



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, July 13, 2020

This meeting was held virtually due to the COVID-19 pandemic

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, Ed Lawson, Paul Anderson, Charlene Bybee, Kristopher Dahir, City Manager Neil Krutz, City Attorney Chet Adams, City Clerk Lisa Hunderman, PRESENT via ZOOM.

3. Opening Ceremonies

3.1 Invocation Speaker

No invocation speaker.

3.2 Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Lawson.

4. Public Comment

Public Comment was received via telephone from Lilith Baren, Olivia Picerelli, Sarah Chen, Angelo Monroy, Jameelah Lewis, Erin Miller, and Emmanuella Torres expressing a need for local police reform and justice for Miciah Lee, Kenny Stafford, and others with mental health issues killed at the hands of police. Ideas included defunding of the police department with reallocation of funds to improve community development by addressing poverty, systemic racism, mental health resources, and crisis intervention. Commenters requested a more transparent and accountable police force and city leadership, release of unedited video of officer involved shootings free of charge, providing resources and compensation to families of those killed by police, and addressing of disproportionate arrests of people of color.

Doug A. Mischler provided comment requesting Council review the current classification of the Restless Artists' Theater at 295 20th St. as a cabaret. Mr. Mischler feels the classification does not match the theater usage, resulting in much higher liquor licensing fees than appropriate for the venue. Mayor Smith requested the City Manager's office follow up with Mr. Mischler.

City Clerk Lisa Hunderman read into record emails from Daniel Purdy and AnneMarie Grant regarding the death of Thomas Purdy and others who lost their lives at the hands of

police. The emails also called for transparency and accountability of the police force and reform of arresting procedures, defunding of police with funds reallocated to community development, compensation for families impacted by those killed by police, and revision of protocols when dealing with mentally ill community members.

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 Anderson

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 Special Sparks City Council meeting for June 19, 2020 and the regular Sparks City Council meeting for June 22, 2020. (FOR POSSIBLE ACTION)

Motion: Move to approve the minutes of the Special Sparks City Council meeting for June 19, 2020 and the regular Sparks City Council meeting for June 22, 2020.

Moved by: Council Member Lawson

Seconded by: Council Member Dahir

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 Boards and Commissions Vacancy Announcement: Sierra Arts Foundation Board of Trustees

There is one (1) vacancy on the Sierra Arts Foundation Board of Trustees, for a one-year term ending August 13, 2021. Applicants must be Sparks residents. Applications will be taken through July 17, 2020 at 5:00 pm.

7.2 Boards and Commissions Vacancy Announcement: Civil Service Commission

There is one (1) vacancy on the Civil Service Commission, for a partial term ending June 30, 2023. Applicants must be Sparks residents. Applications will be taken through Friday, July 31, 2020 at 5:00 pm.

7.3 Presentation: Update on the Cumulative Fiscal Impact of the COVID-19 Emergency.

A presentation from Chief Financial Officer Jeff Cronk regarding the cumulative fiscal impact created by the COVID-19 emergency using the most current data

available. A to-date synopsis was provided on COVID-19-related expenses incurred, revenue lost, combined financial impact, and FY21 total projected losses.

Council sought clarification on unanticipated supplies and utilities expenditures, how projected losses are estimated, anticipated regional command center expenses, and an update on trailer usage at Edison Way. Council requested an overview of how the State of Nevada's financial status might affect local government in future monthly updates.

8. Consent Items (FOR POSSIBLE ACTION)

Motion: Move to approve consent items 8.1 through 8.5 as submitted.
Moved by: Council Member Dahir
Seconded by: Council Member Abbott
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 June 10, 2020 through June 25, 2020. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk requesting Council approval of the report of claims and bills approved for payment and the appropriation transfers for the period of June 10, 2020 through June 25, 2020.

8.2 Consideration, discussion, and possible authorization to refund building inspection fees to BW Sparks, LLC in the amount of \$2,715.32 in association with the BlueWave Express Car Wash building permit #SBLD18-23748. (FOR POSSIBLE ACTION)

An agenda item from the Community Services Department and presented by Development Services Manager Ian Crittenden requesting Council to refund the inspection fees associated with the BlueWave Express Car Wash permit SBLD18-23748. The building permit and the conditional use permit application have been withdrawn before issuance of a building permit. The refund amount will reconcile the credit on the building permit with the balance due on the associated conditional use permit application.

8.3 Consideration, discussion, and possible approval of the recommended Master Professional Services On-Call List for Civil Engineering Design, Surveying, and Materials/Testing & Inspection Services for FY 21 and FY 22 CIP Projects. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Capital Projects Manager Brian Cason requesting Council approval of the recommended Master Professional Services On-Call List for Civil Engineering Design, Surveying, and Materials/Testing & Inspection Services for FY 21 and FY 22 CIP Projects. Every two years the City advertises a request for proposal for Civil

Engineering Design, Surveying, and Materials Testing. The selected firms for fiscal years 21 and 22 are attached to this agenda for Council's review.

8.4 Consideration and possible approval of an application for a Gaming license for Sartini Gaming LLC dba 7-Eleven Store #20272D, located at 1620 El Rancho Drive, Sparks, NV. (FOR POSSIBLE ACTION)

An agenda item from Sean Higgins and presented by Police Chief Pete Krall requesting Council approval of an application for a Gaming license for Sartini Gaming LLC dba 7-Eleven Store #20272D.

8.5 Consideration and possible approval of an application for a Gaming license for EE Tavern Group, LLC dba Sneakers Bar and Grill #3, located at 1380 Disc Drive, Sparks, NV. (FOR POSSIBLE ACTION)

An agenda item from Eric Westenburg and presented by Police Chief Pete Krall requesting Council approval of an application for a Gaming license for EE Tavern Group, LLC dba Sneakers Bar and Grill #3.

9. General Business

9.1 Consideration and possible acceptance of a grant award from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) Coronavirus Emergency Supplemental Funding Program (CESF) in the amount of \$99,236. (FOR POSSIBLE ACTION)

An agenda item from Police Chief Pete Krall requesting Council acceptance of a grant award from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) Coronavirus Emergency Supplemental Funding Program (CESF) in the amount of \$99,236. This grant would assist in funding overtime wages related to the Coronavirus Disease 2019 (COVID-19), for the City of Sparks Fire Department and Police Department.

Council sought clarification on whether overtime pay would be for future use, or reimbursement for past expenditures. Chief Krall confirmed funds from this grant would be used for overtime already accrued, with remaining funds available for future overtime needs. Mr. Cronk confirmed to date overtime related to COVID-19 is estimated at \$18,600.

Motion: Move to accept the \$99,236 grant award from the U.S Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Coronavirus Supplemental Funding Program.

Moved by: Council Member Anderson

Seconded by: Council Member Lawson

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.2 Consideration and possible ratification of an amendment and extension of agreement (AC-5661) for services between Well Care Services Reno, LLC, and

Washoe County, the City of Sparks, the City of Reno, and the Washoe County Health District for the provision of short-term housing services for the purpose of isolation or quarantine to individuals residing in Washoe County who have tested positive for COVID-19 or are suspected of having COVID-19, in an amount up to \$282,600.00 with the City of Sparks' share being 15 percent of the total un-reimbursed cost. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz requesting Council ratification of an amendment and extension of agreement (AC-5661) for services between Well Care Services Reno, LLC, and Washoe County, the City of Sparks, the City of Reno, and the Washoe County Health District for the provision of short-term housing services for the purpose of isolation or quarantine to individuals residing in Washoe County who have tested positive for or are suspected of having COVID-19. Washoe County will make the entire payment to Well Care Services Reno, LLC and then be reimbursed by the cities. Based on the total value of the amended agreement with Well Care Services, LLC, the City of Sparks's share of \$282,600.00 could be as high as \$42,390. This amount could increase if the agreement is extended for a longer period and would require approval by the City Council, just as this amendment and extension requires ratification.

Motion: Move to ratify the amendment and extension of agreement (AC-5661) for services between Well Care Services Reno, LLC, and Washoe County, the City of Sparks, the City of Reno, and the Washoe County Health District for the provision of short-term housing services for the purpose of isolation or quarantine to individuals residing in Washoe County who have tested positive for COVID-19 or are suspected of having COVID-19, in an additional amount up to \$282,600.00 with the City of Sparks's share being 15 percent of the total unreimbursed cost.

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.

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

10.1 SECOND READING, Public Hearing, discussion and possible adoption of Bill 2775 to amend Title 5 of the Sparks Municipal Code to create a Temporary Business License. (CA-5-19) (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Planning Manager Jim Rundle requesting Council adoption of Bill 2775 to amend Title 5 of the Sparks Municipal Code to create a Temporary Business License. Creating a temporary business license would provide businesses that infrequently engage in business activities in Sparks, such as small crafters, farmers market vendors, and operators of events such as carnivals, the ability to obtain a City of Sparks business license at a reduced cost. Temporary business licenses have been requested by numerous persons that only participate in one or two events per year and who see the expense

of a full business license as a barrier to participating in such events. Offering a temporary business license would encourage compliance with the requirement that at all persons conducting business in Sparks obtain a business license while reducing barriers to participating in short-term events.

Public Hearing was opened at 3:07 p.m. There were no comments.

Motion: Move to adopt Bill 2775 to amend Title 5 of the Sparks Municipal Code to create a Temporary Business License.

Moved by: Council Member Bybee

Seconded by: Council Member Abbott

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

10.2 SECOND READING, Public Hearing, discussion, and possible adoption of Bill No. 2774, an ordinance amending Sparks Municipal Code Chapters 5.22, 5.24, and 5.28 to repeal requirements that gaming employees and bartenders obtain work permits; and providing other matters properly related thereto (FOR POSSIBLE ACTION)

An agenda item from City Attorney Chet Adams and presented by Assistant City Attorney Alyson McCormick requesting Council adoption of Bill No. 2774, an ordinance amending Sparks Municipal Code Chapters 5.22, 5.24, and 5.28 to repeal requirements that gaming employees and bartenders obtain work permits; and providing other matters properly related thereto. Gaming employees are heavily regulated by the Nevada Gaming Control Board. Given this heavy regulation by the State, the City's work permit requirements for gaming employees are redundant, and the City has not enforced those requirements for several years. Therefore, repealing work permit requirements for gaming employees would bring the language of SMC Chapter 5.24 in line with current practice.

The fees for an alcohol work permit do not cover the costs of reviewing and issuing those permits. By eliminating the work permit requirement, the City will forgo approximately \$14,500.00 in application fee revenue in fiscal year 2021, but the City will avoid using staff time and materials to process those applications and issue work permits. Bartenders' work permits are also tied to specific locations, making it more difficult for bartenders to change jobs or work at multiple establishments. As Sparks's economy recovers from business closures due to COVID-19, staff recommends removing barriers to employment where possible. The bartender work permit requirements present an opportunity to remove such a barrier with few anticipated negative impacts.

Mayor Smith asked if fees are annual and Mrs. McCormick confirmed they are.

Public Hearing was opened at 3:16 p.m.

Diante Swartzfager and Sarah Chen each provided public comment opposing additional work permits for bartenders and gaming employees as discriminatory.

Charles Wittacre provided comment unrelated to this agenda item. Comment pertained to Miciah Lee, police harassment and brutality, racism, protocol for cases involving mentally ill community members, and reallocation of police funding to mental health resources and crisis intervention.

City Attorney Adams reminded public comment can be limited if it does not pertain to the agenda item during the public hearing period.

Jacob Gruesen with Packs and Pints provided comment on the negative impacts the work permit requirement has on local businesses. Fee concerns for both individuals and establishments were noted, as well as limited options for staffing with additional permit requirements.

Council noted the current ordinance is outdated and this change is a timely and necessary one.

Motion: Move to adopt Bill No. 2774, an ordinance amending Sparks Municipal Code Chapters 5.22, 5.24, and 5.28 to repeal requirements that gaming employees and bartenders obtain work permits, and providing other matters properly related thereto.

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.

11. Planning and Zoning Public Hearings and Action Items

None.

12. Comments

12.1 Comments from the Public

Diante Swartzfager, Erin Miller, Sarah Chen, Olivia Pickerelli, May Walton, Bailey Watkins, MJ Ubando, Shilah Summers, Trent McBeth, Adrienne Feemster, and Dan Garner each called in additional input echoing earlier public comment regarding policing reform, budget, accountability, justice, mental health resources, and systemic racism.

Geno Martini provided public comment supporting local police and imploring those who wish to defund the police budget to educate on police operations and community engagement. A ride-along with an officer was suggested as an educational resource.

12.2 Comments from City Council and City Manager

Council Member Dahir provided comment supporting the police department and encouraging member of the community to continue to engage and bring important issues forward. Council Member Dahir noted the community is being heard and leadership will continue efforts to improve relations with both the police and community members.

Mayor Smith provided comment that public safety is a top priority, he will continue to support the police, and will not defund the department. He encouraged community members to follow guidance and instruction presented by police officers and help with de-escalation.

Council Member Bybee provided comment encouraging the public to continue to use appropriate forums like public comment to have their voices heard. Council Member Bybee noted how crucial these conversations are and agreed with the need to look at mental health challenges facing the community and nation. Council Member Bybee addressed budget concerns, reminding community members mental health resources are primarily provided by social service entities with Washoe County, and school funding is overseen by Washoe County School District and the Department of Education.

Council Member Anderson provided comment clarifying grant money received from agenda item 9.1 is money provided to the city and will support not only police, but the Sparks Fire Department as well. Mr. Anderson provided additional comment on the Washoe County Mobile Outreach Safety Team (M.O.S.T.) and encouraged those passionate about mental health resources in the community to engage with legislators regarding funding for those programs.

13. Adjournment

Council was adjourned at 4:06 p.m.

Ronald E. Smith, Mayor

ATTEST:

Lisa Hunderman, City Clerk

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