

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

May 2, 2001

**CITY COUNCIL INFORMATION SESSION**

**CALL TO ORDER**

6:00 P.M. City Manager's Conference Room, 2200 Civic Center Drive, North Las Vegas, Nevada

- a. Verification
- b. Discussion of City Council Agenda
- c. Status report on the Buena Vista Police Substation
- d. Public Comment

**CITY COUNCIL MEETING**

**CALL TO ORDER**

7:30 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Eileen M. Sevigny, CMC  
City Clerk

**INVOCATION**

Pastor Dick Jorgensen  
Canyon Ridge Christian Church

**PLEDGE OF ALLEGIANCE**

Mayor Michael L. Montandon

**PRESENTATION**

***PRESENTATION, BY JUDGE STEPHEN J. DAHL,  
NORTH LAS VEGAS JUSTICE COURT,  
TO WINNERS OF THE 2001 ART CONTEST***

**ACTION:       AWARD PRESENTED TO ALL WINNERS OF THE 2001 ART CONTEST**

## **AGENDA**

### **1. REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MAY 2, 2001.**

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO MAY 16, 2001; ITEM NO. 6 Tabled TO JUNE 6, 2001; ITEM NOS. 18 & 19 STRICKEN.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

### **PUBLIC HEARINGS - 7:05 P.M.**

### **2. APPEAL OF THE DECISION OF THE PLANNING COMMISSION TO DENY A SITE PLAN REVIEW REQUEST FOR ALTERNATIVE SCREENING (SPR-44-00, IMAGE CRAFTERS/SERPENTINE), AN APPLICATION SUBMITTED BY ROBERT GRONAUER ON BEHALF OF M.F. GOLDOJARB SURVIVOR TRUST, PROPERTY OWNERS, FOR PROPERTY IN AN M-2 DISTRICT LOCATED AT 3328 LOSEE ROAD.**

ACTION: CONTINUED TO MAY 16, 2001

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**3. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF APRIL 18, 2001.**

ACTION: APPROVED AS AMENDED; ITEM NO. 6 TABLED TO JUNE 6, 2001; ITEM NOS. 18 & 19 STRICKEN.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

**4. APPROVAL OF THE ENGAGEMENT OF SNOW, CHRISTENSEN & MARTINEAU, P.C. TO DEFEND THE CITY IN AMERISOURCE FUNDING, INC. V. CITY OF NORTH LAS VEGAS IN AN AMOUNT NOT TO EXCEED \$25,000.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

**5. APPROVAL TO AMEND THE 2000-2001 STAFFING PATTERN BY ADDING ONE AND ONE HALF (1.5) FTE SCHOOL CROSSING GUARDS TO THE POLICE DEPARTMENT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

**6. APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND CLARK COUNTY TO HOUSE COUNTY INMATES IN**

**THE NORTH LAS VEGAS DETENTION CENTER AT THE RATE OF \$50.00 PER INMATE PER DAY TO BE EFFECTIVE MAY 5, 2001, AND EXPIRE MAY 4, 2002.**

ACTION: TABLED TO THE MEETING OF JUNE 6, 2001.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

7. **APPROVAL TO PURCHASE NETWORK SECURITY, NETWORK MANAGEMENT, ANTI-VIRUS, HELP DESK TOOLS AND APPLICATIONS FROM RED ROCK COMMUNICATIONS (FIREWALL AND CISCO WORKS), IN THE AMOUNT OF \$29,520; FRONT RANGE SOLUTIONS (HEAT), IN THE AMOUNT OF \$41,536; SYMANTEC (MCAFFEE ANTIVIRUS), IN THE AMOUNT OF \$37,187; AND GLOBAL COMPUTER SERVICES (SERVERS) IN THE AMOUNT OF \$6,780.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

8. **ACCEPTANCE OF DRAINAGE/UTILITY EASEMENT RN-50-01, JAMES C. BENTON; UTILITY EASEMENTS RN-51-01, ASPHALT PRODUCTS CORPORATION; ROADWAY EASEMENTS RN-52-01, ASPHALT PRODUCTS CORPORATION; UTILITY EASEMENT RN-53-01, PARDEE CONSTRUCTION COMPANY; ROADWAY EASEMENT RN-54-01, JANNOTTA FAMILY LIMITED LIABILITY COMPANY; ROADWAY EASEMENT RN-55-01, JOHN AND GABRIELLA MICHELON; ROADWAY EASEMENT RN-56-01, 1984 VILLIERS LLC; ROADWAY EASEMENT RN-57-01, UNLIMITED HOLDINGS INC./SUNRISE OAKS; ROADWAY EASEMENT RN-58-01, PECOS AND CENTENNIAL PKWY TRUST; ROADWAY EASEMENT RN-59-01, KAVOOSI FAMILY TRUST; ROADWAY EASEMENT RN-60-01, JOHN AND GABRIELLA MICHELON; ROADWAY EASEMENT RN-61-01, EMIL & MARIA FIORANTE, ETAL; ROADWAY EASEMENTS RN-62-01, THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; UNDERGROUND DRAINAGE EASEMENT RN-63-01, HUNTER PAIGE BUETTNER; ROADWAY EASEMENT RN-64-01, LIED FOUNDATION TRUST;**

**ROADWAY EASEMENTS RN-65-01, RED PARTNERS, LLC; ROADWAY EASEMENT RN-66-01, JACK BINION AND PHYLLIS COPE; TEMPORARY ROADWAY EASEMENT RN-67-01, THE DRESCHER CORPORATION; UTILITY EASEMENTS RN-68-01, THUNDERBIRD PLAZA, LLC; ROADWAY EASEMENT RN-69-01, FRED B. ALLEN III & DIANE ALLEN REVOCABLE FAMILY TRUST; UTILITY EASEMENT RN-70-01, LEVEL 3 COMMUNICATIONS, LLC; UTILITY EASEMENT RN-71-01, CLARK COUNTY SCHOOL DISTRICT; ROADWAY EASEMENT RN-72-01, BERMAN FAMILY TRUST, ETAL.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

9. **APPROVAL OF AN ADMINISTRATIVE SETTLEMENT FOR RIGHT OF WAY ACQUISITION IN THE AMOUNT OF \$17,750, TO FACILITATE AND CONCLUDE NEGOTIATIONS WITH JIMMIE AND TERRIE RICHARDS, PROPERTY OWNERS, FOR THE 4,026 SQUARE FOOT AND 2,013 SQUARE FOOT TEMPORARY CONSTRUCTION EASEMENT NEEDED FROM THE OWNER'S .475 ACRE PARCEL NECESSARY FOR THE CRAIG ROAD WIDENING PROJECT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

10. **APPROVAL OF AN ADMINISTRATIVE SETTLEMENT FOR RIGHT OF WAY ACQUISITION IN THE AMOUNT OF \$18,000, TO FACILITATE AND CONCLUDE NEGOTIATIONS WITH THOMAS AND KUMIKO WINTER, PROPERTY OWNERS, FOR THE 4,041 SQUARE FOOT AND 2,014 SQUARE FOOT TEMPORARY CONSTRUCTION EASEMENT NEEDED FROM THE OWNER'S .475 ACRE PARCEL NECESSARY FOR THE CRAIG ROAD WIDENING PROJECT.**

ACTION: APPROVED

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

**11. APPROVAL OF AN ADMINISTRATIVE SETTLEMENT FOR RIGHT OF WAY ACQUISITION IN THE AMOUNT OF \$18,000, TO FACILITATE AND CONCLUDE NEGOTIATIONS WITH THOMAS E. WINTER, PROPERTY OWNER, FOR THE 4,027 SQUARE FOOT AND 2,014 SQUARE FOOT TEMPORARY CONSTRUCTION EASEMENT NEEDED FROM THE OWNER'S .475 ACRE PARCEL NECESSARY FOR THE CRAIG ROAD WIDENING PROJECT.**

ACTION: APPROVED

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

**12. APPROVAL OF AN ADMINISTRATIVE SETTLEMENT FOR RIGHT OF WAY ACQUISITION IN THE AMOUNT OF \$18,000, TO FACILITATE AND CONCLUDE NEGOTIATIONS WITH SAUL AARON AND MOSES GREENE, PROPERTY OWNERS, FOR THE 4,041 SQUARE FOOT AND 2,013 SQUARE FOOT TEMPORARY CONSTRUCTION EASEMENT NEEDED FROM THE OWNER'S .475 ACRE PARCEL NECESSARY FOR THE CRAIG ROAD WIDENING PROJECT.**

ACTION: APPROVED

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

**13. APPROVAL TO FILE A LAWSUIT TO ENFORCE A CONDITION REQUIRING**

**DEDICATION, OR ALTERNATIVELY, FOR CONDEMNATION OF REAL PROPERTY OWNED BY CRAIG ROAD, L.L.C. NECESSARY FOR THE CRAIG ROAD WIDENING PROJECT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

14. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH LONE MOUNTAIN/SIMMONS, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD AND ALLEN LANE IN THE AMOUNT OF 4.1% OF THE TOTAL COST OR APPROXIMATELY \$17,292; LONE MOUNTAIN ROAD AND SIMMONS STREET IN THE AMOUNT OF 4.7% OF THE TOTAL COST OR APPROXIMATELY \$19,822; AND LONE MOUNTAIN ROAD AND CLAYTON STREET IN THE AMOUNT OF 3.1% OR APPROXIMATELY \$15,250 IN CONNECTION WITH THE LONE MOUNTAIN/SIMMONS COMMERCIAL CENTER. (TABLED APRIL 18, 2001) (Contract No. C-4886)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

15. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH RYDER TRUCK RENTAL, INC., TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND I-15 NORTH BOUND OFF-RAMP IN THE APPROXIMATE AMOUNT OF \$2,000 OR 1.0% OF THE TOTAL COST. (Contract No. C-4896)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

16. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH KB HOME NEVADA, INC., TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND CAMINO AL NORTE IN THE AMOUNT OF 2.3% OF THE TOTAL COST OR APPROXIMATELY \$6,615; ANN ROAD AND REVERE STREET IN THE AMOUNT OF 2.4% OF THE TOTAL COST OR APPROXIMATELY \$11,806; AND ANN ROAD AND COMMERCE STREET IN THE AMOUNT OF 1.5% OR APPROXIMATELY \$7,379 IN CONNECTION WITH RANCHO RIDGE. (Contract No. C-4897)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

17. **APPROVAL TO ACCEPT THE HARTKE POOL DECK RECONSTRUCTION PROJECT, BID NUMBER 1080 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, Council Members Rhodes,  
Smith and Buck

NAYS: None

ABSTAIN: None

**18. APPROVAL OF A GRANT APPLICATION, IN THE AMOUNT OF \$150,000 (100% GRANT FUNDS - NO MATCH), FOR SUBMISSION TO THE OFFICE OF SUBSTANCE ABUSE MENTAL HEALTH SERVICES ADMINISTRATION, FOR THE COLLABORATIVE COMMUNITY ACTIONS TO PREVENT YOUTH VIOLENCE AND PROMOTE YOUTH DEVELOPMENT GRANT.**

ACTION: STRICKEN

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**19. APPROVAL OF A GRANT APPLICATION, IN THE AMOUNT OF \$1,075,000 (100% GRANT FUNDS - NO MATCH), FOR SUBMISSION TO THE OFFICE OF SUBSTANCE ABUSE MENTAL HEALTH SERVICES ADMINISTRATION FOR THE MENTORING YOUTH AND STRENGTHENING FAMILIES GRANT.**

ACTION: STRICKEN

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**20. APPEAL, SUBMITTED BY RYAN ARNOLD, OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-10-01 (ANN & ALLEN PROMENADE); AN APPLICATION SUBMITTED BY SPECIALTY HOLDINGS, INC. TO CHANGE THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR PROPERTY LOCATED SOUTH OF ANN ROAD, BETWEEN ALLEN LANE AND FERRELL STREET. (SET PUBLIC HEARING FOR JUNE 6, 2001) (ASSOCIATED ITEM NO. 21; ZN-10-01)**

ACTION: PUBLIC HEARING SET FOR JUNE 6, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Rhodes,  
Smith and Buck  
NAYS: None  
ABSTAIN: None

**21. APPEAL, SUBMITTED BY RYAN ARNOLD, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-10-01 (ANN & ALLEN PROMENADE); AN APPLICATION SUBMITTED BY SPECIALTY HOLDINGS, INC. TO CHANGE THE ZONING FROM R-E RANCH ESTATES AND R-1 SINGLE FAMILY RESIDENTIAL TO C-1 NEIGHBORHOOD COMMERCIAL FOR PROPERTY LOCATED SOUTH OF ANN ROAD, BETWEEN ALLEN LANE AND FERRELL STREET. (SET PUBLIC HEARING FOR JUNE 6, 2001) (ASSOCIATED ITEM NO. 20; AMP-10-01)**

ACTION: PUBLIC HEARING SET FOR JUNE 6, 2001

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

**22. APPEAL, SUBMITTED BY RYAN ARNOLD, OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-12-01 (ANN & COMMERCE PROMENADE); AN APPLICATION SUBMITTED BY RANCHO MIRAGE I, LLC; PERLMAN ARCHITECTS, INC. ON BEHALF OF SPECIALTY HOLDINGS, INC., JERRY GOEDEN, PRESIDENT, TO CHANGE THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. (SET PUBLIC HEARING FOR JUNE 6, 2001) (ASSOCIATED ITEM NO. 23; ZN-11-01)**

ACTION: PUBLIC HEARING SET FOR JUNE 6, 2001

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

- 23. APPEAL, SUBMITTED BY RYAN ARNOLD, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-11-01 (ANN & COMMERCE PROMENADE), AN APPLICATION SUBMITTED BY RANCHO MIRAGE I, LLC; PERLMAN ARCHITECTS, INC. ON BEHALF OF SPECIALTY HOLDINGS, INC., JERRY GOEDEN, PRESIDENT, TO CHANGE THE ZONING FROM R-E RANCH ESTATES TO C-1 NEIGHBORHOOD COMMERCIAL FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. (SET PUBLIC HEARING FOR JUNE 6, 2001) (ASSOCIATED ITEM NO. 22; AMP-12-01)**

ACTION: PUBLIC HEARING SET FOR JUNE 6, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

### **BUSINESS**

- 24. CONSIDERATION OF A REQUEST SUBMITTED BY PERLMAN ARCHITECTS, FOR AN AMENDMENT TO RESOLUTION OF INTENT NO. 2139 (ZN-22-99, SIMMONS MARKET PLACE) FOR C-1 ZONING TO DELETE CONDITION NO. 30, STATING "THE MAJOR 'ANCHOR TENANT' BUILDING SHALL BE CONSTRUCTED PRIOR TO ANY OTHER PAD DEVELOPMENT" FOR A TRACT OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND SIMMONS STREET. (TABLED APRIL 4, 2001)**

Development Services Director Tom Bell explained at its meeting on February 28, 2001, the Planning Commission failed to pass, by a 3 - 4 vote, the request from Perlman Architects to amend Resolution of Intent Number 2139 to eliminate Condition Number 30 which required the major anchor tenant be constructed prior to any other pad development. This was a routine condition for a resolution of intent because the major anchor tenant generally set the architectural design theme for the development. Staff recommended denial as well.

At the April 4, 2001 City Council meeting, the applicant indicated some unique circumstances surrounding that condition. An anchor tenant was scheduled to be constructed in 2003. As an alternative, the applicant had offered a condition which would require all the off-site improvements, as well as 50% of the parking lot, be improved as security that the anchor

tenant would be developed. Staff had no objection to the arrangement provided it met with City Policy. Mr. Bell suggested the following wording for Condition No. 30:

“No certificate of occupancy shall be issued for any pad or retail building until such time as the on and off-site improvements are substantially complete and 50% of the parking lot and appurtenances (landscaping, curbing, etc.) are installed in accordance with a Final Site Plan as approved by the Planning Commission. Further, developer shall provide a phasing plan of such partial parking lot improvements subject to the approval of Staff.”

**Jennifer Lazovich, 3773 Howard Hughes Parkway, Las Vegas**, represented the applicant and explained the original request was for the deletion of Condition No. 30. Through working with Staff, the proposed change to the condition was suggested. Ms. Lazovich stated one of the concerns of the City was a bar or tavern would be built on the site with no additional construction after that. The second concern voiced by City Staff was without the anchor tenant constructed first, there would be no architectural consistency with the pads. Ms. Lazovich pointed out Simmons Marketplace presented a set of circumstances that addressed those concerns and would exceed Council’s expectations when built. The developer, the Winchell Family Trust, was also the developer of the project. They intended to buy the property, develop it and continue to own it. A similar project had been built in Henderson and was very successful. The addition of the language contained in Condition No. 30 would ensure the good faith of the applicant that they would not construct a tavern and then build nothing else.

Councilman Rhodes stated he visited the Henderson development and was certain the applicant had the ability to construct a quality development in North Las Vegas.

**ACTION:** APPROVED AS AMENDED; CONDITION NO. 30 TO READ: “NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR ANY PAD OR RETAIL BUILDING UNTIL SUCH TIME AS THE ON AND OFF-SITE IMPROVEMENTS ARE SUBSTANTIALLY COMPLETE AND 50% OF THE PARKING LOT AND APPURTENANCES (LANDSCAPING, CURBING, ETC.) ARE INSTALLED IN ACCORDANCE WITH A FINAL SITE PLAN AS APPROVED BY THE PLANNING COMMISSION. FURTHER, DEVELOPER SHALL PROVIDE A PHASING PLAN OF SUCH PARTIAL PARKING LOT IMPROVEMENTS SUBJECT TO THE APPROVAL OF STAFF.”

**MOTION:** Mayor Pro Tempore Robinson

**SECOND:** Councilman Rhodes

**AYES:** Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Rhodes, Smith and Buck

**NAYS:** None

ABSTAIN: None

**25. RESOLUTION NO. 2207; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS CITY COUNCIL REQUESTING A UNIFORM APPROACH TO SUNDAY CLOSURE OF NEW CAR AND TRUCK MOTOR VEHICLE DEALERS.**

Resolution No. 2207 as introduced by the City Manager:

A RESOLUTION OF THE CITY OF NORTH LAS VEGAS CITY COUNCIL REQUESTING A UNIFORM APPROACH TO SUNDAY CLOSURE OF NEW CAR AND TRUCK MOTOR VEHICLE DEALERS.

City Manager Fritsch stated the item was presented to Council by the Southern Nevada Planning Coalition. To date, Clark County had adopted the resolution, the City of Las Vegas had taken no action, and the City of Henderson had withdrawn the item.

**Mike Winne, 3005 Emmons Street, North Las Vegas**, questioned why Sunday was chosen for closure. City Manager Fritsch responded it was the only day car dealerships had been closed in the past. Mr. Winne stated he was opposed to the City regulating hours of operation for retail businesses and urged Council to deny the resolution.

Mayor Montandon felt this type of 'blue laws' whereby legislature was attempting to govern the days of operation for businesses were not typically successful. He felt this layer of government bureaucracy had outlived its usefulness.

Councilwoman Smith asked whether there were any new car or truck dealerships in North Las Vegas. Mr. Bell responded there was one new truck dealership. She asked if they were open on Sundays and Mr. Bell responded it was doubtful since it was a commercial trucking sales dealership. She felt since there were no dealerships to regulate at this time, the resolution would be better discussed at a later date.

ACTION: WITHDRAWN

MOTION: Councilman Rhodes

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**26. REVIEW AND DISCUSSION OF THE COMPREHENSIVE PLAN GUIDELINES REGARDING HOUSING FOR OLDER PEOPLE.**

Development Services Director Tom Bell explained some of the issues to be discussed were lower density limitations, proximity to arterial highways, and adjacency issues such as adjacent zoning or immediate proximity to commercial projects. Mr. Bell requested Council discuss those matters and direct Staff accordingly.

Councilman Rhodes requested a clear definition of 'older people.' He also felt zoning should be an indicator of where senior housing was allowed and should be compatible with the surrounding community. He felt those types of developments should not be allowed on streets less than 100 feet in width. He also asked for a definition of 'close proximity.'

Councilman Buck felt apartments were apartments whether they were for seniors or not. There was the option to completely remove the regulations regarding senior housing and follow the policies with respect to apartments. The current policy stated senior housing could only be one story. Councilman Buck stated there were seniors who desired to live in a multi-level unit and felt that requirement should be deleted. She voiced her opinion that the current regulations be significantly revised or that they be deleted entirely and the requirements applied to multi-family housing be applied to senior housing as well.

Mayor Montandon stated the intent of the current policy was if there was data to support a finding that a higher density of senior housing had the same effect on the community as a lower density housing project, it should be allowed. Since that time, it was determined there were other impacts to the surrounding communities that had not been taken into consideration. The regulations were strict and prohibitive. It was important to address the concerns and direct Staff to clarify the intent of the regulations.

Councilwoman Smith pointed out when a good project was presented, Council had the authority to grant a variance to allow the project.

Mayor Montandon stated the current regulations had lead people to believe higher density senior housing was appropriate anywhere low density housing was appropriate. He requested information regarding where higher density areas were and the possibility of creating a separate zoning category specific to senior housing that would require a Council hearing rather than only a final design review. Development Services Director Tom Bell explained that was the current policy for reviewing a PUD development. In terms of the zoning, the Comprehensive Plan dictated compliance. Technically, there were no variances to zoning but the process of approving a PUD would allow for that process. Mayor Montandon clarified the variance that Councilwoman Smith spoke of was in actuality the Amendment to the Master

Plan process.

ACTION: PLANNING STAFF DIRECTED TO QUANTIFY THE DEMAND THAT SENIOR HOUSING PLACES ON COMMUNITY RESOURCES INCLUDING BUT NOT LIMITED TO WATER, SEWER, TRAFFIC, AND SCHOOLS; DEVELOP CRITERIA FOR ALLOWING SENIOR HOUSING WITHIN SPECIFIC COMPREHENSIVE PLAN GUIDELINES.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**27. DISCUSSION AND/OR ACTION REGARDING SUPPORT OF THE CLARK COUNTY PROPOSAL FOR A SOUTHERN NEVADA CULTURAL ARTS COMPLEX AND CREATION OF THE RELATED CULTURAL ARTS BOARD.**

Councilwoman Smith stated the City had the opportunity to be a part of the development of a regional cultural arts center. In connection with that concept, a Cultural Arts Board was being created. The City of North Las Vegas was invited to participate free of cost.

ACTION: STAFF DIRECTED TO PREPARE AN AGENDA ITEM IN SUPPORT OF THE SOUTHERN NEVADA CULTURAL ARTS COMPLEX AND THE CREATION OF THE RELATED CULTURAL ARTS BOARD.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**ORDINANCES**

**INTRODUCTION ONLY**

**28. ORDINANCE NO. 1504; 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 O-L TO M-2 FOR PROPERTY GENERALLY BOUNDED BY CENTENNIAL PARKWAY TO THE NORTH, MT. HOOD STREET TO THE EAST, AZURE AVENUE TO THE SOUTH AND BEESLEY DRIVE TO THE WEST (ZN-09-01, SYSCO FOOD SERVICES OF LAS VEGAS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 16, 2001)**

Ordinance No. 1504 as introduced by the City Manager:

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 O-L TO M-2 FOR PROPERTY GENERALLY BOUNDED BY CENTENNIAL PARKWAY TO THE NORTH, MT. HOOD STREET TO THE EAST, AZURE AVENUE TO THE SOUTH AND BEESLEY DRIVE TO THE WEST (ZN-09-01, SYSCO FOOD SERVICES OF LAS VEGAS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY. FINAL ACTION SET FOR MAY 16, 2001.

**ORDINANCES**

**FINAL ACTION**

29. **ORDINANCE NO. 1505; 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 C-2 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF CRAIG ROAD APPROXIMATELY 850 FEET WEST OF ALLEN LANE (ZN-08-01, RAVCO COMMERCIAL CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1505 as introduced by the City Clerk:

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 C-2 FOR

PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF CRAIG ROAD APPROXIMATELY 850 FEET WEST OF ALLEN LANE (ZN-08-01, RAVCO COMMERCIAL CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Mayor Montandon asked how the property to the north of the subject property was zoned.

**Bill Childs, 2001 South Rainbow, Suite K, Las Vegas**, responded the land to the north of this project was zoned R-1.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

**30. ORDINANCE NO. 1508; 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 SOUTHEAST CORNER OF THE SAN MATEO STREET AND TROPICAL PARKWAY ALIGNMENTS (ZN-29-98, SAN MATEO BREEZE [TROPICAL BREEZE]) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1508 as introduced by the City Clerk:

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 SOUTHEAST CORNER OF THE SAN MATEO STREET AND TROPICAL PARKWAY ALIGNMENTS (ZN-29-98, SAN MATEO BREEZE [TROPICAL BREEZE]) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

31. **ORDINANCE NO. 1509; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1459 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE WHICH RECLASSIFIED BIGELOW AEROSPACE CAMPUS (ZN-30-00) TO A PUD PLANNED UNIT DEVELOPMENT BY DELETING CONDITION NUMBER 14 AND CHANGING CONDITION NUMBER 15; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1509 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1459 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE WHICH RECLASSIFIED BIGELOW AEROSPACE CAMPUS (ZN-30-00) TO A PUD PLANNED UNIT DEVELOPMENT BY DELETING CONDITION NUMBER 14 AND CHANGING CONDITION NUMBER 15; 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, Council Members Rhodes,  
Smith and Buck

NAYS: None

ABSTAIN: None

32. **ORDINANCE NO. 1515; AN ORDINANCE CREATING CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 58 (CRAIG ROAD); ORDERING A STREET PROJECT WITHIN THE CITY OF NORTH LAS VEGAS, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND**

**IMPROVEMENT OF A STREET PROJECT IN SPECIAL ASSESSMENT DISTRICT NO. 58 (CRAIG ROAD); AND PROVIDING OTHER MATTERS RELATING THERETO.**

Ordinance No. 1515 as introduced by the City Clerk:

AN ORDINANCE CREATING CITY OF NORTH LAS VEGAS, NEVADA, SPECIALASSESSMENT DISTRICTNO. 58 (CRAIG ROAD); ORDERING A STREET PROJECT WITHIN THE CITY OF NORTH LAS VEGAS, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT IN SPECIAL ASSESSMENT DISTRICTNO. 58 (CRAIG ROAD); AND PROVIDING OTHER MATTERS RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

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

NAYS: None

ABSTAIN: None

**COUNCIL ITEMS**

Councilwoman Smith requested clarification of the criteria for a show cause hearing and the time frame for moving forward on non-compliance issues.

Councilman Rhodes requested an update on the appraisals for the Lake Mead Boulevard Island properties and a briefing on past actions as well as the direction Staff plans to take in the future.

Councilman Buck requested a review of various pieces of land with incompatible zoning to the surrounding areas. She requested those parcels of land be brought into consistency with the Master Plan.

Mayor Montandon further requested the ability to create special project areas for review

without a complete update of the entire Comprehensive Plan.

### **CITY MANAGER'S REPORT**

Director of Parks and Recreation Director Ken Albright gave an update on the regional shooting range proposal. He announced site selection had been narrowed to three with the site just north of the North Las Vegas boundary having been determined to be the most viable site for the facility.

### **PUBLIC FORUM**

Joe Austin spoke of Police Department arbitration issues.

Mike Thomas spoke of litigation issues.

Chester Hamilton questioned his responsibility for a delinquent and subsequently fraudulent water bill payment. He then requested garbage disposal rates be charged per dumpster rather than individual addresses. Mayor Montandon commented the rates based on individual addresses was less expensive than charging per dumpster.

### **ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 8:41 P.M.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**APPROVED: May 16, 2001**

/s/ Michael L. Montandon

Attest:

/s/ Eileen M. Sevigny  
Eileen M. Sevigny, CMC, City Clerk