

**CITY OF NORTH LAS VEGAS
REGULAR CITY COUNCIL MEETING MINUTES**

March 7, 2001

CITY COUNCIL INFORMATION SESSION

CALL TO ORDER

6:15 P.M. City Manager's Conference Room, 2200 Civic Center Drive, North Las Vegas, Nevada

- a. Verification
- b. Discussion of City Council Agenda
- c. I-15/Lamb Special Improvement District Update
- d. Update on the 7500 Acres
- e. Public Comment

CITY COUNCIL MEETING

CALL TO ORDER

7:02 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

PRESENT

Mayor Michael L. Montandon
Mayor Pro Tempore William E. Robinson
Councilman John K. Rhodes
Councilwoman Stephanie S. Smith
Councilman Shari Buck

STAFF PRESENT

City Manager Kurt Fritsch
Assistant City Manager Michele Richardson
Assistant City Manager Gregory Rose
City Clerk Eileen M. Sevigny
City Attorney Sean T. McGowan
Finance Director Vytas Vaitkus
Human Resources Director Dan Tarwater
Public Works Director Jim Bell
Development Services Director Tom Bell

Parks & Recreation Director Ken Albright
Community Development Director
Jacque Risner
Administrative Services Director Eric Dabney
Police Chief Joe Tillmon
Chief of Detention Ken Ellingson
Fire Chief Robert Dodge
Public Information Officer Brenda Johnson
Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Sevigny, CMC, City Clerk

INVOCATION

Willie Mae Scott

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PROCLAMATION

i ***Designating March as Taxicab Driver Safety Awareness Month***

March designated as Taxicab Driver Safety Awareness Month and citizens were urged to contact the Police immediately upon seeing a green light on top of a taxicab, signaling the driver is in need of assistance.

AGENDA

1. REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 7, 2001.

ACTION: APPROVED AS AMENDED; ITEM NOS. 12 AND 17 AMENDED; ITEM NO. 18 STRICKEN.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

CONSENT AGENDA

2. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 21, 2001.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

3. APPROVAL OF PRIVILEGED BUSINESS LICENSES (Exhibit A):

	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
1.	Richard Crawford, Pres. <u>DBA</u> : Green Valley Grocers #23 3660 W Craig Rd Store North Las Vegas, Nevada <u>Formerly: Turtle Stop # 6 (Jacob Harouch, Owner)</u> <u>Police Investigation Approved</u>	LIQUOR	Beer & Wine Off Sale Within a Convenience
2.	Hossein Ali Zare <u>DBA</u> : Hamburger Hut N Market 2512 E Cheyenne Ave State #26376-01 North Las Vegas, Nevada <u>Nevada State Gaming Commission approved on December 20, 2000</u>	GAMING Owner/Operator	(7) Slot Machines
3.	Pashi Dhaliwal, Franchisee <u>DBA</u> : 7-Eleven Food Store #29657C 1721 Las Vegas Blvd N State #02809-02 North Las Vegas, Nevada <u>Nevada State Gaming Commission approved on January 25, 2001</u>	GAMING Owner/Operator	(5) Slot Machines

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

4. **APPROVAL OF UTILITY EASEMENT RN-01-01, JUPITER GOLF COMPANY LAS VEGAS LP; INGRESS AND EGRESS EASEMENT RN-02-01, JUPITER GOLF COMPANY LAS VEGAS LP; GRANT DEED - DEED OF DEDICATION RN-03-01, JUPITER GOLF COMPANY LAS VEGAS LP; UTILITY EASEMENT RN-04-01, TRUCK PARTS & EQUIPMENT COMPANY; ROADWAY EASEMENT RN-05-01, TRUCK PARTS & EQUIPMENT COMPANY; GRANT DEED - DEED OF DEDICATION RN-06-01, MENDENHALL LEGACY LIMITED PARTNERSHIP; UNDERGROUND DRAINAGE EASEMENT RN-07-01, MENDENHALL LEGACY LIMITED PARTNERSHIP; UTILITY EASEMENT RN-08-01, SILVIO MATEO; INGRESS AND EGRESS EASEMENT RN-09-01, THE REISS FAMILY TRUST; INGRESS AND EGRESS EASEMENT RN-10-01, STOCKTON PRODUCTS; ROADWAY EASEMENT RN-11-01, STOCKTON PRODUCTS; ROADWAY EASEMENT RN-12-01, STOCKTON PRODUCTS; ROADWAY EASEMENT RN-13-01, THE REISS FAMILY TRUST; UTILITY EASEMENTS RN-14-01, CLARK COUNTY SCHOOL DISTRICT; UTILITY EASEMENTS RN-15-01, CAREFREE HOLDING LIMITED PARTNERSHIP; ROADWAY EASEMENTS RN-16-01, CAREFREE HOLDING LIMITED PARTNERSHIP; ROADWAY EASEMENT RN-17-01, SAM G. DISTEFANO; ROADWAY EASEMENT RN-18-01, PECOS & CENTENNIAL PKWY TRUST; UTILITY EASEMENT RN-19-01, RETAIL HOLDINGS 4, LLC; UTILITY EASEMENTS RN-20-01, G & O LEASING, LLC.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

5. **APPROVAL TO ACCEPT THE PARK MOWER SHOP ADDITION PROJECT, PHASE I FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

6. APPROVAL TO ACCEPT THE WARRANTY REPAIR PROGRAM - PHASE I PROJECT, BID NO. 1078 FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

7. APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM CHARLES TAYLOR COMMUNICATIONS, INC., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT GOWAN ROAD AND COMMERCE STREET IN THE AMOUNT OF 2.2% OF THE TOTAL COST OR APPROXIMATELY \$9,279 IN CONNECTION WITH THE GOWAN WAREHOUSE - VERIZON WIRELESS PROJECT.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

8. **APPROVAL TO ACCEPT A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM ROGER BARON FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND COMMERCE STREET IN THE AMOUNT OF 2.8% OF THE TOTAL COST OR APPROXIMATELY \$7,379; AND CRAIG ROAD AND NORTH 5TH STREET IN THE AMOUNT OF 3.0% OF THE TOTAL COST, OR APPROXIMATELY \$3,900 IN CONNECTION WITH THE JUPITER GOLF CENTER PROJECT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

9. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH NORTHERN VISTA'S, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT THE NORTH LEG OF CRAIG ROAD AND ALLEN LANE - DUAL LEFT, IN THE AMOUNT OF 3.1% OF THE TOTAL COST OR APPROXIMATELY \$7,750; EAST LEG OF CRAIG ROAD AND ALLEN LANE - DUAL LEFT, IN THE AMOUNT OF 3.3% OF THE TOTAL COST OR \$8,250; SOUTH LEG OF CRAIG ROAD AND SIMMONS STREET - DUAL LEFT, IN THE AMOUNT OF 5.3% OF THE TOTAL COST OR APPROXIMATELY \$13,250; AND THE WEST LEG OF CRAIG ROAD AND SIMMONS STREET - DUAL LEFT, IN THE AMOUNT OF 3.3% OF THE TOTAL COST OR APPROXIMATELY \$8,250, IN CONNECTION WITH THE CRAIG/FERRELL COMMERCIAL CENTER. (Contract No. C-4873)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None
ABSTAIN: None

10. **APPROVAL OF CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT INTERLOCAL CONTRACT - GOWAN OUTFALL, CRAIG TO CHANNEL, WHICH APPLIES TO CONSTRUCTION AND CONSTRUCTION ENGINEERING INCLUDING A CLOSED CONDUIT THAT EXTENDS FROM THE SOUTH SIDE OF THE CRAIG ROAD RIGHT-OF-WAY TO THE CONFLUENCE WITH THE GOWAN OUTFALL CHANNEL; TOTAL COST NOT TO EXCEED \$1,956,500 FOR WHICH THE DISTRICT WILL REIMBURSE THE CITY PRIOR TO JULY 2004 (Contract No. C-4874); FIRST SUPPLEMENT INTERLOCAL CONTRACT - UPPER LAS VEGAS WASH, WHICH REVISES SECTION II - PROJECT COSTS TO A TOTAL CONTRACT COST OF \$2,500,000 (Contract No. C-4755); FIRST SUPPLEMENTAL INTERLOCAL CONTRACT - LAS VEGAS WASH - LOSEE, WHICH REVISES SECTION II - PROJECT COSTS TO A TOTAL CONTRACT COST OF \$600,000 (Contract No. C-4754); AND FIRST SUPPLEMENTAL INTERLOCAL CONTRACT - CENTENNIAL PARKWAY - CHANNEL EAST, WHICH REVISES SECTION II - PROJECT COSTS TO A TOTAL CONTRACT COST OF \$863,000 (Contract No. C-4756).**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Rhodes
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

11. **APPROVAL OF AN ADMINISTRATIVE SETTLEMENT FOR RIGHT OF WAY ACQUISITION FROM JAN MORRISON, ET AL, PROPERTY OWNER, IN THE AMOUNT OF \$30,000 TO FACILITATE AND CONCLUDE NEGOTIATIONS FOR TOTAL ACQUISITION OF THE .185 ACRE PARCEL. A.P.N. 139-12-406-002.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Rhodes
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith

and Buck
NAYS: None
ABSTAIN: None

12. APPROVAL TO AMEND THE 2000-2001 STAFFING PATTERN AS FOLLOWS:

ADD ONE (1) SYSTEMS DEVELOPER GRADE 22TA

ADD ONE (1) INFORMATION ASSURANCE SPECIALIST GRADE 24TA

ADD ONE (1) INFORMATION SERVICES SUPPORT SPECIALIST GRADE 22TA

ADD ONE (1) NETWORK ANALYST GRADE 23TA

MOVE ONE (1) HUMAN RESOURCES ANALYST GRADE 23TA FROM HUMAN RESOURCES TO ADMINISTRATIVE SERVICES

MOVE ONE (1) PAYROLL COORDINATOR GRADE 16TNS FROM FINANCE TO ADMINISTRATIVE SERVICES

ACTION: APPROVED AS AMENDED; MOVE ONE PAYROLL COORDINATOR GRADE 16TNS FROM FINANCE TO ADMINISTRATIVE SERVICES DELETED.

**MOTION: Mayor Montandon
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None**

13. AMP-04-01 (STARWOOD UNIT 2); AN APPLICATION SUBMITTED BY CANYON WILLOW BUILDERS TROP. LLC, ON BEHALF OF G. FRED JEYNES, PROPERTY OWNER, TO REALIGN JUNE STREET (51-FOOT RIGHT-OF-WAY) BETWEEN MARTIN L. KING BOULEVARD AND CONCORD STREET. (SET PUBLIC HEARING FOR APRIL 4, 2001)

ACTION: PUBLIC HEARING SET FOR APRIL 4, 2001

**MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Rhodes
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith**

and Buck
NAYS: None
ABSTAIN: None

14. APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY UN-09-01; AN APPLICATION SUBMITTED BY JAMES A. LEE, FOR A USE PERMIT ON PROPERTY LOCATED AT 4224 ARCATA WAY, SUITE A, B & C, TO ALLOW A MORTUARY/CREMATORIUM. (SET PUBLIC HEARING FOR APRIL 4, 2001)

ACTION: PUBLIC HEARING SET FOR APRIL 4, 2001

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Rhodes
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

BUSINESS

15. APPROVAL OF AN AGREEMENT WITH HALL, GREEN, RUPLI, IN THE AMOUNT OF \$7,500 PER MONTH PLUS PRE-AUTHORIZED EXPENSES, TO REPRESENT THE CITY IN WASHINGTON, D.C. (Contract No. C-4875)

ACTION: APPROVED TO EXPIRE FEBRUARY 1, 2002 IN THE AMOUNT OF \$7,500 PER MONTH PLUS PRE-AUTHORIZED EXPENSES.

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Buck
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

16. APPROVAL OF A REQUEST FOR A ONE YEAR EXTENSION OF TIME FOR RESOLUTION OF INTENT NO. 2097 (ZN-64-98, RANCHO MIRAGE), TO EXPIRE JANUARY 20, 2002, A RESOLUTION TO RECLASSIFY A TRACT OF LAND FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 600 TO 1200 FEET FROM ANN ROAD.

Development Services Director Tom Bell explained on January 24, 2001, the Planning Commission recommended approval of the request for an extension of time. Staff received the final engineering plans for the site and the applicant had applied for a final map. Immediately to the west of the site was the remainder of the PUD which was recorded, the streets were installed and approximately six homes were built.

ACTION: ONE-YEAR EXTENSION OF TIME APPROVED

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

17. RESOLUTION NO. 2201; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, AUTHORIZING FILING OF A GRANT APPLICATION TO THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM FOR THE RENOVATION OF THE CHEYENNE SPORTS COMPLEX IN THE AMOUNT OF \$114,500 WITH \$57,250 REIMBURSABLE UPON COMPLETION OF PROJECT.

Resolution No. 2201 as introduced by the City Manager:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA AUTHORIZING FILING OF GRANT APPLICATION TO THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM FOR THE RENOVATION OF THE CHEYENNE SPORTS COMPLEX.

ACTION: PASSED AND ADOPTED AS AMENDED; GRANT APPROVED IN THE AMOUNT OF \$150,000 WITH \$75,000 REIMBURSABLE UPON COMPLETION OF PROJECT.

City Manager Fritsch explained the Resolution had been amended to reflect a grant amount of \$150,000 with \$75,000 reimbursable upon completion of the project.

MOTION: Councilwoman Smith
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

18. RESOLUTION NO. 2202; A RESOLUTION DIRECTING THE CITY FINANCE DIRECTOR TO GIVE NOTICE OF THE SALE OF PROPERTIES SUBJECT TO THE LIEN OF A DELINQUENT ASSESSMENT; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: STRICKEN

MOTION: Mayor Montandon
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

19. RESOLUTION NO. 2203; A RESOLUTION DESIGNATED AS THE "2001 TAX OVERRIDE ELECTION RESOLUTION;" DECLARING THE NECESSITY OF CHANGING THE USE OF A SPECIAL ELECTIVE TAX AND CALLING AN ELECTION THEREON; AND PROVIDING OTHER MATTERS PROPERLY

RELATING THERETO.

Resolution No. 2203 as introduced by the City Manager:

A RESOLUTION DESIGNATED AS THE "2001 TAX OVERRIDE ELECTION RESOLUTION;" DECLARING THE NECESSITY OF CHANGING THE USE OF A SPECIAL ELECTIVE TAX AND CALLING AN ELECTION THEREON; AND PROVIDING OTHER MATTERS RELATING THERETO.

City Manager Fritsch explained the item was presented to the Debt Management Commission and was approved by an 8-0 vote.

Finance Director Vytas Vaitkus explained adoption of the resolution would forward the subject question to the Clark County Registrar of Voters to be included on the June 5, 2001 ballot. If approved by the voters, it would broaden the use of the current special override property tax rate for the next twenty-five years. The override was currently \$.13 and generated approximately \$2.5 million per year. It would allow the funds to also be used for capital improvements associated with parks and fire stations without raising the tax rate. The current tax rate of \$.24 was levied to pay off debt on the Judicial Complex and street maintenance. Each year, Council would determine the appropriations for each item when the budget was adopted.

Mayor Montandon further explained a Ballot Question Committee was being formed consisting of six people, three people in favor of, and three people opposed to the ballot question, to write arguments to explain the question to the voters. He summarized the \$.24 property tax rate was initiated approximately ten years ago to pay for the Judicial Complex. As the City had grown, and the amount of money necessary to pay for the jail went down, the remaining money was approved to be spent on road maintenance. As that money continued to grow, Council was now asking the voters if they desired to split those funds between street maintenance, and capital improvements for parks and fire stations. The Mayor reiterated it did not add any additional tax, rather, it changed the City's ability to spend the money in different areas.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

ORDINANCES

INTRODUCTION ONLY

20. **ORDINANCE NO. 1489; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND LA MADRE WAY (ZN-03-01, AUTUMN CHASE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)**

Ordinance No. 1489 as introduced by the City Manager:

ORDINANCE NO. 1489; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND LA MADRE WAY (ZN-03-01, AUTUMN CHASE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

21. **ORDINANCE NO. 1490; AN ORDINANCE RELATED TO ZONING; AMENDING PARAGRAPH F OF SECTION 040 OF CHAPTER 20 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO AMEND THE ZONING ORDINANCE; BY ALLOWING A FRONT YARD SETBACK OF 15 FEET WHILE KEEPING A 20-FOOT SETBACK TO THE FACE OF THE GARAGE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET**

FINAL ACTION FOR MARCH 21, 2001.)

Ordinance No. 1490 as introduced by the City Manager:

ORDINANCE NO. 1490; AN ORDINANCE RELATED TO ZONING; AMENDING PARAGRAPH F OF SECTION 040 OF CHAPTER 20 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO AMEND THE ZONING ORDINANCE; BY ALLOWING A FRONT YARD SETBACK OF 15 FEET WHILE KEEPING A 20-FOOT SETBACK TO THE FACE OF THE GARAGE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

22. **ORDINANCE NO. 1491; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO PUD FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST ALIGNMENT OF VISTA STREET AND EVANS AVENUE (ZN-02-01, BIGELOW AEROSPACE CAMPUS ADDITION) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)**

Ordinance No. 1491 as introduced by the City Manager:

ORDINANCE NO. 1491; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO PUD FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST ALIGNMENT OF VISTA STREET AND EVANS AVENUE (ZN-02-01, BIGELOW AEROSPACE CAMPUS ADDITION) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

23. **ORDINANCE NO. 1492; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ALLEN LANE AND LA MADRE WAY (ZN-69-98, SCHELLING ESTATES TRACT 1) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)**

Ordinance No. 1492 as introduced by the City Manager:

ORDINANCE NO. 1492; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ALLEN LANE AND LA MADRE WAY (ZN-69-98, SCHELLING ESTATES TRACT 1) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

24. **ORDINANCE NO. 1493; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF PECOS ROAD, NORTH OF ALEXANDER ROAD (ZN-3-97, SILVERADO BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)**

Ordinance No. 1493 as introduced by the City Manager:

ORDINANCE NO. 1493; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF PECOS ROAD, NORTH OF ALEXANDER ROAD (ZN-3-97, SILVERADO BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

25. **ORDINANCE NO. 1494; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO C-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF ANN ROAD AND SIMMONS STREET (ZN-4-96, BECKER REALTY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)**

Ordinance No. 1494 as introduced by the City Manager:

ORDINANCE NO. 1494; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO C-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF ANN ROAD AND SIMMONS STREET (ZN-4-96, BECKER REALTY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

26. **ORDINANCE NO. 1495; AN ORDINANCE RELATED TO ZONING; AMENDING**

SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF CLAYTON STREET AND EVANS AVENUE (ZN-35-00, CLAYTON BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)

Ordinance No. 1495 as introduced by the City Manager:

ORDINANCE NO. 1495; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF CLAYTON STREET AND EVANS AVENUE (ZN-35-00, CLAYTON BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

27. **ORDINANCE NO. 1496; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY (ZN-36-00, NORTH 5TH STREET AND DEER SPRINGS APARTMENTS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)**

Ordinance No. 1496 as introduced by the City Manager:

ORDINANCE NO. 1496; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-3 FOR PROPERTY GENERALLY LOCATED

ON THE NORTHWEST CORNER OF NORTH 5TH STREET AND DEER SPRINGS WAY (ZN-36-00, NORTH 5TH STREET AND DEER SPRINGS APARTMENTS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

28. **ORDINANCE NO. 1498; AN ORDINANCE RELATED TO ZONING; REPEALING ORDINANCE NO. 1403 WHICH AMENDED SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM M-2 TO PUD (ZN-13-98, GLENEAGLES), AND REPLACING SAID ORDINANCE WITH CONDITIONS ADDED TO THE PUD ZONING, GENERALLY LOCATED NORTH OF GOWAN ROAD AND WEST OF COMMERCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 21, 2001.)**

Ordinance No. 1498 as introduced by the City Manager:

ORDINANCE NO. 1498; AN ORDINANCE RELATED TO ZONING; REPEALING ORDINANCE NO. 1403 WHICH AMENDED SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM M-2 TO PUD (ZN-13-98, GLENEAGLES), AND REPLACING SAID ORDINANCE WITH CONDITIONS ADDED TO THE PUD ZONING, GENERALLY LOCATED NORTH OF GOWAN ROAD AND WEST OF COMMERCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR MARCH 21, 2001.

ORDINANCES

FINAL ACTION

29. **ORDINANCE NO. 1485; AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING CERTAIN PROPERTIES THEREIN FROM R-A/R-3 REDEVELOPMENT AREA/HIGH DENSITY RESIDENTIAL SUBDISTRICT, R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO R-A/R-2 REDEVELOPMENT AREA/MEDIUM HIGH DENSITY RESIDENTIAL SUBDISTRICT, FOR PROPERTIES (1) GENERALLY BOUNDED BY OXFORD AVENUE TO THE NORTH, NORTH 5TH STREET TO THE EAST, OWENS AVENUE TO THE SOUTH AND STOCKER STREET TO THE WEST, (2) GENERALLY BOUNDED BY LAKE MEAD BOULEVARD TO THE NORTH, BRUCE STREET TO THE EAST, TONOPAH AVENUE TO THE SOUTH, AND ROOSEVELT AVENUE TO THE WEST, AND (3) GENERALLY LOCATED BETWEEN JUDSON AVENUE AND MCGOVERN AVENUE, FRONTING DONNA STREET (ZN-40-00, CITY OF NORTH LAS VEGAS), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1485 as introduced by the City Clerk:

ORDINANCE NO. 1485; AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING CERTAIN PROPERTIES THEREIN FROM R-A/R-3 REDEVELOPMENT AREA/HIGH DENSITY RESIDENTIAL SUBDISTRICT, R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO R-A/R-2 REDEVELOPMENT AREA/MEDIUM HIGH DENSITY RESIDENTIAL SUBDISTRICT, FOR PROPERTIES (1) GENERALLY BOUNDED BY OXFORD AVENUE TO THE NORTH, NORTH 5TH STREET TO THE EAST, OWENS AVENUE TO THE SOUTH AND STOCKER STREET TO THE WEST, (2) GENERALLY BOUNDED BY LAKE MEAD BOULEVARD TO THE NORTH, BRUCE STREET TO THE EAST, TONOPAH AVENUE TO THE SOUTH, AND ROOSEVELT AVENUE TO THE WEST, AND (3) GENERALLY LOCATED BETWEEN JUDSON AVENUE AND MCGOVERN AVENUE, FRONTING DONNA STREET (ZN-40-00, CITY OF NORTH LAS VEGAS), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Mr. Alan Jenson, 2524 Perliter, North Las Vegas, stated his property was newer than other properties proposed to be rezoned and was well kept. He further explained the lots were uniform in size and there was sufficient square footage to meet the proposed requirements

for R-3 zoning. As the original builder and owner of the property, Mr. Jenson stated the property had been zoned R-3 since purchase and was opposed to the proposed down zoning of the property as he felt it would make it less valuable if it were to be sold.

Mayor Montandon stated as an improved property, the proposed zone change did not affect his property. Mr. Jenson responded he did not think down zoning a property would make it more valuable. Mayor Montandon replied the effect of the ordinance was on vacant land only; not improved, developed property. Mr. Jenson's property held a legal, non-conforming use. Mr. Jenson stated if he were to sell the property, it would not sell for the same amount as if it were zoned R-2 instead of the current R-3. Mayor Montandon reiterated the ordinance pertained to vacant land only and the value of Mr. Jenson's property was generated from the rent, not the value of the land if it were vacant.

Councilman Rhodes asked for Staff's response to Mr. Jenson's statements. Development Services Director Tom Bell explained the item was presented to the Planning Commission on January 10, 2001 and was unanimously recommended for approval. The reason behind the rezoning was to allow most of the properties in question a wider range of development, ranging from single family to multi-family which R-2 would provide for; R-3 and R-4 would not. The vast majorities of the properties in question had legal, non-conforming uses on them and were not affected by the ordinance. Mr. Bell further stated the R-2 development standards were very similar to the R-3 and R-4 standards and although the R-4 allowed maximum densities, in actuality, when developed with appropriate set-back, height limitations, landscaping and parking requirements, it was unlikely there would be a difference in the developed property. The goal of re-zoning the properties was to allow the flexibility of recycling properties to allow single family residences if developers so desired to build that type of dwelling on those properties.

Councilman Rhodes questioned how many residences per acre could be developed with R-4 zoning. Mr. Bell responded approximately 50 units per acre but the real issue was the property could not be developed as R-4 given the City's current standards. City Manager Fritsch clarified the City was not requiring Mr. Jenson to remove any structure developed on his property, but it was highly unlikely, if the structures were removed, they could repeat what they have on the lots today based upon current design standards and setback requirements. Councilman Rhodes then asked how exceptions would be made for developers who desired to build outside the density requirements of R-3 in the redevelopment area. He felt it would be a detriment to developers desiring to build in the redevelopment area and would limit the types of uses that could be built there. City Manager Fritsch stated it had previously been Council's desire to reduce the density in the redevelopment area because of the number of apartments. He further commented it was a portion of the overall direction to Staff from Council. Councilman Rhodes stated his interpretation of the direction to Staff was to allow flexibility for the Council to have the ability to recruit developers with proposed projects compatible with the existing redevelopment area. He felt the ordinance in question negated

that intent by limiting the types of uses that could be constructed there.

City Manager Fritsch stated if Council desired to take the position of maintaining high density in the redevelopment area, that represented a shift in the direction Council had given Staff in the past.

Councilman Buck stated it would not have an impact if Mr. Jenson's property was rezoned or not and it was her feeling his properties should be excluded from the ordinance.

Councilwoman Smith concurred with Councilman Buck in that a decision of the zoning would not change Mr. Jenson's property but if it allowed him to feel more secure, Council should allow him to keep his current zoning. She agreed that Staff had previously been given direction to lower the densities in the redevelopment area and was in favor of those continued efforts.

Councilman Rhodes stated in the past, there had been no developers coming forward to propose a multi-family project on any of the properties in question. He felt there was a definite incompatibility in the zoning of adjacent properties but still was of the opinion that the ordinance in question limited development.

Mayor Pro Tempore Robinson asked the City Attorney how to word a motion. City Attorney McGowan questioned the number of lots on the block and Mr. Jenson clarified he owned five lots and his sister owned the remaining two. He stated the motion needed to clarify exactly which lots were exempted from the ordinance. Mayor Pro Tempore Robinson made a motion to approve the ordinance with the exception of Parcel Lots 072 through 078 in the Williams Fourth Addition Subdivision at the southwest corner of Judson Street and Donna Street. The motion was seconded by Mayor Montandon.

Councilman Buck agreed with Councilman Rhodes that the City needed to promote and allow redevelopment. She asked what the process would be if a developer desired a variance from the zoning. Councilman Rhodes stated the result of the ordinance would be spot zoning if Council were to exempt Mr. Jenson's properties. He requested the item be tabled in order to give Staff more definite instructions regarding the intent of the ordinance. Councilman Rhodes then made an amendment to the motion to table the item for further clarification.

Councilwoman Smith then asked if a property that was previously zoned constituted spot zoning. Mayor Montandon responded Mr. Jenson's properties were currently spot zoned and the action of the ordinance attempted to eliminate that spot zoning.

ACTION: TABLED TO THE MEETING OF APRIL 4, 2001.

MOTION: Councilman Rhodes

SECOND: Mayor Montandon
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, and Councilman Rhodes
NAYS: Councilmen Smith and Buck
ABSTAIN: None

30. ORDINANCE NO. 1486, AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF EL CAMPO GRANDE AVENUE, APPROXIMATELY 330 FEET WEST OF VALLEY DRIVE (ZN-01-01, EL CAMPO GRANDE), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1486 as introduced by the City Clerk:

ORDINANCE NO. 1486, AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF EL CAMPO GRANDE AVENUE, APPROXIMATELY 330 FEET WEST OF VALLEY DRIVE (ZN-01-01, EL CAMPO GRANDE), AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Rhodes
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck
NAYS: None
ABSTAIN: None

31. ORDINANCE NO. 1487, AN ORDINANCE RELATING TO ZONING; AMENDING SUBSECTION F OF SECTION 080 OF CHAPTER 24 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING FENCE WALL DEVIATIONS TO BE APPROVED BY THE DEVELOPMENT SERVICES DIRECTOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Ordinance No. 1487 as introduced by the City Clerk:

ORDINANCE NO. 1487, AN ORDINANCE RELATING TO ZONING; AMENDING SUBSECTION F OF SECTION 080 OF CHAPTER 24 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING FENCE WALL DEVIATIONS TO BE APPROVED BY THE DEVELOPMENT SERVICES DIRECTOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: PASSED AND ADOPTED.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

APPOINTMENT

32. APPOINTMENTS TO THE CIVIL SERVICE BOARD OF TRUSTEES TO FILL THE TWO TERMS EXPIRING JUNE 30, 2001.

ACTION: CHARLES HAGEN APPOINTED FOR THE TERM EXPIRING JUNE 30, 2001.

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

ACTION: DR. BETTY HENDERSON APPOINTED FOR THE TERM EXPIRING JUNE

30, 2001.

MOTION: Councilman Rhodes
SECOND: Mayor Montandon
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith
and Buck
NAYS: None
ABSTAIN: None

COUNCIL ITEMS

There were no additional items.

CITY MANAGER'S REPORT

Police Chief Tillmon gave an update on the recent homicides in the vicinity of the Buena Vista Springs Apartments. The area had been flooded with officers and residents were encouraged to assist the police in their efforts to curb the violence. A zero tolerance approach would be taken and any and all suspicious activity would be investigated. Chief Tillmon, Mayor Pro Tempore Robinson and Councilman Rhodes would work with citizen groups and the Ministers Alliance to encourage citizens to assist the police. A satellite substation had been established in Buena Vista Springs and the operating hours were currently being evaluated to determine the most effective shift to staff with officers.

PUBLIC FORUM

Shadrack and Wilma Ficklin spoke about the occupation of a Walker Park home they believed was in violation of the occupation agreement. They requested to be released from their agreement because of the violation of other residents. Mayor Montandon explained there could be no modification to the agreements because federal funds were used to fund the project and the only remediation would be to address the owner of the property in violation. Councilman Rhodes requested Staff contact the owner of the property in question and ask him to appear before Council to address the allegations.

Joe Austin spoke regarding Police Department and arbitration issues.

Mike Thomas spoke regarding the Police Department and the alleged dissemination of false information.

Eileen M. Sevigny, CMC, City Clerk