

CARSON CITY PARKS AND RECREATION COMMISSION

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A regular meeting of the Carson City Parks and Recreation Commission was scheduled for 5:30 p.m. on Tuesday, October 16, 2007 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Donna Curtis
Vice Chairperson John Felesina
Sam Bauman
Pete Livermore
John McKenna

STAFF: Roger Moellendorf, Parks and Recreation Department Director
Scott Fahrenbruch, Parks and Recreation Director of Operations
Barbara Singer, Recreation Superintendent
Ann Bollinger, Open Space Assistant
Will Geddes, Senior Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record, on file in the Clerk-Recorder's Office. These materials are available for review during regular business hours.

CALL TO ORDER AND DETERMINATION OF QUORUM (5:32:28) - Chairperson Curtis called the meeting to order at 5:32 p.m. Roll was called; a quorum was present. Commissioners Keeton, Tierney, and Wontorski were absent. Chairperson Curtis introduced Mr. Geddes.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (5:33:13) - None.

1. ACTION ON APPROVAL OF MINUTES (5:33:21) - None.

2. MODIFICATIONS TO THE AGENDA (5:33:25) - None.

3. STAFF UPDATES:

3-A. UPDATE REGARDING JOHN MANKINS PARK (5:33:32) - Mr. Fahrenbruch reported that a great deal of progress has been made on the park project over the past month. The basketball and tennis courts are completed; the playground is nearly complete; completion of the restroom enclosure is awaiting parts; the skateboard park is complete; and electricity is now available to the site providing for automatic operation of the irrigation system. Mr. Fahrenbruch anticipates the park will be opened during the first part of November. He anticipates that Oak Ridge Drive will be ready to be opened by the third week of October. A grand opening ceremony is anticipated to be scheduled during the last part of November in order to accommodate the Mankins family's attendance. At Commissioner McKenna's request, Mr. Fahrenbruch described the location of and access to the park for the benefit of the public.

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4. NON-ACTION ITEMS:

4-A. DISCUSSION ONLY REGARDING ANNOUNCEMENT OF THE 2007 AWARDS FROM THE FOUNDATION FOR THE BETTERMENT OF PARKS AND RECREATION (5:37:04)

- Chairperson Curtis introduced this item and Foundation for the Betterment of Parks and Recreation (the "Foundation") President Fred Stanio. Mr. Stanio provided background information on the Foundation and reviewed the agenda report. Mr. Moellendorf commended Mr. Stanio and the Foundation on their selection of award recipients. He commented on the contributions of Volunteer of the Years award recipients Elinor and David Bugli and Volunteer of the Year award recipients Anne and Chas Macquarie. Mr. Stanio advised that signage will be installed at the Wungnema House by November 10th. He described the signage design. Chairperson Curtis thanked Mr. Stanio for his presentation.

4-B. UPDATE AND DISCUSSION ONLY REGARDING THE TAHOE BIKE PATH PROJECT AND DRAFT CONCEPT DOCUMENT (5:42:24)

- Chairperson Curtis introduced this item. Open Space Assistant Ann Bollinger provided background information on her involvement in the Tahoe Bike Path project, and an overview of the purpose of this agenda item. Tahoe Bike Path Project Manager Karen Mullen-Ehly provided an overview of the project and the concept document, a draft of which was included in the agenda materials. She discussed the public input portion of the project which is anticipated to begin this fall. She emphasized the conceptual nature of the "Concept Document," and read the Vision Statement into the record. Commissioner Bauman commented on the quality of an unpaved bike path which he has ridden on several occasions. Ms. Mullen-Ehly requested any additional input of the commissioners or the public to be provided through Ms. Bollinger.

Commissioner McKenna suggested contacting the Tahoe City / Pyramid Lake Bikeways Group for input. Ms. Mullen-Ehly advised of contact with Janet Carson "and her group," and expressed the hope that the project will "connect up to Tahoe City through the Truckee Canyon area to Reno." In response to a question, Ms. Mullen-Ehly advised of preliminary discussions regarding maintenance of the path. Operation and maintenance alternatives are being considered as part of the feasibility study. Operation and maintenance agreements will be entered into during construction design of each segment of the path. In response to a further question, Ms. Mullen-Ehly advised that various alignments are being considered in conjunction with environmental concerns. She advised that periodic presentations will be made to the commission as the project progresses. Chairperson Curtis thanked Ms. Bollinger and Ms. Mullen-Ehly for their presentation.

4-C. DISCUSSION ONLY REGARDING "WE CAN" (WAYS TO ENHANCE CHILDREN'S ACTIVITY AND NUTRITION) EDUCATION PROGRAM TO BE HELD IN CARSON CITY, OCTOBER 29 - 30, 2007, AT THE COMMUNITY CENTER (5:53:13)

- Chairperson Curtis introduced this item. Mr. Moellendorf reviewed the staff report, and encouraged the commissioners to participate in the two-day training session scheduled for October 29 and 30, 2007. Ms. Singer provided statistical information on the number of overweight children in Nevada. She commended the program in that it provides assistance to parents as well as educators and recreation coordinators. Mr. Moellendorf and Ms. Singer discussed a program goal to decrease "screen time" and increase physical activity. Ms. Singer described child-size resistance equipment available in the Aquatic Facility gym. She advised that seniors and women also use the equipment. She is seeking a qualified individual to teach classes on use of the

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equipment. Chairperson Curtis advised that members of the Carson City Wellness Coalition will be participating in the training session. Mr. Moellendorf advised any interested commissioners of the requirement to register on line for the training session. He encouraged early registration due to limited classroom space. Chairperson Curtis thanked Mr. Moellendorf and Ms. Singer for their presentation.

5. ACTION ITEMS:

5-A. ACTION TO APPROVE CHANGES TO CURRENT DOG POLICIES IN PARKS IN ACCORDANCE WITH THE PARKS AND RECREATION MASTER PLAN ELEMENT AND TITLE 13 OF THE CARSON CITY MUNICIPAL CODE, AND TO IMPLEMENT A TRIAL PERIOD OF PROPOSED DOG POLICIES (6:02:58) - Chairperson Curtis introduced this item. Mr. Fahrenbruch reviewed the staff report, discussed advantages and disadvantages to designating additional dog friendly facilities, and reviewed Exhibit A.

Commissioner Livermore suggested limiting the hours at Sonoma Park in order to avoid conflict with scheduled events and practices at the park. In response to a question, Mr. Fahrenbruch advised that enforcing dog licenses should remain under the purview of Animal Services. Commissioner Livermore expressed support for the proposed new policies, specifically establishing off-leash hours at Fuji Park and allowing dogs off leash only at the Long Ranch trails. He commended the effort toward designating additional dog friendly facilities, but noted the importance of owner responsibility. He suggested installing plain signage to designate dog friendly facilities. Mr. Fahrenbruch suggested allowing dogs at Sonoma Park only until 4:00 p.m. each day in order to avoid conflict with scheduled practices at the park. In response to a comment, he advised that people bring dogs to parks at which dogs are not allowed. He expressed the hope that increased opportunity will result in the ability to increase enforcement at the facilities which do not allow dogs and to educate the public. He referred to Exhibit D and expressed the opinion that the proposed dog friendly facilities will be evenly distributed throughout the City. With regard to special events, he expressed the hope that designating additional dog friendly facilities will eliminate problems associated with vendors who travel with their pets. Signage at facilities where dogs are prohibited will remain. Appropriate symbols / regulatory language signage will have to be developed for dog friendly facilities. This will be part of the public education process, which will include press releases and information in the *Discover Us* publication.

In response to a comment, Mr. Fahrenbruch advised of one stretch of the Riverview Park wetlands trail where dogs are not allowed in the water due to conflicts with waterfowl nesting. Dogs are allowed along all other Carson River trails. With regard to the proposed regulations for Fuji Park, Commissioner McKenna suggested allowing dogs off leash after 1:00 or 2:00 p.m. until dark. He expressed concern over conveying the perception of arbitrary rules. He noted that everything discussed as part of this agenda item "is a matter of control" and that "control is not defined" in any of the proposed policies. He suggested the concept of "a dog on a leash is a dog under control ... costs the City money" because of then having to implement regulations. He further suggested it would be well within the Parks and Recreation Department's purview to "put up yellow tape" and keep people out of the bear habitat at Fuji Park. He further suggested recruiting volunteers to refill mutt mitt stations. He was uncertain as to how a complaint would be defined. He suggested installing signage at park facilities where dogs are prohibited advising of dog-friendly facilities. He suggested further defining the language to indicate "companion animals" rather than just dogs. He noted that "one horse causes more waste that's never cleaned up than all of the dogs in all of the parks."

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Mr. Fahrenbruch advised that horses, fowl, and other livestock are subject to other provisions in the Carson City Municipal Code. He further advised of wrestling “with the issue of control all the time.” He expressed resistance to “taking the easy way out” and requiring all dogs to be on a leash in any park where dogs are allowed. He personally defined control and advised that the park rangers are trained to define control, as follows: that the “dog needs to be under control of the owner’s voice command or hand signal period, and if they don’t obey that and the owner doesn’t use those effectively and the dog is annoying or bothering other park users, the dog is not under the control of the owner.” He acknowledged the definition constitutes a judgment call on the part of the park ranger, who addresses issues accordingly. He advised that any proposal to change an existing policy would be based on a pattern of complaints, not just one complaint, with consideration given to the seriousness of the complaints. Mr. Fahrenbruch defined “complaint” as “somebody who has an unpleasant experience because of a dog in a park and reports it to staff.” Staff investigates complaints which sometimes turn out to be frivolous. Mr. Fahrenbruch advised that “nine times out of ten, ... it’s not the dog’s fault, it’s the owner’s fault.” Staff has prohibited users from certain park facilities as a result of verified complaints. Mr. Fahrenbruch commended the suggestions to install signage advising of dog-friendly park facilities at facilities where dogs are prohibited, and to recruit volunteers to stock mutt mitt stations. He considered “dog-friendly policies and dog-friendly sites as being part of a dog-friendly community.” Chairperson Curtis expressed the hope that community awareness and responsibility will increase and that feedback will be provided during the trial period. She thanked Mr. Fahrenbruch for his presentation and for ensuring geographic diversity of the proposed facilities.

In response to a question, Mr. Fahrenbruch advised that Parks Department staff has discussed the Schulz Ranch development being designated as dog friendly. He anticipates that all of the 8-foot wide paths that link Schulz Ranch will be dog friendly and that mutt mitt stations will be installed. He emphasized the trial period for the proposed dog policies, and noted the importance of the community “policing themselves.” A subsequent drain on the Parks Department resources would result in no other recourse than to “pull back” on the dog-friendly sites. Mr. Fahrenbruch expressed optimism that the community will respond positively. In response to a question, he advised that the Parks Department maintains open space trails and the Moffat Property. In response to a comment, he expressed the opinion that the Open Space Advisory Committee, Open Space / Property Manager Juan Guzman, and Mr. Moellendorf would likely endorse allowing dogs to be off leash on open space property. Commissioner Livermore encouraged discussion with these individuals. In response to a comment, Mr. Fahrenbruch discussed the possibility of developing a dog park at the west end of Fuji Park which is currently undeveloped.

Chairperson Curtis called for public comment; however, none was forthcoming. In response to a question, Mr. Fahrenbruch advised that all the proposed policies would be implemented on a trial basis. After a sufficient trial period and pending its success, Mr. Fahrenbruch would present a recommendation to the Board of Supervisors to permanently change the City’s policies. He advised of the intent to periodically report back to the commission throughout the trial period. Based on the presentation and discussion, Commissioner McKenna suggested giving direction to the Parks Department to implement changes to existing dog policies on a trial basis for the period of one year. He expressed reluctance to the commission becoming involved in details such as on-leash and off-leash hours. **Commissioner McKenna moved to require the Parks and Recreation Department to implement temporary regulations that allow for changes in dog policies in parks and other areas of town and report back to the commission in a year. Commissioner Livermore seconded the motion. Motion carried 5-0.**

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5-B. DISCUSSION AND POSSIBLE ACTION TO SUPPORT A PROCESS TO INVOLVE THE COMMUNITY IN THE FEASIBILITY OF DOG PARKS AND PROVIDE INPUT ON DOG POLICIES IN PARKS (6:49:45) - Chairperson Curtis introduced this item, reviewed the agenda report and Exhibit A. Commissioner McKenna expressed the belief that the best government or regulation “comes from the citizens telling the regulators what they want.” He suggested considering the open meeting law, and expressed a preference for a grass roots effort by citizens interested in having a dog park. He expressed the hope that full consideration will be given to the possibility of a dog park in that “many, many places are closing them down and they are incredibly expensive parks.” He expressed the opinion that the commission and the Parks and Recreation Department should not be involved in the discussion “unless there is an outcry from the citizenry.” He expressed support for Chairperson Curtis politicking with the citizenry to “get an outcry going.” He expressed no desire to get “into a situation where we have to start posting meetings.” Chairperson Curtis expressed the assumption that the first community meeting would be posted to provide for the attendance of other commissioners. She expressed the opinion “there is an interest out there; ... they’re just looking for someone to get the ball started.” In response to a comment, Commissioner McKenna agreed there was no reason one of the commissioners couldn’t begin meeting with the citizens. Commissioner Livermore agreed with Commissioner McKenna that Chairperson Curtis should meet with citizens without involving the full commission.

In response to a question, Mr. Moellendorf advised of a fee schedule for resident, non-profit organizations to use Parks and Recreation Department facilities. He suggested contacting the Reservation Coordinator. Commissioner McKenna suggested that Chairperson Curtis could meet in one of the school district facilities for free. Mr. Moellendorf noted the many opportunities available in the community to facilitate such a meeting. In response to a comment, he advised that staff would attend a meeting, if invited. He suggested the subject discussion centered around whether to have a commission-approved meeting or a grass roots-organized meeting that doesn’t necessarily have to be publicized and noticed. He reiterated that Parks Department staff would be willing to attend either type of meeting, if invited.

Commissioner McKenna suggested that discussion regarding the possibility of developing a dog park at the west end of Fuji Park could simply be agendized as part of a regular commission meeting. Mr. Fahrenbruch suggested that Chairperson Curtis determine whether there is a grass roots interest in developing a dog park. Once the demand for a dog park is evidenced, “staff has to follow.” Mr. Fahrenbruch advised of an interest in attending a meeting, if invited. He noted that Chairperson Curtis would know, after two or three meetings, whether the community is interested in developing a dog park. If interest builds, the demand would be demonstrated to the commission and City staff. As an example, Commissioner Livermore referred to the demand for racquetball indicated by community input, engendered by former commissioner Tom Patton, during the parks and recreation master planning process.

Mr. Moellendorf suggested three options, as follows: a grass roots-oriented meeting to determine interest in building a dog park which wouldn’t necessarily be commission sanctioned. He reiterated that staff would be interested in attending. A second option would be the commission authorizing the chair to schedule a meeting in which case it should be noticed under the Open Meeting Law. He advised that staff would be interested in attending. A third option would be agendizing an item for a regular commission meeting. Posting such an item would determine interest by the citizens to attend and provide input. Mr. Geddes offered to research the Open Meeting Law with regard to scheduling a grass-roots meeting with the intent of ultimately advising the commission. In response to a comment, he suggested that agendizing an item and “treating it as an official function is probably the safest method.” Chairperson Curtis expressed

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a preference for the second option. Mr. Geddes advised that if the purpose of the meetings would be to ultimately advise the commission, that may trigger some Open Meeting Law requirements. He reiterated that the third option may prove to be the safest. Discussion followed, and Mr. Moellendorf reminded the commissioners that former commissioner Patton had “found somebody else ... to ... lead the charge for him.” He noted the difficulties associated with serving on an advisory committee and wanting to pursue a project of personal interest. Chairperson Curtis noted consensus of the commission seemed to be no desire to take action on this item. She suggested the “least painful way would be to go out and get the business done rather than bringing it here and starting from scratch so hopefully it’ll come back in a more organized fashion.”

5-C. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AN ORDINANCE RELATING TO THE OPERATIONS OF MOBILE CANTEENS AND VENDORS IN CITY PARKS IN ASSOCIATION WITH CITY PROGRAMS (7:07:29) - Chairperson Curtis introduced this item. Mr. Moellendorf reviewed the staff report, read Exhibit A into the record, and provided an overview of the other pertinent agenda materials. He noted that Commissioner Livermore had circulated photographs of mobile vendors operating at Centennial and Mills Parks. He advised that the intent of the proposed ordinance would not be to eliminate mobile vendors, as they provide a “nice element” to recreation programs, but to ensure appropriate regulations are imposed.

In response to a question, Mr. Moellendorf discussed the need to codify the ordinance in order to enforce the policies. In response to a further question, he reviewed regulations applicable to any product vendor. Commissioner McKenna inquired as to whether the policies would be applicable to a park event which “spilled over to a school grounds.” Mr. Moellendorf advised the Parks Department would work with School District representatives to determine activities allowed on their property. Vendors would typically be restricted to park and/or City property. Commissioner Livermore expressed opposition to unlicensed, non-permitted mobile vendors infringing on the rights of licensed, permitted businesses in the City. He advised that the photographs circulated were of vendors without business licenses or health permits. Commissioner McKenna referred, as an example, to the Carson High School Baseball Team selling water and soft drinks to people arriving for graduation ceremonies. He noted that the proposed ordinance would consider the venture a business, thus requiring a business license, “and all the profit would go poof.” He requested staff to ensure that the ordinance provides sufficient power to exempt fund raisers, and expressed concern over keeping things as simple as possible for parents and kids. Mr. Moellendorf suggested that the definition of “business” would need to be considered in such cases. The determination over businesses and fund raisers would be left to the discretion of the Parks and Recreation Director. He discussed the importance of ensuring the public health and avoiding competition with properly licensed community businesses. Following discussion, Commissioner McKenna reiterated the importance of the Parks and Recreation Director being endowed with sufficient discretion to make determinations over fund raisers and businesses.

In response to a question, Mr. Moellendorf explained the intent of the language of paragraph 13.02.270(4). Discussion took place with regard to the possibility of establishing a fee schedule at a future commission meeting. Chairperson Curtis entertained a motion. **Commissioner McKenna moved to recommend to the Board of Supervisors to approve, on first reading, an ordinance amending Carson City Municipal Code, Title 13, Parks and Recreation, Chapter 13.02, Parks, by adding Section 13.02.270, Business Operations in Parks, and other matters properly related thereto. Commissioner Bauman seconded the motion.** Commissioner McKenna noted the discussion with regard to the definition of “business” and

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reiterated the importance of ensuring sufficient latitude for the Parks and Recreation Director. Chairperson Curtis called for a vote on the pending motion; **motion carried 5-0.**

6. COMMISSIONERS' ANNOUNCEMENTS AND REQUESTS FOR INFORMATION

(7:28:07) - Commissioner Livermore invited the commissioners to J.J. McCain's bocci ball court dedication scheduled for 1:00 p.m. on Saturday, October 20th. He announced the Carson City Arts and Culture Coalition Reception scheduled for 5:30 p.m. on Thursday, October 18th at Galaxy Theater.

7. FUTURE AGENDA ITEMS (7:29:41) - None.

8. ACTION ON ADJOURNMENT (7:29:47) - Commissioner Livermore moved to adjourn the

meeting at 7:29 p.m. The motion was seconded and carried 5-0.

The Minutes of the October 16, 2007 Carson City Parks and Recreation Commission meeting are so approved this 20th day of November, 2007.

DONNA J. CURTIS, Chair