accept the 2015 COPS Office Hiring Program (CHRP) grant in the amount of \$250,000 over a three year period for two full-time police officers. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**9.2 Consideration, discussion and possible approval of a complement change to add two Police Officers to accommodate acceptance of the 2015 COPS Office Hiring Program (CHRP) grant towards payroll costs for two full-time police officers. (FOR POSSIBLE ACTION) (Time: 2:59 p.m.)**

An agenda item from Police Chief Brian Allen and Administrative Services Director Chris Syverson recommending approval to add two Police Officers to the complement if the CHRP grant is accepted. The financial impact would be \$350,000.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve to increase the complement at the Police Department to include two additional Police Officers for a total of eighty-nine. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**9.3 FIRST READING of Bill No. 2696, an ordinance to rezone a property from SF6 (Single Family Residential) to MUD (Mixed Use District) for a site approximately 1.4 acres located at 1250 Sullivan Lane, Sparks, NV (PCN15017) (Time: 3:01 p.m.)**

This is a first reading only; the bill was read by title by City Clerk Teresa Gardner. The second reading and public hearing was set for October 26, 2015.

**10. Public Hearing and Action Items Unrelated to Planning and Zoning**  
**10.1 None**

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

**11.1 SECOND READING, Public Hearing, consideration and possible action on Bill No. 2694, an ordinance by the City of Sparks amending Title 20 to include standards for urban agriculture and other matters properly relating thereto. (FOR POSSIBLE ACTION) (Time: 3:02 p.m.)**

An agenda item from Senior Planner Jim Rundle presenting the Sparks Municipal Code Title 20 changes. In 2011 the City of Sparks elected to conduct a comprehensive overhaul of the chapter of its municipal code which governs zoning and development (Title 20). This comprehensive overhaul was recently approved this August. The original draft included a proposal permitting Urban Agriculture in certain zoning districts in the City. A second component of the Urban Agriculture section proposed permitting chickens and apiaries (bee hives) as accessory uses. The City Council removed the urban agriculture component from the zoning code it approved on August 24, 2015 in order to dedicate more time for this specific component. The Planning Commission recommended approval. This code is not applicable to planned developments guided by a handbook.

Mr. Rundle presented and recommended two changes to the proposed ordinance, one to correct an error on Exhibit A, Chapter 20.02, which noted "permitted by right" ("P") for all use types and should only be noted in the SF, MF, MUD-MR, and MUD-RN zoning districts. Mr. Rundle also recommended sections 20.03.A.1 and 20.03.B.2 be amended to include the zoning district codes for clarification.

Council discussed land ownership of a community garden, business licenses, liability, ensuring clarity of standards, and requirement of a conditional use permit to sell on site vs. ability to sell at a farmers market or co-op.

Council also discussed the size requirements for the number of chickens, process for violations, jurisdictional rights for animal control, and enforcement related to urban chickens.

City Attorney Chet Adams said Washoe County Animal Control Code does have standards for poultry which would imply they intend to regulate; however, this is a zoning issue and land use can be determined and enforced by the City of Sparks.



The Public Hearing was opened at 3:39 p.m.

The following spoke in support for the ordinance: Caidyn Edlund, Cheryl Murphy, Tina Cook, Kevin Degregori, Marnie Degregari, Julie Cain, Mandy Graper with 4-H and NNPFA, Mary Engstrom, Deb Walker, Pawl Hollis, Treva Giambrone, T. Vivian Davis, Ann Louhela with Nevada Grown, Renee Pederse and Jessie Tayby.

The following spoke in opposition to the ordinance: Janet Arobio.

The Public Hearing was closed at 4:07 p.m.

Council discussed enforcement of current code and open dialogue with Washoe County Animal Services, and the possibility of a business license requirement.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to adopt Bill No. 2694 amending Title 20 of the Sparks Municipal Code to include standards for urban agriculture and other matters properly relating thereto and to include the amendments suggested to Section 20.03 to clarify zoning codes. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**11.2 Adjournment until 6:00 p.m. (FOR POSSIBLE ACTION) (Time: 4:28 p.m.)**

The meeting was adjourned until 6:00 p.m.

**11.3 6:00 p.m. Call to Order (Time: 6:03 p.m.)**

The continuation of the regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 6:03 p.m.

**11.4 Roll Call (Time: 6:03 p.m.)**

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Charlene Bybee, Ron Schmitt, City Manager Steve Driscoll, Acting City Attorney Shirle Eiting and City Clerk Teresa Gardner, PRESENT.

ABSENT: None

**11.5 SECOND READING, Public Hearing, consideration and possible action on Bill No. 2695, an ordinance amending Chapter 20.29 of the Sparks Municipal Code to clarify the definitions and adding Chapter 20.29.025 to prohibit any person from maintaining, creating or establishing a location or structure for the purpose of feeding, sheltering or providing sustenance to feral cats or attracting high risk species within the boundaries of the city; providing other matters properly related thereto. (PUBLIC HEARING TO BE HELD AT 6:00 P.M.) (FOR POSSIBLE ACTION) (Time: 6:04 p.m.)**

An agenda item from City Attorney Chet Adams recommending Council approve Bill No. 2695 prohibiting the feeding, sheltering or providing sustenance to feral cats within the boundaries of the City of Sparks. The Ordinance would make it unlawful for any person to maintain, create or establish a "high risk" condition upon the land by feeding and/or sheltering feral cats and attracting "high risk" species of animals within the boundaries of the city. Mr. Adams presented information related to land use issues and potential risks associated with maintaining a feral cat program.

The Public Hearing was opened at 6:54 p.m.

The following expressed support of the ordinance: Karen Boeger, Ardena Perry, Rex Flowers with Coalition for Nevada's Wildlife, Richard Simmonds, Janet Arobio.

The following expressed opposition to the ordinance: Mendy Elliott with the Nevada Humane Society, Trish Swain with League of Humane Voters, Karen Jacobs with Tactical Team for the Protection of Animals, Tom Dinsmode, Sandy Todaro, Melody Headley, Deborah McBride, Jessie Tayler, Susan Miller, Shirley Ingram, Betty Jean Perez, Bobbie McCollum, Allan Souliguy, Fred Voltz, Tina Cook, Vivian Dukart, Deborah Banks, Carol-Anne Weed, Charlene Hadwin with SPCA of Northern Nevada, Linda Platshon, Peter Wolf with Best Friends Animal Society, Nikole Nichols with Nevada Humane Society, Norah Sliger, Margaret Flint with Canine Rehab and Sanctuary and Nevada Wildlife Alliance, Kari Riley, Michael Snell, Frank Archuleta, Elaine Voltz, Judith Snell, Irene Connors, Barbara Caruso, Kathy Rogers, Victoria Campbell, Irene Payne, Maudeen West and Lee West.

The Public Hearing was closed at 8:10 p.m.

Council Member Ratti said many points have been made to support opposition of the ordinance. Ms. Ratti said although there are reasonable concerns, the City Attorney's presentation was a case of fear mongering. The current program has been functioning for over a decade and if there were an epidemic in the community, the Council would have heard about. The real problem is humans who abandon their pets. There is not a partner willing to round up the cats; so the next best option is to spay and neuter so they will not reproduce. The current program utilizes volunteers to take care of this at no cost to the city.

Council Member Smith thanked the citizens for coming out to voice their opinions and because he has never received any complaints regarding feral cat colonies prior to this bill being introduced, he will support keeping things the same as they are.

Council Member Bybee asked the attorney about trespassing laws and the attorney said there is no ownership interest of a feral cat, caregivers are not considered owners. Ms. Bybee said she agreed there is no other solution for feral cats and fears if this ordinance is passed, the feral cat population will increase. Ms. Bybee encouraged increased spaying/neutering.

Council Member Schmitt said Washoe County Regional Animal Control is the city's contractor for animal control services; however they were not present. Mr. Schmitt asked about policies and procedures of the Nevada Humane Society and representatives said NHS does not receive any public dollars and they explained the trap, spay/neuter and return program. Mr. Schmitt asked for information on the location of known cat colonies; Mr. Adams had requested that information from Washoe County Regional Animal Control but has not received a response. Mr. Schmitt suggested business licenses be required for cat colonies and regulations be established.

Council Member Lawson said this ordinance was a solution looking for a problem and he would not support elimination of cat colonies which were not an issue prior to the proposed bill.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to deny the proposed ordinance prohibiting the feeding, sheltering or providing sustenance to feral cats within

the boundaries of the City of Sparks. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, NO. Motion carried 4-1.

**12. Closed Door Sessions**

**12.1 None**

**13. Comments**

**13.1 Comments from the Public** (Time: 8:38 p.m.)

Judith Snell said former Mayor Tony Armstrong was dedicated to taking care of the City of Sparks and she thanked Mayor Martini for continuing to do so.

**13.2 Comments from City Council and City Manager** (Time: 8:39 p.m.)

City Manager Steve Driscoll announced openings on 2 committees:

Enterprise Fund Advisory Committee has appointments available for 1 member of the residential construction industry, 2-year term; 1 member of the commercial development industry, 3-year term; and 1 member of the construction industry, 4-year term. Applications will be accepted until the close of business on October 16, 2015.

Airport Noise Advisory Committee has 2 appointments for 2-year terms. Applications will be accepted until the close of business on November 1, 2015.

Persons interested in serving on these committees should complete a Community Service Application, available from the City Clerk's office. You may also apply on-line at the city's website – [www.cityofsparks.us](http://www.cityofsparks.us). Click on "city services" on the web page, then click on "volunteering get involved", then click on "fill out a City of Sparks volunteer application."

**14. Adjournment**

Council was adjourned at 8:40 p.m.

---

GENO R. MARTINI, Mayor

ATTEST:

---

Teresa Gardner, City Clerk

>>>