

CARSON CITY BOARD OF SUPERVISORS
Minutes of the November 7, 2002, Meeting
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A regularly scheduled meeting of the Carson City Board of Supervisors was held on Thursday, November 7, 2002, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 8:30 a.m.

PRESENT:	Ray Masayko	Mayor
	Jon Plank	Supervisor, Ward 2
	Robin Williamson	Supervisor, Ward 1
	Richard S. Staub	Supervisor, Ward 4
STAFF PRESENT:	John Berkich	City Manager
	Alan Glover	Clerk-Recorder
	Al Kramer	Treasurer
	Cheryl Adams	Deputy Purchasing Director
	Larry Werner	City Engineer
	Melanie Bruketta	Deputy District Attorney
	Ray Saylo	Lieutenant
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 11/7/02 Tape 1-0001)	

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Board Action Request and/or supporting documentation. Staff members present for each Department are listed under that Department's heading. Any other individuals who spoke are listed immediately following the item heading. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE - Mayor Masayko convened the meeting at 8:30 a.m. Roll call was taken. A quorum was present although Supervisor Livermore was absent. Rev. Al Tilstra of the Seventh Day Adventist Church gave the Invocation. Mayor Masayko led the Pledge of Allegiance.

CITIZEN COMMENTS (1-0027) - None.

1. APPROVAL OF MINUTES - July 18, 2002 - Supervisor Williamson moved to approve the July 18, 2002, Minutes of the Carson City Board of Supervisors meeting. Supervisor Staub seconded the motion. Motion carried 4-0.

2. AGENDA MODIFICATIONS (1-0047) - None.

LIQUOR AND ENTERTAINMENT BOARD (1-0050) - Mayor Masayko recessed the Board of Supervisors session and immediately reconvened the meeting as the Liquor and Entertainment Board. A quorum of the Board was present, including Sheriff's Representative Ray Saylo. Member Livermore was absent.

3. TREASURER - Al Kramer

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A. ACTION TO APPROVE A BEER AND WINE LICENSE FOR QINGDONG CAI, DOING BUSINESS AS BEIJING PALACE LOCATED AT 4250 COCHISE STREET- (1-0054) - Chairperson Masayko explained that the license is for the Beijing Palace. He cautioned Qingdong Cai to uphold the Liquor Laws. He reminded her that the Sheriff's Office is to be given access at all reasonable times. Ms. Cai agreed. Chairperson Masayko also reminded her about the need to provide adequate training for her employees and the prohibition against serving minors. Ms. Cai indicated that she was aware of the Statutes and would provide the necessary training for her employees. She hoped to open around Christmas time. The Board thanked her for her investment, wished her success, and explained the location. Member Saylo noted the favorable Sheriff's Investigative Report. Member Williamson moved to approve a beer and wine license for Qingdong Cai doing business as Beijing Palace located at 4250 Cochise Street under Carson City Municipal Code 4.13; fiscal impact is \$500 Original New Fee, \$500 Investigative Fee, and \$150 Quarterly Fee. Member Plank seconded the motion. Motion carried 5-0.

B. ACTION TO APPROVE A PACKAGED LIQUOR LICENSE FOR NISHA BECKHORN DOING BUSINESS AS 7-ELEVEN STORE #2236-15833E LOCATED AT 3083 HIGHWAY 50 EAST (1-0120) - Chairperson Masayko explained that having a Liquor License in Carson City is considered a privilege and the need to provide adequate training to her employees. He cautioned her against selling liquor to minors. Nisha Beckhorn explained that she will takeover the business tomorrow. She has a temporary residence in the vicinity and will be on the premises every day. Discussion explained the location. Member Saylo noted the favorable Sheriff's Investigative Report. Member Plank moved to approve a packaged liquor license for Nisha Beckhorn, doing business as 7-Eleven Store No. 2236-15833E located at 3083 Highway 50 East under Carson City Municipal Code 4.13; fiscal impact is \$1,000 Original New Fee, \$500 Investigative Fee, and \$200 Quarterly Fee. Members Williamson and Staub seconded the motion. Board comments welcomed her to the community and wished her success. The motion was voted and carried 5-0. Mr. Kramer complimented Ms. Beckhorn on obtaining her Liquor License without having a management contract.

BOARD OF SUPERVISORS (1-0225) - There being no other matters for consideration as the Liquor and Entertainment Board, Chairperson Masayko adjourned it and immediately reconvened the meeting as the Board of Supervisors. A quorum of the Board was present although Supervisor Livermore was absent.

4. CONSENT AGENDA (1-0227)

4-1. DEVELOPMENT SERVICES - CONTRACTS

A. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON THE CEMETERY ADMINISTRATIVE OFFICE MODULAR UNIT, CONTRACT NO. 2001-108 AS SUBMITTED BY DEVELOPMENT SERVICES TO US MODULAR GROUP, INC., 1640 EAST BRAEMERE ROAD, BOISE, IDAHO 83702 FOR A FINAL PAYMENT AMOUNT OF \$4,743 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

B. ACTION TO ACCEPT DEVELOPMENT SERVICES RECOMMENDATION ON EAGLE CREEK FLOOD CONTROL STRUCTURE DESIGN, CONTRACT NO. 9900-062 AND AUTHORIZE DEVELOPMENT SERVICES TO ISSUE PAYMENTS TO RESOURCE CONCEPTS INC., 340 NORTH MINNESOTA STREET, CARSON CITY, NEVADA 89703-4152 FOR AN AMENDMENT NO. 3 AMOUNT OF \$18,715

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C. ACTION TO ACCEPT THE WORK AS COMPLETE AND APPROVE THIS RELEASE OF FINAL PAYMENT ON ENERGY CONSERVATION RETROFIT AGREEMENT, CONTRACT NO. 2000-138, AS SUBMITTED BY DEVELOPMENT SERVICES TO CMS VIRON ENERGY SERVICES, 3131 EAST CAMELBACK ROAD, SUITE 200, PHOENIX, AZ 85016 FOR A FINAL PAYMENT AMOUNT OF \$114,852.20 AND ACCEPT THE CONTRACT SUMMARY AS PRESENTED

4-2. PURCHASING AND CONTRACTS

A. ACTION TO APPROVE AMENDMENT NO. 5 FOR CONTRACT NO. 9798-040 JUNIOR SKI PROGRAM - RESORT WITH DIAMOND PEAK AT SKI INCLINE TO BE THE SITE FOR THE 2003 JUNIOR SKI PROGRAM

B. ACTION TO RENEW CONTRACT NO. 0001-087 FOR THE WASTEWATER RECLAMATION PLAN TO CONTRACT WITH POLYDYNE INC. BY JOINDER BID THROUGH THE CITY OF SPARKS TO PURCHASE DEWATERING POLYMER (CLARIFLOC NW-168) THROUGH OCTOBER 31, 2003 PROVIDED THEY HAVE APPROVED FUNDING AND FOLLOW APPROVED CARSON CITY PURCHASING PROCEDURES

C. ACTION TO AUTHORIZE THE UTILITY DEPARTMENT WASTEWATER DIVISION TO UTILIZE THE UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT'S REVISED REQUEST FOR QUOTATION NO. NAQ010072; INDUSTRIAL TRACTOR LOADER TO PURCHASE ONE (1) CASE 570M XT LOADER THROUGH WESTERN POWER AND EQUIPMENT CORPORATION AND TO DECLARE THIS PURCHASE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO NRS 332.195 (FILE 02-03-080)

4-3. DEVELOPMENT SERVICES - ENGINEERING

A. ACTION TO APPROVE AN OFFER OF DEDICATION OF RIGHT-OF-WAY AT THE INTERSECTION OF MORGAN MILL ROAD AND DRAKO WAY CONSISTING OF A STRIP OF LAND CONTAINING APPROXIMATELY 238 SQUARE FEET LOCATED AT THE INTERSECTION OF MORGAN MILL ROAD AND DRAKO WAY OWNED BY JOHN C. SERPA, ASSESSOR'S PARCEL NO. 008-531-37

B. ACTION TO APPROVE AN OFFER OF DEDICATION OF RIGHT-OF-WAY AT THE INTERSECTION OF CARABOU DRIVE AND DRAKO WAY CONSISTING OF A STRIP OF LAND CONTAINING APPROXIMATELY 344 SQUARE FEET LOCATED AT THE INTERSECTION OF CARABOU DRIVE AND DRAKO WAY OWNED BY JOHN C. SERPA, ASSESSOR'S PARCEL NO. 008-521-53

C. ACTION TO APPROVE AN OFFER OF DEDICATION OF RIGHT-OF-WAY AT THE INTERSECTION OF CARABOU DRIVE AND DRAKO WAY CONSISTING OF A STRIP OF LAND CONTAINING APPROXIMATELY 354 SQUARE FEET LOCATED AT THE INTERSECTION OF CARABOU DRIVE AND DRAKO WAY OWNED BY JOHN C. SERPA, ASSESSOR'S PARCEL NO. 008-521-52

D. ACTION TO APPROVE AN OFFER OF DEDICATION OF RIGHT-OF-WAY ON MORGAN MILL ROAD CONSISTING OF A STRIP OF LAND CONTAINING APPROXIMATELY 4,647 SQUARE FEET LOCATED ON MORGAN MILL ROAD OWNED BY JOHN C. SERPA, ASSESSOR'S PARCEL NO. 008-531-38

4-4. FINANCE - ACTION TO RATIFY THE EXPENDITURE APPROVAL LISTING FOR

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THE MONTH OF OCTOBER 2002

4-5. FIRE DEPARTMENT - ACTION TO ADOPT A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT A 1991 FORD AMBULANCE NO. 3005 VIN NO. 1FDKF38M4LNB43987 HAS REACHED THE END OF ITS USEFUL LIFE AND IS THEREBY DONATED TO THE CEDAR MOUNTAIN FIRE PROTECTION DISTRICT, A GOVERNMENTAL ENTITY

4-6. DISTRICT ATTORNEY - ACTION TO APPROVE AN AMENDED LEASE BETWEEN CASINO RADIO, LLC, A SUBSIDIARY OF HOLDER HOSPITALITY GROUP, INC., A NEVADA CORPORATION, AND CARSON CITY FOR THE PROPERTY KNOWN AS KPTL RADIO SITE LOCATED ON EDMONDS DRIVE (ASSESSOR'S PARCEL NO. 10-031-02) AND OTHER MATTERS PROPERLY RELATED THERETO - Supervisor Staub pulled Item 4-5 for discussion. Supervisor Plank moved to approve the 12 remaining items on the Consent Agenda and indicated that Item 4-5 was removed. Supervisors Williamson and Staub seconded the motion. Motion carried 4-0.

4-5. (1-0255) - Discussion between Fire Chief Louis Buckley and Supervisor Staub explained the process for deciding to surplus the ambulance. Cedar Mountain was the only entity who asked for it. Cedar Mountain is located east of Ely. EMS Battalion Chief Pirozzi had discussed with members of the Cedar Mountain Fire District the availability of the ambulance during an out-of-town conference. Supervisor Staub explained his desire to allow Nevada Fire Departments an opportunity to have first chance at obtaining surplus equipment. Chief Buckley indicated that the availability could be announced on the Fire Department's website. Mayor Masayko supported this approach. Chief Buckley indicated that the process will be added to their procedures. Supervisor Plank pointed out that the letter indicates the property owners are from Mesquite and Las Vegas. Supervisor Staub moved to adopt Resolution No. 2002-R-60, A RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO DETERMINE THAT A 1991 FORD AMBULANCE NO. 3005, VIN 1FDKF38M4LNB43987, HAS REACHED THE END OF ITS USEFUL LIFE AND IS THEREBY DONATED TO THE CEDAR MOUNTAIN FIRE PROTECTION DISTRICT, A GOVERNMENTAL ENTITY. Supervisor Plank seconded the motion. Motion carried 4-0.

5. BOARD OF SUPERVISORS - NON-ACTION ITEMS

A. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-0338) - Mayor Masayko introduced Internal Auditor Steve Wolkomir and welcomed him to the community. He also indicated that Mr. Wolkomir had sent a memo to the Board concerning the Board requirements for his work plan. Mayor Masayko then reported on his attendance at the Chamber of Commerce Transportation Committee meeting with Supervisor Livermore; Nevada Day weekend; and the Nevada Day Grand Marshall's reception. He congratulated the Nevada Day Committee on its efforts and thanked the Wells Fargo Bank for having its stagecoach in the parade and allowing the Board Members to ride on it. Next year's parade will be on November 1. He continued his report by explaining his attendance at a NACO subcommittee meeting. Its Executive Director Bob Hatfield has submitted his resignation effective after the close of the 2003 Legislature. He announced that NACO's conference at Harvey's, Lake Tahoe, commences on Tuesday. He urged Mr. Wolkomir, City staff, and the Board members to attend. The value of the conference was described. Carson City has been selected to be its host city

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in 2007. He continued his report by explaining his involvement with the unveiling of new resource material locators for the library; TRPA Local Government Committee meeting which he had attended with Supervisor Plank; his Halloween Trick or Treat activities; his Election Day activities; his participation with Supervisor Williamson in the City's High Five Awards; a meeting with the V&T Rights-of-Way Committee and the status of the restoration effort; and the Convention and Visitors Bureau meeting. Supervisor Staub reported on his family's hunting trip; the Community Council on Youth goal setting forum; a Public Transportation Advisory Committee meeting; his Nevada Day activities; and a Las Vegas speed management safety conference. He also explained his intent to meet with Doreen Mack later today and to go to Elko. He congratulated the winners and sent his condolences to the losers of Tuesday's election. Supervisor Williamson reported on the Clear Creek Watershed Council meeting and a meeting with Bill Hissam and Doreen Mack regarding a desire to have more trees in the downtown area. A subcommittee has been created to work on this concept. She continued her report by describing a health entity meeting; the Organizational Development Team meeting; and the City's High Five Program and congratulated the award recipients. She also congratulated the Nevada Day Parade Committee on its successful event.

Discussion between Supervisor Plank and Supervisor Williamson indicated that the liability question for the Highway 50 erosion control damage has not been answered. Efforts are being made to prevent further damage.

Supervisor Plank reported on the Employees Appreciation Luncheon; a meeting with Charlie Long regarding the Economic Development Program and the Airport's need for assistance with its strategic plan including the individuals he had recruited to assist it; the TRPA Governing Board meeting; a meeting with John Berkich on the freeway; the TRPA Local Government Affairs Committee meeting which he had attended with Mayor Masayko; a meeting of TRPA's steering committee on water quality improvements and maintenance funding; a meeting with its consultant John Upton; his Sertoma Club activities; the dedication ceremony for the interpretative plaques on the linear trail and the funding for the plaques; the Parks and Recreation Commission's tour of the parks which Supervisor Williamson had attended; and his election day activities. He had directed staff to revise the funding notice at Fuji Park to indicate that some of Question 18 funds are being used for that project. He thanked Supervisor Staub and RTC Member Reynolds for attending the speed management seminar. He announced that the RTC will tour its projects on Wednesday.

B. STAFF COMMENTS AND STATUS REPORTS (1-1015) - None.

6. HUMAN RESOURCES - ACTION TO APPOINT STAN ZUBER TO THE CARSON CITY ADVISORY BOARD TO MANAGE WILDLIFE (1-1025) - Stan Zuber introduced himself. Mayor Masayko thanked him for applying. The appointment will complete an unexpired term which ends June 30, 2003. The appointee is eligible for reappointment to a full term. Wes Clyde had also applied. The Wildlife Board had recommended Mr. Zuber's appointment. Mayor Masayko outlined the Board's options and policy. Mr. Zuber briefly explained his interest in the committee and his career and educational background. Mayor Masayko explained his employment at BLM and thanked him for attending the Board meeting. Supervisor Plank moved to approve the appointment of Stan Zuber to the Advisory Board to Manage Wildlife. Supervisor Staub seconded the motion. Motion carried 4-0.

7. BUILDING AND SAFETY - Building Official Phil Herrington - ACTION TO ADOPT BILL NO. 139 ON SECOND READING, AN ORDINANCE AMENDING TITLE 15 (BUILDINGS AND

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CONSTRUCTION) OF THE CARSON CITY MUNICIPAL CODE CHAPTER 15.05 (BUILDING CODE), SECTION 15.05.022 (AMENDMENTS TO CHAPTER 4 OF THE UNIFORM BUILDING CODE) AND SECTION 15.05.026 (AMENDMENTS TO CHAPTER 9 OF THE UNIFORM BUILDING CODE) TO INCLUDE AMENDMENTS IN THE APPROPRIATE CHAPTERS OF THE UNIFORM BUILDING CODE, REQUIRING FIRE SPRINKLERS, AS MANDATED BY NEVADA ADMINISTRATIVE CODE 477 AND OTHER MATTERS PROPERLY RELATING THERETO (1-1095) - Mayor Masayko indicated for the record that he had not received any comments since the first reading on the ordinance. Public comments were solicited but none were made. Supervisor Plank moved to adopt on second reading Bill No. 139, Ordinance No. 2002-36, AN ORDINANCE AMENDING TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE CARSON CITY MUNICIPAL CODE CHAPTER 15.05 (BUILDING CODE), SECTION 15.05.022 (AMENDMENTS TO CHAPTER 4 OF THE UNIFORM BUILDING CODE) AND SECTION 15.05.026 (AMENDMENTS TO CHAPTER 9 OF THE UNIFORM BUILDING CODE) TO INCLUDE AMENDMENTS IN THE APPROPRIATE CHAPTERS OF THE UNIFORM BUILDING CODE, REQUIRING FIRE SPRINKLERS, AS MANDATED BY NEVADA ADMINISTRATIVE CODE 477 AND OTHER MATTERS PROPERLY RELATING THERETO. Supervisor Williamson seconded the motion. Motion carried 4-0.

8. COMMUNITY DEVELOPMENT DIRECTOR - Walter Sullivan

A. ACTION REGARDING AN APPEAL OF THE PLANNING COMMISSION'S DECISION THAT DENIED A SPECIAL USE PERMIT APPLICATION FROM DAVID W. KROPELNICKI, REPRESENTING ADMART (PROPERTY OWNER: TRI-STAR HOUSING CORPORATION C/O DOUGLAS PLOZAY) REQUESTING THE ALLOWANCE OF AN OFF-PREMISE BILLBOARD SIGN ON PROPERTY ZONED GENERAL COMMERCIAL (GC) LOCATED AT 1991 HIGHWAY 50 EAST, APN 8-152-03 (FILE NO. U-02/03-9) (1-1150) - Applicant's Attorney James Rankl, David W. Kropelnicki - Mr. Sullivan's introduction included an indication that the visual preference survey had not addressed billboards. It had considered downtown signs. Mayor Masayko explained that it is possible that the Board will deadlock on the issue. If this occurs, he proposed that the item be agenized for a time when the full Board could decide the issue. Supervisor Plank explained his review of the staff report indicates that he could not vote against it as it complies with the ordinances. He also explained his personal dislike for billboards. Discussion indicated that the sign ordinance is currently under review, however, this does not include the portion regarding billboards. Mayor Masayko and Mr. Rankl explained the location of the proposed billboard. Mr. Sullivan indicated that he would check into a huge turquoise sign that is further out on Highway 50 and respond to Supervisor Staub's questions on it.

Mr. Rankl referenced his letter and reiterated that they had complied with all of the Code requirements and Development Standards. He asked that the Board reverse the Commission's action. Discussion between Mayor Masayko and Mr. Sullivan explained that the special use permit would be valid for five years. Then it must be reviewed. Mr. Rankl acknowledged that this is his understanding. Mr. Sullivan explained that notice had been given to the surrounding property owners. Only one comment had been received regarding the application. It is included in the packet.

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Public comments were solicited but none were given. Mayor Masayko noted that the lack of an approval by the Planning Commission was created by the tied vote. He also noted for the record that the one protest regarding the sign is from a business which is located quite a distance from the proposed site and is outside the noticing zone. Supervisor Plank reiterated his dislike of billboards. Supervisor Plank moved to overturn the lack of an approval from the Planning Commission and to approve a Special Use Permit application from David W. Kropelnicki representing Admart, property owner: Tri-Star Housing Corporation c/o David Ploszay, requesting the allowance of an off-premise billboard sign on property zoned General Commercial located at 1991 Highway 50 East, Assessor's Parcel No. 008-152-03, File No. U-02/03-9, and there is no fiscal impact. Supervisor Williamson seconded the motion. Supervisor Plank again noted his personal objection to billboards. He must, however, support the motion as the proposed sign meets all of the City requirements. Supervisor Williamson supported his comments and indicated that the Board must uphold the laws and ordinances regardless of their personal preferences. The laws should be changed if the desire is to prohibit the billboards. Supervisor Staub described Ladybird Johnson's objection to billboards and explained his personal dislike for them in urban settings. The laws allow them. The proposed billboard has met all of the requirements. Mayor Masayko noted his support for personal property rights and his objection to billboards. Washoe County's position on billboards was briefly limned. The applicant had the burden of proof to show that the sign will conform with the statutes and regulations which were felt to be reasonable and fair. If the Board changes the Code, it must balance the property owners' rights to that of the visual impacts. The motion to overturn the Planning Commission decision and to approve the special use permit was voted and carried 4-0.

Mr. Kropelnicki thanked the Board for its consideration. He indicated that he had worked with a lot of ordinances. The City's is good as it is reasonable and understandable. Mr. Rankl thanked the Board for its time and the staff for its assistance.

B. ACTION TO ADOPT BILL NO. 140 ON SECOND READING, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTION 18.03.010, BY ADDING A DEFINITION FOR YOUTH RECREATION FACILITIES; AMENDING SECTION 18.04.075 TO ALLOW YOUTH RECREATION FACILITIES AS A CONDITIONAL USE WITHIN THE SINGLE FAMILY 6,000 (SF6) ZONING DISTRICT; AND AMENDING THE CARSON CITY DESIGN STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, BY ADDING SECTION 1.16, YOUTH RECREATION FACILITY PERFORMANCE STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1450) - Senior Planner Lee Plemel, Applicant's Representative Carol Dotson - Mayor Masayko stated for the record that he had not received any comments either pro or con on the ordinance since the first reading. Mayor Masayko indicated that the ordinance only changes the Code. It does not address the Special Use Permit, which is a separate process. Public testimony was solicited but none was given. Supervisor Plank moved to adopt on second reading Bill No. 140, Ordinance No. 2002-37, AN ORDINANCE AMENDING CARSON CITY MUNICIPAL CODE TITLE 18, ZONING, SECTION 18.03.010, BY ADDING A DEFINITION FOR YOUTH RECREATION FACILITIES; AMENDING SECTION 18.04.075 TO ALLOW YOUTH RECREATION FACILITIES AS A CONDITIONAL USE WITHIN THE SINGLE FAMILY 6,000 (SF6) ZONING DISTRICT; AND AMENDING THE CARSON CITY DESIGN STANDARDS, DIVISION 1, LAND USE AND SITE DESIGN, BY ADDING SECTION 1.16, YOUTH RECREATION FACILITY PERFORMANCE STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO, File No. A-

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02/03-1. Supervisor Williamson seconded the motion. Motion carried 4-0.

C. ACTION TO APPROVE A FINAL SUBDIVISION MAP REQUEST FROM GLEN A. MARTEL, DIRECTOR OF LAND DEVELOPMENT, NORTHRIDGE, LLC, FOR NORTHRIDGE SUBDIVISION PHASE 11, CONSISTING OF 43 LOTS (APPROXIMATELY 8.3 ACRES), ZONED SINGLE FAMILY 6,000 (SF6) LOCATED SOUTH OF NORTHRIDGE DRIVE, EAST OF LONE MOUNTAIN, AND WEST OF TABLE ROCK DRIVE, APN 002-101-82 (PORTION) (FILE NO. S-01/02-2[F-11]) (1-1553) - Applicant's Representative Leon Mills - Mayor Masayko requested the record show that Mr. Sullivan had introduced the item and that City Engineer Larry Werner was also present. Mr. Sullivan explained the status of the issues raised in Senior Engineer Rob Fellows' memo. They are on time with the landscaping improvements. He had been informed that the remaining issues are being worked out. Once these matters are finalized, the map will be recorded. Mayor Masayko noted the City's long experience record with this developer. Both he and Supervisor Williamson supported staff's recommendation. Mr. Sullivan indicated that Mr. Martel had agreed to staff's recommendation that the process move forward, the improvements be completed, and then the map will be recorded. Mayor Masayko indicated that he wanted a memo from Mr. Sullivan indicating that the improvements have been completed before he is asked to sign off on the map. Mr. Sullivan agreed and indicated that Mr. Werner will be involved in the process. Supervisor Plank disclosed a discussion he had with Parks and Recreation Director Steve Kastens during the Commission's park tour. He felt that the landscaping is "coming along" and thanked Mr. Martel for taking over the project and making the improvements. Mayor Masayko agreed that it is better than the last several final maps, however, it is not perfect.

Mr. Mills agreed with staff's recommendation and moving the map forward at this time with the understanding regarding the final issue(s). Mayor Masayko explained to him that he would not sign off on the final map until the improvements have been completed and he has received word from either Mr. Werner or Mr. Sullivan stating that everything is in accord. Mr. Mills indicated that he understood. Public testimony was solicited but none was given. Supervisor Staub moved to approve a final subdivision map request from Glen A. Martel, Director of Land Development, Northridge, LLC, for Northridge Subdivision Phase 2, consisting of 43 lots, approximately 8.3 acres, zoned Single Family 6,000, SF6, located south of Northridge Drive, east of Lone Mountain, and west of Table Rock Drive on Assessor's Parcel Number 002-101-82, a portion; File No. S-01/02-2(F-11); and there is no fiscal impact. Supervisor Williamson seconded the motion. Following discussion, Mayor Masayko ruled the Subdivision Phase number corrected to be 11 rather than the indicated 2. Motion carried 4-0.

RECESS: A recess was declared at 10:10 a.m. A quorum of the Board was present when Mayor Masayko reconvened the meeting at 10:20 a.m. Supervisor Livermore was absent as indicated.

D. ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING CARSON CITY DESIGN STANDARDS, DIVISION 4, SIGNS, BY ADDING A DEFINITION FOR DOWNTOWN BUSINESS DIRECTIONAL SIGNS, AND AMENDING SECTION 4.7.5 TO ALLOW FOR DOWNTOWN BUSINESS DIRECTIONAL SIGNS WITHIN THE DOWNTOWN DESIGN AREA, AND OTHER MATTERS PROPERLY RELATED THERETO (1-1700) - Deputy District Attorney Melanie Bruketta, Doreen Mack, Jay Ahrens - Mayor Masayko explained that if the ordinance is approved today, it will have to have a second reading before the Code is amended. A special use permit will then have to be

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processed before the sign can be installed. He also indicated that the Chamber of Commerce and the staff are currently working on the sign ordinance. The proposal is to allow the sign on a trial basis which may require its removal in the future. Supervisor Williamson explained the Redevelopment Authority Citizens Committee support for the sign so long as similar signs are allowed throughout the downtown area. Ms. Bruketta explained that discretion is not allowed by the Code. It will be handled the same as the previous billboard issue. Another concern is what will happen if one person installs the sign at a location and another person wants a separate sign there. Additional signs will not be allowed at the same site. The Chamber of Commerce comments had been that its sign committee will be coming to the Board in January with ordinance revisions related to off-premise signs. Discussion indicated that joint use of the sign could occur but is not required. Mayor Masayko asked that the record indicate that when the special use permit is considered by the Planning Commission, its deliberations must also address the joint use issue. Ms. Bruketta explained that Chamber of Commerce Chief Executive Officer Larry Osborne had asked at the Planning Commission meeting that if the ordinance is adopted, the use be allowed throughout the community. She also explained that the ordinance indicates that an encroachment permit will be required. There are some areas of the community where the signs may be placed that will require NDOT permits. Mr. Sullivan indicated that the ordinance will be revised to indicate either NDOT or engineering permits. Mayor Masayko requested this amendment be added to the motion.

Ms. Mack gave the Board a packet of information. (A copy was later given to the Clerk and is included in the file.) Ms. Mack explained the purpose of the sign and read a prepared statement into the record stressing the crucial need for the sign. She explained the pictures of the sign and the proposed location. She wanted to install the sign before December 1. Mayor Masayko explained the process and time required to complete it. He felt that it would not be possible to comply with her timeframe. He suggested that the special use permit application be submitted and considered before the second reading. Ms. Mack indicated her intent to do it. Discussion between Mayor Masayko and Mr. Sullivan indicated that the Planning Commission should hold a special meeting to consider her application. Mayor Masayko also explained to Ms. Mack that if the Board is deadlocked on the modification, he will agenize the item for reconsideration by a full Board which will not meet her time line.

Mr. Sullivan explained that the sign will need a special use permit. The current Code does not allow signs in the public right-of-way. The off-premise sign ordinance does not allow the sign to be located in the proposed area. Code restrictions regarding the type of signs allowed in the downtown area were noted. Supervisor Plank explained his concern regarding moving the proposal forward while there is a committee considering the sign ordinance. Mayor Masayko felt that, if the code is amended as requested, the special use permit could include a condition that when the sign ordinance is amended en masse if the signage is determined to be illegal, the sign will have to be removed. His personal knowledge of the challenges facing the businesses in this area was limned. If the businesses do not pick up or create synergy, they will be gone. The Chamber's of Commerce efforts to bring businesses to the area were noted. The Christmas season may make or break the businesses. Supervisor Plank felt that when the committee considers the issue, any issues created by the area's dislike of the sign can be addressed. Although he understood the need for a special meeting, he did not want the community to think that ordinances can be tweaked all the time. Mayor Masayko indicated that he understood the concern. He also pointed out the need to try new concepts when the window of opportunity arises. Not every request for a change to the Codes will be accepted. He had discussed the concept with the businesses. The idea is to keep people shopping in Carson City. Supervisor Plank agreed and indicated that the committees/commissions who are reviewing the sign ordinance should include this ordinance.

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Mayor Masayko also felt that the Board could grant the use in a specific area or everywhere as deemed appropriate regardless of the Chamber's concerns. The proposal does not grant blanket coverage everywhere in the community. Supervisor Staub cautioned the Board not to move too hastily or it could find another experience like the one with the billboard which had been discussed earlier. He also indicated that he supported the intent, however, had made some revisions which Ms. Bruketta had indicated were not significant enough to require returning the matter to the Commission. Supervisor Williamson explained the Redevelopment Authority Citizens Committee's efforts to support the downtown area. It has been a challenge to get people to the area. Examples of the support that had been given were limited. The proposed signage could be one more step in the process of attracting others to the area.

Ms. Mack explained that some of the businesses located inside the mall do not have street exposure. The signage will not be the "magic pill" but could help promote the businesses. She also explained that the businesses have monthly meetings. The Farmers Market will return next spring. The Christmas Tree Lighting programs are another large draw. She reiterated the need for additional signage.

Supervisor Staub read and explained his amendments to the ordinance. Ms. Bruketta indicated that the ordinance had been drafted by Community Development. She had written down some of the amendments. Clarification indicated that signs located on private property are maintained by the property owner. The City could maintain them if they are on public property or an agreement with the sign owner could require him/her to do it. This could be a condition of the special use permit. Mr. Sullivan supported the suggested amendments. Mayor Masayko noted that it limits the sign to one per site and provides for a consistency in the design.

Ms. Mack explained the location and expressed her feelings that there are no other areas with a cluster of businesses similar to Telegraph Square. She could support the one sign per intersection but felt that the signs should be allowed to have different themes. The restriction to one square foot would not work as the arm is 2-1/2 feet in length and three inches in width. The planter box dimension is 12-1/2 feet per angle. The special use permit should restrict the size. Mayor Masayko explained that the Code establishes the size. The special use permit cannot increase it. Ms. Mack felt that the special use permit should establish the design requirements. Mr. Plemel explained that Ms. Mack's design indicates that each half of the sign is half a square foot. Mr. Sullivan indicated that he would discuss expediting the special use permit with Ms. Mack after the meeting. Supervisor Staub indicated that the one square foot restriction will remain. The sign is for the downtown area and the ordinance allows staff to ensure that the signage is consistent in appearance. Ms. Mack indicated that she did not have a problem with the amendments.

Mr. Ahrens indicated that he was speaking as a citizen and asked that they consider the street width and the size of the intersection. Curry Street is wider than the other streets in the downtown area. It may be necessary to limit the signs to only one side of the intersection. Supervisor Staub explained his belief that the special use permit process will address his concerns. Supervisor Williamson expressed her support for the ordinance and its amendments. NDOT will not allow the signs on Carson Street. The proposed use is on the side streets. There is a one year trial period. It may be necessary to refine the ordinance in the future. Mayor Masayko was unsure of the timeframes which would be in the special use permit beyond that of the one year sunset clause. He also pointed out that the ordinance is to be reviewed by the sign committee. He emphasized that the sign should not be allowed to be grandfathered.

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Supervisor Staub moved to introduce on first reading Bill No. 141, AN ORDINANCE AMENDING CARSON CITY DESIGN STANDARDS, DIVISION 4, SIGNS, BY ADDING A DEFINITION FOR DOWNTOWN BUSINESS DIRECTIONAL SIGNS, AND AMENDING SECTION 4.7.5 TO ALLOW FOR DOWNTOWN BUSINESS DIRECTIONAL SIGNS WITHIN THE DOWNTOWN AREA, AND OTHER MATTERS PROPERLY RELATED THERETO; with specific amendments to 4.3.125 deleting the word design from Line 2 and Line 4 of the heading, and amending Section II 4.7.5 Subsection 3 Subsection f as follows: One downtown business directory sign, platform or pole is permitted per intersection, which will encompass all corners, within the Downtown Area subject to approval of a Special Use Permit. All signs, platforms or poles must be consistent in construction and appearance. Individual signs for businesses are limited to a maximum of one square foot with a maximum letter height of three inches and must be constructed on the single sign, platform or pole. Downtown business directory signs are intended to assist pedestrians in locating downtown businesses. Approval of an encroachment permit from the Nevada Department of Transportation and/or the Carson City Development Services Engineering is required prior to the City's approval of the sign permit. Supervisor Williamson seconded the motion. The motion was voted and carried 4-0. Mayor Masayko indicated that Ms. Mack is to contact Mr. Sullivan regarding the special use permit process. Mr. Ahrens comments are to be taken to the sign committee.

9. DEVELOPMENT SERVICES - A. ACTION TO CHANGE THE STREET NAME OF A PORTION OF BROADLEAF LANE ON THE WEST SIDE OF THE FREEWAY TO SILVER OAK DRIVE UPON THE OPENING OF SILVER OAK DRIVE ON THE WEST SIDE OF NORTH CARSON STREET; B. ACTION TO CHANGE THE STREET NAME OF A PORTION OF HOT SPRINGS ROAD ON THE EAST SIDE OF THE FREEWAY TO OLD HOT SPRINGS ROAD UPON THE CLOSURE OF HOT SPRINGS ROAD FOR FREEWAY CONSTRUCTION; C. ACTION TO CHANGE THE STREET NAME OF LASSEN DRIVE TO NORTH LOMPA LANE UPON THE OPENING OF THE NORTH LOMPA LANE REALIGNMENT AT HIGHWAY 50; AND D. ACTION TO CHANGE THE STREET NAME OF A PORTION OF THE FORMER ARROWHEAD DRIVE ALIGNMENT WEST OF THE FREEWAY TO ART COURT; AND TO CHANGE THE STREET NAME OF A PORTION OF RUBY LANE TO THE WEST OF THE FREEWAY TO MONK COURT UPON THE CLOSURE OF RUBY LANE FOR FREEWAY CONSTRUCTION (1-2866) - Senior Planner Lee Plemel, Project Manager Jay Ahrens - Mr. Plemel explained that the Post Office will continue to deliver mail to an address for three years. The Project Manager is Jay Ahrens. The name change will occur when construction on the street for the freeway commences with the exception of Arrowhead. The Arrowhead cul-de-sac will be renamed immediately. Staff had sent notices to all of the property owners who will be effected by the change. Comments were received from only the property owners along Hot Springs Road. They asked that they be named Old Hot Springs Road. Supervisor Plank pointed out the different names on College Parkway/Graves/Edmonds and Roop/Silver Sage.

The staff report for the name change of Broadleaf to Silver Oak Drive was explained. Mayor Masayko asked that the name change information be given to individuals who construct on it. Supervisor Plank expressed his amazement that the Broadleaf Apartment owner(s) did not comment. Supervisor Williamson moved to approve the name change of a portion of Broadleaf Lane on the west side of the freeway to Silver Oak Drive upon the opening of Silver Oak Drive on the west side of North Carson Street; there is no fiscal impact. Supervisor Plank seconded the motion. Public comments were solicited but none were given. Motion carried 4-0.

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The staff report for the name change of Hot Springs Road to Old Hot Springs Road was explained. Mayor Masayko indicated for the record that the portion of Hot Springs Road south of the freeway will remain known as Hot Springs Road. Public comments were solicited but none were given. Supervisor Williamson moved to approve the name change of a portion of Hot Springs Road on the east side of the freeway to Old Hot Springs Road upon the closure of Hot Springs Road for freeway construction; no fiscal impact. Supervisor Plank seconded the motion. Motion carried 4-0.

The staff report for the name change of Lassen Drive to North Lompa Lane was explained. Discussion explained that King Street serves as the dividing line for the north/south designations. A South Lompa Lane presently exists. It is south of King Street. Mr. Ahrens explained that the section of Lassen Drive is to connect to the section of North Lompa Lane which goes to the future Boys and Girls Club site. Public comments were solicited. Supervisor Williamson moved to approve the name change of Lassen Drive to North Lompa Lane upon the opening of the North Lompa Lane realignment at Highway 50 with no fiscal impact. Supervisor Plank seconded the motion. Motion carried 4-0.

The staff report for the name changes for Ruby Lane and Arrowhead Drive was explained. There did not appear to be a reason for the suggested names. Discussion noted that there had been a stagecoach driver by the name of Monk who had carried the mail across the Sierras in the 1860s. No one resides on either portion of the streets that are to be renamed. The State owns all of the property. In the future the State may request an abandonment if it does not need these sites for the freeway. Mayor Masayko indicated for the record that if the property owner wants to change the street names, it should be considered. Supervisor Williamson moved to approve the name change of the former Arrowhead Drive alignment west of the freeway to Art Court and to change the street name of a portion of Ruby Lane to the west of the freeway to Monk Court upon the closure of Ruby Lane for the freeway construction with no fiscal impact. Supervisor Plank seconded the motion. Motion carried 4-0.

10. DISTRICT ATTORNEY - Deputy District Attorney Melanie Bruketta - ACTION TO INTRODUCE ON FIRST READING AN ORDINANCE AMENDING TITLE 8 (PUBLIC PEACE, SAFETY AND MORALS) CHAPTER 8.04 (PROHIBITED CONDUCT) OF THE CARSON CITY MUNICIPAL CODE BY CHANGING SECTION NUMBER 8.04.127 TO SECTION NUMBER 8.04.128 (ACTS OR OMISSIONS CONSTITUTING CONTEMPTS), CHANGING SECTION NUMBER 8.04.128 TO SECTION NO. 8.04.129 (SUMMARY PUNISHMENT OF CONTEMPT COMMITTED IN IMMEDIATE VIEW AND PRESENCE OF COURT; AFFIDAVIT OR STATEMENT TO BE FILED WHEN CONTEMPT COMMITTED OUTSIDE IMMEDIATE VIEW AND PRESENCE OF COURT; DISQUALIFICATION OF JUDGE), AND CHANGING SECTION NUMBER 8.04.129 TO SECTION NUMBER 8.04.130 (PENALTY FOR CONTEMPT) AND OTHER MATTERS PROPERLY RELATED THERETO (1-3314) - Discussion explained the need to renumber these sections. Supervisor Plank moved to introduce on first reading Bill No. 142, AN ORDINANCE AMENDING TITLE 8 (PUBLIC PEACE, SAFETY AND MORALS) CHAPTER 8.04 (PROHIBITED CONDUCT) OF THE CARSON CITY MUNICIPAL CODE BY CHANGING SECTION NUMBER 8.04.127 TO SECTION NUMBER 8.04.128 (ACTS OR OMISSIONS CONSTITUTING CONTEMPTS), CHANGING SECTION NUMBER 8.04.128 TO SECTION NO. 8.04.129 (SUMMARY PUNISHMENT OF CONTEMPT COMMITTED IN IMMEDIATE VIEW AND PRESENCE OF COURT; AFFIDAVIT OR STATEMENT TO BE FILED WHEN CONTEMPT COMMITTED OUTSIDE

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IMMEDIATE VIEW AND PRESENCE OF COURT; DISQUALIFICATION OF JUDGE), AND CHANGING SECTION NUMBER 8.04.129 TO SECTION NUMBER 8.04.130 (PENALTY FOR CONTEMPT) AND OTHER MATTERS PROPERLY RELATED THERETO; no fiscal impact. Supervisor Williamson seconded the motion. Motion carried 4-0. (Supervisor Staub left the meeting at 11:33 a.m. (A quorum was still present.)

11. CLERK-RECORDER - Alan Glover

A. ACTION TO APPROVE THE CANVASS OF THE VOTE AS PRESENTED BY THE CLERK-RECORDER FOR THE 2002 GENERAL ELECTION AND B. ACTION TO ADOPT A RESOLUTION DECLARING THE RESULTS OF AN ELECTION HELD WITHIN CARSON CITY SCHOOL DISTRICT IN CARSON CITY IN THE STATE OF NEVADA ON THE BOND QUESTION SUBMITTED AT THE ELECTION HELD ON TUESDAY, NOVEMBER 5, 2002, TO THE QUALIFIED ELECTORS OF THE DISTRICT; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREFOR (1-3425) - Mr. Glover complimented his staff on their efforts. The Carson High School students' involvement was described. Mr. Glover thanked the School and the students for their participation and assistance. The turnout was one of the highest in the State at 77.3 percent. This election may be the last one done with punch cards. Discussion indicated that voting exceptions were included in the tally. The terms and counting of the under and over votes were explained. Mr. Glover was not certain where this process had been developed as it is not required by law. He felt that the necessity to know these figures had been created by the Florida election problems in 2000. He felt that the vote report would be better if it showed the number of votes cast rather than as a percentage of the vote. The new program will not allow an over vote to occur in the future except on absentee ballots. Mayor Masayko thanked Mr. Glover and his staff for their professional, well-run operation. (2-0005) He also explained that this is the first time he had to wait to vote. It may be necessary in the future for the electorate to mark and take his/her sample ballots to the booths with him/her. Supervisor Plank moved that the Board of Supervisors approve the canvass of the vote as presented by the Clerk-Recorder for the 2002 General Election. Supervisor Williamson seconded the motion. Motion carried 3-0.

Discussion indicated that the Resolution will be prepared after the Board meeting. Its information is the same as that contained in the Canvass of the Ballots. Supervisor Williamson moved to adopt Resolution No. 2002-R-61, A RESOLUTION DECLARING THE RESULTS OF AN ELECTION HELD WITHIN CARSON CITY SCHOOL DISTRICT IN CARSON CITY IN THE STATE OF NEVADA ON THE BOND QUESTION SUBMITTED AT THE ELECTION HELD ON TUESDAY, NOVEMBER 5, 2002, TO THE QUALIFIED ELECTORS OF THE DISTRICT; PROVIDING OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREFOR; no fiscal impact. Supervisor Plank seconded the motion. Motion carried 3-0.

12. BOARD OF SUPERVISORS - CONTINUATION OF NON-ACTION ITEMS (2-0060) - Supervisor Plank announced that the Parks and Recreation Commission will attend the dedication ceremony for the Nevada Vietnam Veterans Memorial at 2 p.m. on November 11 in Mills Park. The Shade Tree Council will have a memorial tree planting ceremony in honor of Raymond Hartman and Marylee Foster at 9 a.m. on the same date near the Memorial. Mayor Masayko indicated his intent to attend the Vietnam Veterans Memorial Services. Mr. Berkich indicated that he will be out of town and that City Hall will be closed on that date.

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There being no other matters for consideration, Supervisor Williamson moved to adjourn. Supervisor Plank seconded the motion. Motion carried unanimously. Mayor Masayko adjourned the meeting at 11:45 a.m.

The Minutes of the November 7, 2002, Carson City Board of Supervisors meeting

ARE SO APPROVED ON April 3, 2003.

/s/
Ray Masayko, Mayor

ATTEST:

/s/
Alan Glover, Clerk-Recorder