



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

**REGULAR CITY COUNCIL MEETING MINUTES**  
**2:00 P.M., Monday, August 10, 2015**  
**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, 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: 2:00 p.m.)

The invocation was provided by Pastor Barb West, Sparks Church of the Nazarene

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

The Pledge of Allegiance was led by Council Member Ron Schmitt.

**4. Public Comment** (Time: 2:02 p.m.)

Garth Elliott and Andra Murray spoke in support of the trap, neuter and release program and in opposition to proposed Title 20 code change that prevents feral cat colonies.

Dr. Richard Simmons spoke in support of the proposed Title 20 code change that prevents feral cat colonies and supports the changes by Animal Control to Washoe County Code Chapter 55.

Ardena Perry, David Catalano of Nevada Department of Wildlife, and Joel Blakeslee of the Coalition for Nevada's Wildlife, spoke in support of the proposed Title 20 code change that prevents feral cat colonies.

**TABLED FROM THE JULY 27, 2015 CITY COUNCIL MEETING: Consideration to remove from the table Item 10.1 - Public Hearing, discussion, and possible approval of a bargaining agreement (AC-5184) between the City of Sparks and the Operating Engineers, Local 3, Supervisory Unit for the period July 1, 2015 through June 30, 2017. (FOR POSSIBLE ACTION)**

**TABLED FROM THE JULY 27, 2015 CITY COUNCIL MEETING: Consideration to remove from the table Item 10.2 - Public Hearing, discussion, and possible approval of a bargaining agreement (AC-5185) between the City of Sparks and the Operating Engineers, Nonsupervisory Unit for the period July 1, 2015 through June 30, 2017. (FOR POSSIBLE ACTION)**

A motion was made by Council Member Smith, seconded by Council Member Bybee, to call items 10.1 and 10.2 off the table. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, ABSENT. Passed unanimously with those present.

**5. Approval of the Agenda (Time: 2:21 p.m.)**

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

A motion was made by Council Member Bybee, seconded by Council Member Lawson, to approve the agenda moving 9.4 after the consent items. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**6. Approval of the Minutes (Time: 2:24 p.m.)**

**6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting on July 27, 2015. (FOR POSSIBLE ACTION)**

A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the minutes of the regular Sparks City Council meeting on July 27, 2015. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:26 p.m.)**

**7.1 Commendation: Teresa Gardner, Certified Municipal Clerk Designation (Time: 2:26 p.m.)**

Mayor Geno Martini commended City Clerk Teresa Gardner for her pursuit of professional excellence and congratulated her for earning the Certified Municipal Clerk designation. Ms. Gardner thanked the Mayor, Council and City Clerk office staff, Donna DiCarlo, Carrie Brooks and volunteers.

**8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:28 p.m.)**

A motion was made by Council Member Lawson, 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 July 9, 2015 through July 22, 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 reimbursement to the City of Reno in the amount of \$183,358.00 for Sparks' share of a construction bid award to KG Walters Construction, Inc, for the Phase 1 Piping and Mechanical**

**Modifications Project at the Truckee Meadows Water Reclamation Facility (TMWRF). (FOR POSSIBLE ACTION)**

An agenda item from Treatment Plant Manager Michael Drinkwater recommending that Council approve the reimbursement to the City of Reno for Sparks' share of the Pipe and Mechanical Improvements Phase 1 Project located at TMWRF. This project is part of the approved TMWRF 5-year Capital Improvement Program. An engineering analysis has identified needed improvements and has ranked them according to likelihood of failure and the impact of a failure. The first phase improvements were selected to address the most critical areas e.g. those whose failure would result in significant impacts to the process or other infrastructure. Funding is from the Sanitary Sewer Capital Project Fund, there is no impact to the general fund.

**8.3 Consideration and possible approval of a Final Map for Miramonte Phase 4B Unit 2. (FOR POSSIBLE ACTION)**

An agenda item from City Engineer John Martini recommending that City Council approve the Miramonte Phase 4B Unit 2 Final Subdivision Map as submitted by staff. The Miramonte Phase 4B Unit 2 Final Map will create 104 residential lots within the Miramonte New Urban District. There is no impact to the general fund.

**8.4 Consideration, review and acceptance of the receipt of grant and/or donation money which is individually under \$5,000. (FOR POSSIBLE ACTION)**

An agenda item from Accountant Rick Parton recommending that Council accept the receipt of grant and/or donation money which is individually under \$5,000 via a staff report which details the receipt of such grants and donations.

**8.5 Consideration and possible approval of an application for a Gaming license for Sartini Gaming, LLC dba Golden Route Operations dbat Victorian Saloon, located at 908 Victorian Ave, Sparks, NV, submitted by Mr. Matthew W. Flandermeyer. (FOR POSSIBLE ACTION)**

An agenda item from Deputy Police Chief Thomas Miller recommending Council approve Mr. Flandermeyer's application contingent upon the location being inspected and approved by every city, county, district, and state agency having jurisdiction over the matter and upon fingerprints being returned from the FBI that do not reflect any disqualifying arrests/convictions. There will be four multi-denomination coin operated machines/slots with a projected revenue of \$120 quarterly.

**8.6 Consideration and possible approval of an application for a Gaming license for Sartini Gaming, LLC dba Golden Route Operations, dbat Navjot's Discount Liquor, located at 545 Nichols Blvd, Sparks, NV, submitted by Mr. Matthew W. Flandermeyer. (FOR POSSIBLE ACTION)**

An agenda item from Deputy Police Chief Thomas Miller recommending Council approve Mr. Flandermeyer's application contingent upon the location being inspected and approved by every city, county, district, and state agency having jurisdiction over the matter and upon fingerprints being returned from the FBI that do not reflect any disqualifying arrests/convictions. There will be four multi-denomination coin operated machines/slots with a projected revenue of \$120 quarterly.

**8.7 Consideration and possible approval of an application for a Gaming license for Sartini Gaming, LLC dba Golden Route Operations dbat Citi Mart, located at 91 E. Prater Way, Sparks, NV, submitted by Mr. Matthew W. Flandermeyer. (FOR POSSIBLE ACTION)**

An agenda item from Deputy Police Chief Thomas Miller recommending Council approve Mr. Flandermeyer's application contingent upon the location being inspected and approved by every city, county, district, and state agency having jurisdiction over the matter and upon fingerprints being returned from the FBI that do not reflect any disqualifying arrests/convictions. There will be four multi-denomination coin operated machines/slots with a projected revenue of \$120 quarterly.

**8.8 Consideration and possible approval of an application for a Gaming license for Sartini Gaming, LLC dba Golden Route Operations dbat Gold Midget Market, located at 128 Victorian Ave, Sparks, NV, submitted by Mr. Matthew W. Flandermeyer. (FOR POSSIBLE ACTION)**

An agenda item from Deputy Police Chief Thomas Miller recommending Council approve Mr. Flandermeyer's application contingent upon the location being inspected and approved by every city, county, district, and state agency having jurisdiction over the matter and upon fingerprints being returned from the FBI that do not reflect any disqualifying arrests/convictions. There will be six multi-denomination coin operated machines/slots with a projected revenue of \$180 quarterly.

**9. General Business**

**9.1 Consideration and possible approval of \$440,000 for contract laborers for Parks and Street Maintenance, Hometowne Christmas, Community Service crew, Sheriff's Work crew and Park Rentals during FY16. (FOR POSSIBLE ACTION) (Time: 2:55 p.m.)**

An agenda item from Public Works Manager Ron Korman recommending the City Council approve an expenditure of up to \$440,000 for contract laborers to support these city services. The city will be utilizing the "joinder" provision allowed under NRS 332.115 and using the State of Nevada RFP/Contract number 2029/14026. Specifically, the city will be using a contract for temporary employees issued by the State of Nevada to Manpower. The State's bid represented high quality temporary employees and the city is able to join this contract and leverage those higher volumes to our benefit. Budget already exists in the general fund.

A motion was made by Council Member Bybee, seconded by Council Member Schmitt, to approve the use of contract laborers in the amount of \$440,000 during FY15/16. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**9.2 Presentation, discussion and possible direction to Washoe County Regional Animal Services on proposed changes to Washoe County Code Chapter 55 related to "Congested Area", "Licensing", and other provisions. (FOR POSSIBLE ACTION) (Time: 2:59 p.m.)**

An agenda item from City Manager Steve Driscoll recommending the City Council participate in the discussion on proposed changes to Washoe County Code Chapter 55 related to "Congested Area" and to provide direction to the Regional Animal Services Director for issues related to the City of Sparks. The Washoe County Regional Animal Services department continues to review Washoe County Code Chapter 55 related to the operations of the County's regional animal services function. As changes are deemed necessary to change Chapter 55, the proposed changes are presented to the regional partners for discussion prior to formal changes being incorporated by the Washoe County Board of County Commissioners. The most recent proposed changes are focused on regulation changes related to congested areas and licensing. There is no impact to the general fund.

A motion was made by Council Member Ratti, seconded by Council Member Bybee, to accept the report on proposed changes to the Washoe County Code Chapter 55 related to “congested area”, “licensing”, and other provisions and requested clarity on special assessments, and clarity if cats are included in section 55.460 b & c referring to animals at large, trespassing, capture and impoundment. Council Members Ratti, Lawson, Smith, Bybee, YES. Council Member Schmitt, NO. Motion carried 4-1.

**9.3 Consideration, discussion and possible direction to the City Manager regarding the proposal provided by Waste Management for a potential amendment of the Franchise Agreement concerning the hauling of garbage and residential solid waste. (FOR POSSIBLE ACTION) (Time: 3:17 p.m.)**

An agenda item from Contracts & Risk Manager Dan Marran recommending the City Council receive this report and the proposal offered by Waste Management and provide direction to the City Manager regarding a potential amendment to the existing franchise agreement. Past discussions with the City Council as well as continuing input from citizens of Sparks have indicated a desire to enhance the program for the collection of residential recyclable materials, similar in scope to what was adopted by the City of Reno in November of 2012, commonly referred to as “Single-Stream Recycling.” This item outlines a written proposal provided by Waste Management that would offer those changes while meeting the known concerns of the City of Sparks.

Waste Management Area Manager Greg Martinelli answered questions from the Council. City Attorney Chet Adams is concerned with the request to not issue additional business licenses for hauling of solid waste or recyclables during the term of the franchise and Mr. Martinelli said they are willing to work on the language and do not intend to request the city to do anything illegal. Terms of the contract proposal were discussed and Council Member Ratti requested information on rates based on different terms.

Public Comment was received by Mike Draper of Nevada Recycling and Salvage. Mr. Draper said he was concerned with commercial recycling and is in support of the Waste Management franchise agreement amendment that only affects residential customers.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to direct the City Manager to move forward with negotiating an amendment to the Franchise Agreement with Waste Management as discussed and return that amendment to the City Council for discussion and possible approval. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**9.4 First Reading of Bill No. 2693, an ordinance to amend Title 20 of the Sparks Municipal Code in its entirety and providing other matters properly relating thereto. Applicant: City of Sparks (CA-1-15)) (Time: 2:28 p.m.)**

This is a first reading only, the bill was read by title by Mayor Geno Martini.

Discussion was held by Council on how to most efficiently move forward with the proposed Title 20 changes and also hear the concerns of citizens on a small section that prohibits cat colonies and addresses chickens and bees. Since this item is only a first reading, no action can be taken. It was anticipated the second reading would be scheduled for October 12 when the full Council would be present, however, the City Charter requires the second reading to be at the next City Council

meeting. City Attorney Adams will provide an opinion on bifurcation to the Mayor and Council prior to the second reading and public hearing.

Public Comment was received by Garth Elliott on the good work in the proposed Title 20 and encouraged the Council to research information on feral cats.

Ardena Perry said she is not in favor of bifurcated bills and said Title 20 is a land use issue.

Senior Planner Jim Rundle said the first reading is not an action item and suggested Council may want to take action at the August 24, 2015 second reading to table the item to October 12, 2015.

Mayor Martini said the second reading and public hearing for this bill will be held on August 24, 2015 at 2:00 p.m. Council Member Schmitt said he will not be at the August 24, 2015 meeting and would like to be in attendance when it is heard.

## **10. Public Hearing and Action Items Unrelated to Planning and Zoning**

### **10.1 Public Hearing, discussion, and possible approval of a bargaining agreement (AC-5184) between the City of Sparks and the Operating Engineers, Local 3, Supervisory Unit for the period July 1, 2015 through June 30, 2017. (TABLED AT THE JULY 27, 2015 MEETING) (FOR POSSIBLE ACTION) (Time: 3:53 p.m.)**

An agenda item from Administrative Services Director Chris Syverson recommending Council approve the Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Supervisory Unit for the period July 1, 2012 through June 30, 2015. The Bargaining Agreement between the City of Sparks and the Operating Engineers, Local 3, Supervisory Unit expired on June 30, 2015.

The City and the Bargaining Unit participated in active negotiations beginning in early 2015, and reached a tentative agreement which was tabled by Council on July 27, 2015 which allowed job steward/union business time paid by the city in lieu of a one percent (1%) pay increase effective July 1, 2015 (as stated in Section 2, Article A Pay Rates, in accordance with N.R.S. that union time is not to exceed one percent (1%) of salary and salary driven benefits each fiscal year.) Both the city negotiating team and the bargaining unit have approved this agreement, and the Bargaining Unit has affirmatively ratified the agreement. Based on Council's request, agreements have been prepared that will eliminate the paid time for job steward/union business and add an additional pay increase of one percent (1%), for a total of three percent (3%). Those agreements can be available for approval at the next Council meeting. This will impact the general fund.

Council Member Lawson suggested the agreement be prepared with two 3 percent (3%) increases. Council Member Bybee feels more comfortable with this option to give additional pay and not pay for union business. City Attorney Adams suggested the contracts be brought back to Council for approval rather than approving the contract with amendments.

Public Hearing was opened.

Scott Fullerton, Operating Engineers, said provisions to allow for memorandums of understanding (MOU) to make changes are in the contracts, if the Council would like to approve today's contract and approve a MOU at the next meeting.

Public Hearing was closed.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to direct staff to bring back a contract with two 3 percent (3%) increases and no pay for union business for the City of Sparks and the Operating Engineers Local 3 Supervisory Unit, for the contract period of July 1, 2015 through June 30, 2017. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**10.2 Public Hearing, discussion, and possible approval of a bargaining agreement (AC-5185) between the City of Sparks and the Operating Engineers, Nonsupervisory Unit for the period July 1, 2015 through June 30, 2017. (TABLED AT THE JULY 27, 2015 MEETING) (FOR POSSIBLE ACTION) (Time: 4:12 p.m.)**

Discussion on agenda item 10.1 relates to this agenda item as well.

Public Hearing was opened; no comments were received. The Public Hearing was closed.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to direct staff to bring back a contract with two 3 percent (3%) increases and no pay for union business for the City of Sparks and the Operating Engineers Local 3 Nonsupervisory Unit, for the contract period of July 1, 2015 through June 30, 2017. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

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

**11.1 PCN15025- Public Hearing and possible action on a request for tentative and final approval of an amendment to the Sparks Galleria Planned Development Handbook to allow for 18 fueling positions in an existing 12 nozzle service station (Costco) on a site 81.3 acres in size in the NUD (New Urban District) zoning district located east of Pyramid Way, south of Los Altos Parkway and north of Disc Drive, Sparks, NV. (FOR POSSIBLE ACTION) (Time: 4:13 p.m.)**

An agenda item from Senior Planner Karen Melby recommending Council approve PCN15025, amending the Sparks Galleria Planned Development Handbook. The proposed amendment is minor in scope and does not affect the integrity of the overall approved commercial and residential plan. Costco Gas Station would like to add the sale of diesel and add six fueling positions. The Sparks Galleria Planned Development Handbook restricts gas stations to 12 nozzles. The Handbook amendment allows the Costco Gas Station to have up to 18 fueling positions. There is no impact to the general fund.

A motion was made by Council Member Schmitt, seconded by Council Member Bybee, to approve the tentative and final amendment to the Sparks Galleria Planned Development Handbook associated with PCN15025, adopting Findings PD1 through PD21 and the facts supporting those Findings as set forth in the staff report. Council Members Ratti, Lawson, Smith, Bybee, Schmitt, YES. Passed unanimously.

**12. Closed Door Sessions - None**

**13. Comments**

**13.1 Comments from the Public** (Time: 4:20 p.m.)

Deborah Banks spoke in favor of cat colonies to trap, neuter, return and monitor feral cats and supports hearing this section of the code on October 12, 2015.

**13.2 Comments from City Council and City Manager** (Time: 4:23 p.m.)

Council Member Ratti requested staff to determine if Council could separate the feral cat issue from the zoning code during the second reading and public hearing.

**14. Adjournment**

Council was adjourned at 4:24 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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