



MAYOR
Ron Smith

CITY COUNCIL
Donald Abbott, Ward I
Ed Lawson, Ward II
Paul Anderson, Ward III
Charlene Bybee, Ward IV
Kristopher Dahir, Ward V

CITY ATTORNEY
Chet Adams

CITY MANAGER
Neil Krutz

REGULAR CITY COUNCIL MEETING MINUTES
2:00 P.M., Monday, September 23, 2019

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

1. Call to Order

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

2. Roll Call

Mayor Ron Smith, Council Members Donald Abbott, Paul Anderson, Ed Lawson, Charlene Bybee, Kristopher Dahir, City Manager Neil Krutz, City Attorney Chet Adams, and Acting City Clerk Lisa Hunderman, PRESENT.

3. Opening Ceremonies

3.1 Invocation Speaker

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

3.2 Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Dahir.

4. Public Comment

Sparks Resident and Citizen's Climate lobby member John Wankum provided public comment requesting Council adopt resolutions that advocate climate change and sustainability initiatives.

Sparks Residents Darlene Hesse, Kim Tracy, Charlotte Clem, Darla Lee, Wesley Griffin, and Joe Bigotti provided public comment in opposition to the approval of business operations for BlueWave Car Wash. Concerns include environmental issues, increased vehicle and pedestrian traffic, Wildcreek rezoning, and increased neighborhood noise.

5. Agenda

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.

Motion: Move to approve the agenda as submitted.

Moved by: Council Member Abbott

Seconded by: Council Member Dahir

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

6. Minutes

6.1 Consideration and possible approval of the minutes of the Sparks City Council meeting for September 09, 2019.

Motion: Move to approve the minutes of the Sparks City Council meeting for September 09, 2019.
Moved by: Council Member Bybee
Seconded by: Council Member Anderson
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

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

7.1 Proclamation: "International Walk to School Day"

Council proclaimed October 2, 2019 as "International Walk to School Day." Walking to school may reduce the number of vehicles in school zones and contribute to a healthy lifestyle with increased physical activity. The proclamation was read by Mayor Smith and presented to Washoe County School District Officer M.J. Cloud. Officer Cloud thanked Council for continued support of the Safe Routes to School program and encouraged the public to walk to school and participate in the day's events. The walk is meant to encourage a safer community for vulnerable pedestrian populations. Officer Cloud noted awareness will help promote safety for pedestrians and drivers alike.

7.2 Proclamation: "Fire Prevention Week"

Council proclaimed October 6 – 12, 2019 as "Fire Prevention Week." First responders and the City of Sparks are dedicated to reducing the occurrence of home fires and injuries through prevention and protection education. This year's theme, "Not Every Hero Wears a Cape. Plan and Practice Your Escape!" is intended to encourage citizens to take personal steps to increase fire safety. The proclamation was read by Council Member Bybee and presented to Acting Fire Marshal Chris McCubbins and Fire Chief Jim Reid. Acting Fire Marshal McCubbins noted so far in 2019 the Fire Department installed an estimated 93 fire alarms and 345 smoke detectors in residences throughout the community. The 30th Annual Pancake Breakfast will take place October 12, 2019 from 800 a.m. to 12:00 p.m. at Fire Station 1 – 1605 Victorian Ave., Sparks, NV 89431. Council encouraged participation in residential fire prevention programs available through the fire department, and reminded the 6th Annual First Alarm 5-K Run is also October 12, 2019.

7.3 Proclamation: "National Fallen Firefighters Memorial Service"

Council proclaimed October 6, 2019 as "National Fallen Firefighters Memorial Service" day to honor firefighters and emergency services personnel who sacrificed their lives to save others. Firefighters and emergency services personnel play an essential role in the protection of lives and property in our local community. Nationally, an average of 80 firefighters pay the ultimate sacrifice in the line of duty each year. The proclamation was read by Council Member Anderson and presented to Fire Chief Jim Reid and Acting Fire Marshal Chris McCubbins. Fire Chief Reid noted October 6, 2019 is recognized nationally and families will travel from all over the country to Emmitsburg, MD., to honor loved ones lost in the line of duty in 2018. Fire Chief Reid asked the public to join in honoring these heroes October 6 and encouraged participation by lowering flags to half-mast.

Before proceeding to agenda item 7.4, Mayor Smith took a moment to recognize to guests in the audience: Nevada Senator Julia Ratti, and Assemblyman Greg Smith.

7.4 Presentation: Housing Our Future, A Regional Strategy for Housing Affordability in the Truckee Meadows

A presentation from Enterprise Community Partners (ECP) providing a summary of the 10-year regional strategy for housing affordability they developed in conjunction with Truckee Meadows Healthy Communities and the Truckee Meadows Regional Planning Agency. The presentation highlighted the background, process, and vision for the strategy; identified key housing issues facing the region; presented a strategic framework and focus areas; and proposed actions for addressing regional housing needs.

Public Comment was opened at 3:05 p.m.

Washoe County Health District Health Officer Kevin Dick, Executive Director for Acting in Community Together in Northern Nevada (ACTIONN) J.D. Klippenstein, Sharon Zadra with Truckee Meadows Healthy Communities, and Cherie Jamason with the Food Bank of Northern Nevada provided public comment in support of the presented Regional Strategy for Housing Affordability and encouraged Council endorsement.

Council expressed lead agency and jurisdictional representation concerns, asked if the sequence of events listed is fluid, and asked for estimated target action percentage predictions. Chris and Anne with ECP clarified the lead agency role and board decisions have yet to be made and active representation and participation from all represented jurisdictions will be highly encouraged as discussions progress, the sequence of events are not set in stone and may change as prioritization changes, and target action percentages will vary with each jurisdiction.

7.5 Boards and Commissions Vacancy Announcement: Sparks Citizens Advisory Committee

City Manager Neil Krutz announced a vacancy for the following board and

commission: Sparks Citizens Advisory Committee to fill three (3) vacancies: Alternate Ward 2, filling one (1) partial term ending November, 2022; Alternate Ward 3, filling one (1) partial term ending November, 2020; and Alternate Ward 4, filling one (1) partial term ending November, 2022. An alternate exists for the purposes of attending a meeting and voting if a regular member cannot be present. Applicants must be a Sparks resident. Applications can be submitted on the city website at www.cityofsparks.us or with the City Clerk's Office and will be accepted until close of business October 18, 2019.

7.6 Boards and Commissions Vacancy Announcement: Sparks Senior Citizens Advisory Committee

City Manager Neil Krutz announced a vacancy for the following board and commission: Sparks Senior Citizens Advisory Committee to fill two (2) vacancies: Alternate Ward 2, filling one (1) partial term ending November, 2022 and Alternate Ward 5, filling one (1) partial term ending November, 2020. An alternate exists for the purposes of attending a meeting and voting if a regular member cannot be present. Applicants should be Sparks residents over the age of 55. Applications can be submitted on the city website at www.cityofsparks.us or with the City Clerk's Office and will be accepted until close of business November 1, 2019.

7.7 Boards and Commissions Vacancy Announcement: Arts and Culture Advisory Committee

City Manager Neil Krutz announced a vacancy for the following board and commission: Arts and Culture Advisory Committee to fill two (2) two-year terms ending November 6, 2021. A background in Performing Arts or Visual Arts is required. Applications can be submitted on the city website at www.cityofsparks.us or with the City Clerk's Office and will be accepted until close of business October 18, 2019.

8. Consent Items (FOR POSSIBLE ACTION)

Motion: Move to approve consent item 8.1 through 8.4 as submitted.
Moved by: Council Member Dahir
Seconded by: Council Member Lawson
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

8.1 Consideration and possible acceptance of the report of the claims and bills approved for payment and appropriation transfers for the period of August 23, 2019 through September 9, 2019. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk requesting approval of the report of claims and bills approved for payment and the appropriation transfers for the period of August 23, 2019 through September 09, 2019 as presented by staff.

8.2 Consideration, discussion and possible approval of an Outdoor Dining and Encroachment Permit (AC-5606) for Pinon Bottle located at 1130 Avenue of the Oaks, Suite 180, Sparks, Nevada. (FOR POSSIBLE ACTION)

An agenda item from Pinon Bottle Owner Radium Sulprizio and presented by Assistant Community Services Director Armando Ornelas requesting Council approval of an Outdoor Dining and Encroachment Permit for approximately 214 square feet of public right-of-way in the sidewalk area adjacent to Pinon Bottle.

8.3 Consideration, discussion, and possible approval of a design services contract (AC-5607) in the amount of \$74,800 for the Rockwood Drive and Glen Meadow Drive Storm Drain Improvements Project with Odyssey Engineering Incorporated. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Utility Manager Kevin Porter requesting Council approval of the proposed design services contract for the Rockwood Drive and Glen Meadow Drive Storm Drain Improvements Project. The design services provided by Odyssey Engineering will include utility research, topographic survey, geotechnical investigation, engineered drawings, bid item list, and specifications per the attached proposal.

8.4 Consideration, discussion, and possible authorization to the City Attorney to initiate civil forfeiture cases on behalf of the City relating to Sparks Police Department case numbers 19-4471 and 19-6021. (FOR POSSIBLE ACTION)

An agenda item from City Attorney Chet Adams and presented by Assistant City Attorney Alyson McCormick recommending Council authorize the City Attorney to initiate civil forfeiture cases relating to SPD case number 19-4471 involving the seizure of \$3,822.00 and SPD case number 19-6021 involving the seizure of \$4,401.02. Both cases involved controlled substance offenses; NRS Chapter 179 and NRS Chapter 453 allow for the forfeiture of proceeds of certain drug-related offenses.

Council approval authorizes the City Attorney to file a complaint in the Second Judicial District Court for each case. Pursuant to NRS 179.1173(2), a civil forfeiture proceeding must be stayed pending disposition of the related criminal case. Therefore, the City Attorney would also file a motion to stay each civil forfeiture case until the related criminal proceedings were complete. If the civil forfeiture actions were ultimately successful, the money seized would become the City's property and would be divided between SPD and the City Attorney's Office.

9. General Business

9.1 Consideration, discussion and possible approval of reimbursement to the City of Reno for Change Order No. 1 to the Digester 2 Cover Rehabilitation Project construction contract with Farr Construction Corporation dba Resource Development Company at the Truckee Meadows Water Reclamation Facility (TMWRF) for an amount not to exceed \$170,000 with the City of Sparks' share being \$53,329.00. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by TMWRF Treatment Plant Manager Michael Drinkwater requesting Council

approve reimbursement to the City of Reno for Change Order No. 1 to the Digester 2 Cover Rehabilitation Project at TMWRF. After cleaning and sand blasting the existing roof support columns, staff discovered excessive corrosion in the interior of the steel that was not identified during the design phase. The extent of the corrosion precludes rehabilitation and the columns must be replaced to safely support the cover. Change Order No. 1 provides funding to furnish and install new roof support columns inside the digester. The cost of Change Order No 1. is not to exceed \$170,000 with the City of Sparks' share being \$53,329.00.

Motion: Move to approve the reimbursement to the City of Reno for Change Order No. 1 to the Digester 2 Cover Rehabilitation Project construction contract with Farr Construction Corporation dba Resource Development Company at TMWRF for an amount not to exceed \$170,000 with the City of Sparks' share being \$53,329.00.

Moved by: Council Member Anderson

Seconded by: Council Member Abbott

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.2 Consideration, discussion and possible ratification of the City Manager's authorization of an expenditure in the amount of \$69,139.63 to purchase a gearbox from Alfa-Laval Inc. for the Truckee Meadows Water Reclamation Facility. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by TMWRF Treatment Plant Manager Michael Drinkwater requesting Council ratify the City Manager's approval of the purchase of a gearbox from Alfa Laval Inc. for a dewatering centrifuge at TMWRF. One of the two centrifuges suffered a catastrophic failure of the gear box, making the machine inoperable. TMWRF was left with one functional centrifuge which posed a clear and present risk of impairment to the health, safety or welfare of the public. Section 2.25.130 of the Sparks Municipal Code authorizes the City Manager to make emergency procurements to mitigate risks to the public but requires a report to the City Council at its next scheduled meeting for ratification of the action.

Motion: Move to ratify the City Manager's authorization of the purchase of a gearbox from Alfa-Laval Inc. for the Truckee Meadows Water Reclamation Facility in the amount of \$69,139.63.

Moved by: Council Member Dahir

Seconded by: Council Member Lawson

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.3 Consideration, discussion, and possible approval of agreement (AC-5608) between the cities of Sparks and Reno, and Washoe County to manage collectively owned water rights pursuant to the Truckee River Operating Agreement. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Utility Manager Kevin Porter requesting Council approval of agreement (AC-5608) between the cities of Sparks and Reno, and Washoe County to manage collectively owned water rights pursuant to the Truckee River Operating Agreement. The Local Government Oversight Committee (LGOC) was formed to oversee the acquisition of water rights as specified in the Water Quality Settlement Agreement (WQSA). The LGOC has successfully completed its obligations to acquire water rights pursuant to the (WQSA) and section 1.E.4 of the Truckee River Operating Agreement (TROA). This agreement formally acknowledges the termination of the LGOC and the creation of a new committee to collectively manage the storage and release schedules of the acquired water rights.

Motion: Move to approve agreement (AC-5608) between the cities of Sparks and Reno, and Washoe County, to manage collectively owned water rights.

Moved by: Council Member Abbott

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.4 Consideration, discussion, and possible ratification of the City Manager's execution of a contract (AC-5603) between the City of Sparks and Koch Elevator Co. in the amount of \$95,815.55. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Capital Projects Manager Brian Cason requesting Council ratification of the City Manager's execution of a contract (AC-5603) between the City of Sparks and Koch Elevator Co. in the amount of \$95,815.55. The Sparks City Hall elevator had a mechanical failure in July 2019 that required replacement of multiple components. It is imperative that the elevator become operable as soon as possible to maintain elevator access to the basement of city hall. Because of a 10-week lead time on materials, the City Manager executed a contract with Koch Elevator Co. which allowed procurement of supplies needed to repair the elevator on an expedited basis.

Council asked when the elevator will be operational again; Mr. Cason confirmed the current estimate is the first week of November.

Motion: Move to ratify the City Manager's execution of contract (AC-5603) between the City of Sparks and Koch Elevator Co. in the amount of \$95,815.55.

Moved by: Council Member Anderson

Seconded by: Council Member Bybee
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.5 Consideration, discussion, and possible approval of a Cooperative Local Public Agency Agreement (AC-5610) with the Nevada Department of Transportation for a grant designated for the City of Sparks Regional Trail Rehabilitation Project that provides a 95% reimbursement to the City of Sparks of up to \$285,000. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Transportation Manager Amber Sosa requesting Council approval of a Cooperative Local Public Agency Agreement (AC-5610) with the Nevada Department of Transportation for a grant designated for the City of Sparks Regional Trail Rehabilitation Project that provides a 95% reimbursement to the City of Sparks of up to \$285,000. The agreement starts the design process for a project that will rehabilitate a portion of failing regional trail that is generally located to the south and west of Kiley Ranch North Village 40. The City must initially fund 100% of the construction costs connected to the project; the Agreement provides that Nevada Department of Transportation (NDOT) will reimburse the City 95% of those construction costs, with a maximum reimbursable amount of \$285,000. The City will be responsible for providing the additional funding necessary to complete the project. The total cost for the design and construction of the project is currently estimated at \$423,400.

Council asked how the process works, and if pavers being replaced will be reallocated or sold. Ms. Sosa explained submittals have been made to NDOT and once approval is granted by Council to proceed the design begins and project bidding is anticipated for Spring 2020; what happens to the pavers will be a detail worked out in the design and bid process.

Motion: Move to approve Cooperative Local Public Agency Agreement (AC-5610) with the Nevada Department of Transportation for a grant designated for the City of Sparks Regional Trail Rehabilitation Project that provides a 95% reimbursement to the City of Sparks of up to \$285,000.

Moved by: Council Member Dahir
Seconded by: Council Member Lawson
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.6 Consideration, discussion and possible approval of Resolution No. 3352, authorizing certain individuals to make financial commitments to purchase,

**sell and approve collateral for investment securities on behalf of the City.
(FOR POSSIBLE ACTION)**

An agenda item from Chief Financial Officer Jeff Cronk and presented by Accounting Manager for Operations Wayne Webber requesting Council approval of Resolution No. 3352 authorizing certain individuals to make financial commitments to purchase, sell and approve collateral for investment securities on behalf of the City. Changes in the Financial Services Department require a new addition of Senior Accountant Kaela Neff, as well as removal of Senior Accountant Perla Tavera from the list of authorized employees for financial investments.

Motion: Move to approve Resolution No. 3352 authorizing certain individuals to make financial investment commitments for the City.
Moved by: Council Member Abbott
Seconded by: Council Member Lawson
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.7 Consideration, discussion, and possible approval of Resolution No. 3353, adopting the Nevada Local Government Records Management Program Manual and the Nevada Local Government Records Retention Schedules; defining confidential information; and adopting a policy for establishing fees associated with public records requests. (FOR POSSIBLE ACTION)

An agenda item from City Clerk Lisa Hunderman and presented by Assistant City Attorney Alyson McCormick requesting Council approval of Resolution No. 3353, adopting the Nevada Local Government Records Management Program Manual and the Nevada Local Government Records Retention Schedules; defining confidential information; and adopting a policy for establishing fees associated with public records requests. During the 2019 legislative session, the Nevada Legislature adopted Senate Bill (SB) 287, which changed the Nevada Public Records Act (NPROA). Resolution No. 3353 addresses these changes and if approved will allow City implementation of and compliance with SB 287.

Motion: Move to approve Resolution No. 3353, adopting the Nevada *Local Government Records Management Program Manual* and *Local Government Records Retention Schedules*; defining confidential information; and adopting a policy for establishing fees associated with public records requests.
Moved by: Council Member Bybee
Seconded by: Council Member Dahir
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.8 FIRST READING of Bill No. 2764, amending Sparks Municipal Code Section 13.24.020 and 13.24.030 to correct the Sewer and Storm Drain Connection Fees and providing for other matters properly related thereto.

An agenda item from Assistant City Manager John Martini and presented by Utility Manager Kevin Porter requesting a first reading of Bill No. 2764 that proposes amending Sparks Municipal Code Section 13.24.020 and 13.24.030 to correct an error in the increased sewer and storm drain connection fees approved by City Council on December 10, 2018. As a result of this correction, the residential connection fee will change from \$7,332.54 to \$7,356.48 and the commercial connection fee will change from \$344.33 per weighted fixture unit to \$339.79 per weighted fixture unit. Public hearing for this item will be held at the regular City Council Meeting scheduled for Monday, October 14, 2019 at 2 p.m. at Sparks City Council Chambers, 745 Fourth Street, Sparks, Nevada.

9.9 FIRST READING of Bill No. 2765, amending Chapter 5.28 of the Sparks Municipal Code by adding thereto provisions allowing some alcoholic beverage licensees to fill growlers and crowlers; allowing alcohol service by caterers; and providing other matters properly related thereto. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Assistant City Manager Alyson McCormick requesting a first reading of Bill No. 2765, amending Chapter 5.28 of the Sparks Municipal Code by adding thereto provisions allowing some alcoholic beverage licensees to fill growlers and crowlers; allowing alcohol service by caterers; and providing other matters properly related thereto. If approved at a future meeting, Bill No. 2765 would expand the abilities of businesses to sell alcoholic beverages in Sparks by creating two new alcoholic beverage license types. Public hearing for this item will be held at the regular City Council Meeting scheduled for Monday, October 14, 2019 at 2 p.m. at Sparks City Council Chambers, 745 Fourth Street, Sparks, Nevada.

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

10.1 PUBLIC HEARING, discussion and possible approval of the City of Sparks Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 4, Fiscal Year 2018-19, to the United States Department of Housing and Urban Development (HUD). (FOR POSSIBLE ACTION)

An agenda item from Housing Specialist George Graham requesting Council approval the City of Sparks Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 4, Fiscal Year 2018-19, to the United States Department of Housing and Urban Development (HUD).

As a recipient of Community Development Block Grant (CDBG) funding and a participant in the Washoe County HOME Consortium (WCHC) with the City of Reno and Washoe County, the City of Sparks is required to submit a Consolidated Annual Performance and Evaluation Report to the United States Department of Housing Development. The CAPER is a report on City of Sparks and WCHC community development and affordable housing activities during Program Year 4, Fiscal Year 2018-2019.

Public Comment was opened at 3:50 p.m.; there were no comments.

Motion: Move to approve submittal of the City of Sparks Consolidated Annual Performance and Evaluation Report for Program Year 4, Fiscal Year 2018-19, to the United States Department of Housing and Urban Development.

Moved by: Council Member Abbott

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

10.2 PUBLIC HEARING, consideration and possible approval of a Memorandum of Understanding (AC-5609) between the city of Sparks and the Operating Engineers Local #3 – Non-Supervisory Unit changing the classification level and pay range for the positions of Traffic Signal Technician Lead and Environmental Control Officer in the Appendix A of the current collective bargaining agreement between the parties effective September 30, 2019. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Human Resources Analyst Sr. Jill Valdez recommending Council approval of a Memorandum of Understanding (AC-5609) between the city of Sparks and the Operating Engineers Local #3 – Non-Supervisory Unit changing the classification level and pay range for the positions of Traffic Signal Technician Lead and Environmental Control Officer in the Appendix A of the current collective bargaining agreement between the parties effective September 30, 2019. The recommended change came from the Sparks Job Evaluation Panel (SJEP). For the MOU to be effective, it must be approved by the City Council. The financial impact is up to \$100 in FY20, \$4,700 in FY21 and \$7,300 in FY22 to the Road Fund, up to \$2,000 in FY20, \$7,000 in FY21 and \$10,000 in FY22 to the Sewer Fund and up to \$1,000 in FY20, \$5,000 in FY21 and \$7,000 in FY22 to the Drains Fund.

Public Comment was opened at 3:54 p.m.; there were no comments.

Motion: Move to approve the Memorandum of Understanding (AC-5609) between the city of Sparks and the Operating Engineers Local #3 – Non-Supervisory Unit effective September 30, 2019.

Moved by: Council Member Dahir

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

11. Planning and Zoning Public Hearings and Action Items

11.1 PUBLIC HEARING, consideration of and possible action on an appeal of the Sparks Planning Commission's decision to not approve a request for a Conditional Use Permit to allow for the construction and operation of an approximately 4,512 square-foot car wash on a site 1.61 acres in size located at 4620 Wedekind Road, Sparks, Nevada, in the PO (Professional Office) zoning district (PCN19-0023). (FOR POSSIBLE ACTION)

An agenda item from BlueWave Car Wash Vice President Stratt Poland and presented by Senior Planner Ian Crittenden seeking Council's consideration of an appeal of the Sparks Planning Commission's denial of a Conditional Use Permit to allow for the construction and operation of an approximately 4,512 square-foot car wash on a site 1.61 acres in size located at 4620 Wedekind Road, Sparks, Nevada, in the Professional Office zoning district (PCN19-0023).

The Sparks Planning Commission denied issuance of a Conditional Use Permit on August 1, 2019 and the applicant appealed the Planning Commission's decision to the City Council. Council's review of this appeal is de novo, therefore Council owes no deference to the Planning Commission's decision and may weigh all evidence anew.

Mr. Crittenden presented four findings addressing noise, traffic patterns, parking, and potential impairment of natural resources. Cynthia Albright with Stantec Consulting presented on community outreach, noise analysis, and updated traffic analysis.

Public Comment was opened at 4:26 p.m.; public comment was provided by Sparks Residents Steve Walls, John Capurro, Gayle Miller, John Hesse, Greg Smith, Wesley Griffin, and Charlotte Clem in opposition to the construction and operation of the proposed BlueWave Car Wash. Concerns include increased neighborhood noise, vehicle and pedestrian traffic, hours of operation, and decreased public safety. An oppositional email from Resident Corie Turner and a letter of opposition from Resident Andrew Burnett were presented, signed by community members.

Council asked if the 78 peak-hour projected visits actually represents only 39 cars making a round-trip in and out of the carwash; Mr. Crittenden confirmed that was correct. Council questioned if a U-turn would be allowed at Sullivan Lane for those wanting to continue east on McCarran Boulevard, and if an extended lane would account for traffic waiting to make a left turn; Richard Oujevolk, District 2 Traffic Engineer Supervisor with the Nevada Department of Transportation confirmed at this time a U-Turn is allowed, and the traffic study conducted did not present a need for an extended pocket lane. Council Member Lawson noted the proposed car wash is an allowed use of the land and though he sympathized with traffic concerns he couldn't see a plausible reason to deny the request. He proposed operating hours of 7 a.m. to 7 p.m. be a condition of approval, and that traffic calming measures are adequately implemented; Ms. Albright agreed to both conditions.

Council recessed at 4:59 p.m. to review amended condition approvals and reconvened at 5:14 p.m.

Conditional of approval #5 was amended to reflect hours of operation to be 7 a.m. to 7 p.m. seven days per week; Condition of approval #6 was amended to reflect the applicant's responsibility for implementing traffic calming measures to be determined based on traffic study results.

Motion: Move to approve Conditional Use Permit CU19-0008 associated with PCN19-0023, and adopt Findings C1 through C5 as proposed by staff and the facts supporting these findings as set forth in the staff report and subject to the four Conditions of Approval and amended conditions 5 and 6 as proposed by staff.

Moved by: Council Member Lawson

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

12. Comments

12.1 Comments from the Public

None

12.2 Comments from City Council and City Manager

Mayor Smith directed the City Manager to research ordinance for city parks, requesting possible changes to reflect closure of parks will be sundown. City Manager Krutz confirmed staff will research and present possible options.

Council Member Dahir requested follow up to Wildcreek rezoning; City Manager Krutz confirmed options are still being evaluated with Washoe County and he will provide a status update soon.

13. Adjournment

Council was adjourned at 5:22 p.m.

Ronald E. Smith, Mayor

ATTEST:

Lisa Hunderman, City Clerk

>>>LK