

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

November 7, 2001

CITY COUNCIL INFORMATION SESSION

CALL TO ORDER

5:45 P.M. City Manager's Conference Room, 2200 Civic Center Drive, North Las Vegas, Nevada

- a. Verification
- b. Discussion of City Council Agenda
- c. Compensation Program Presentation (Tabled October 17, 2001)
- d. Discussion on a three minute allowance for Public Forum speakers
- e. Discussion on Prevention of Homelessness Through Support for NLVHA Tenant Base Rental Assistance Program
- f. Public Comment

CITY COUNCIL MEETING

CALL TO ORDER

7:06 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Mayor Pro Tempore William E. Robinson
Councilwoman Stephanie S. Smith
Councilman Shari Buck
Councilman Robert Eliason

STAFF PRESENT

City Manager Kurt Fritsch
Assistant City Manager Gregory Rose
City Attorney Sean McGowan
City Clerk Eileen M. Sevigny
Administrative Services Director Eric Dabney
Parks & Recreation Director Ken Albright
Community Development Director Jacque Risner
Public Works Director Jim Bell

Human Resources Director Dan Tarwater
Planning Manager Steve Baxter
Fire Chief Robert Dodge
Acting Police Chief Joseph Forti
Chief of Detention Ken Ellingson
Detention Center Captain Dan Lake
Public Information Officer Brenda Johnson

Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Sevigny, CMC
City Clerk

INVOCATION

Jacqueline Fleekop
Congregation Ner Tamid

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PROCLAMATION

***Presentation of Proclamations to North Las Vegas schools participating
in New York City relief fund raising.***

***Presentation to the North Las Vegas Firefighters Association in recognition of their
fund raising and volunteer efforts for the New York City Firefighter victims, and
their families, of the September 11 attacks.***

AGENDA

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING
AGENDA OF NOVEMBER 7, 2001.**

Mayor Pro Tempore Robinson requested that, although a request for continuance had been received, citizens desiring to speak on Item Number 28 be given that opportunity. Mayor Montandon questioned if the item should be continued while approving the agenda or if it should be heard. Mayor Pro Tempore Robinson stated it was his desire to hear the item to allow the residents to speak.

Bob Proffitt, 2414 Parasail Point, North Las Vegas, president of the homeowners association stated his desire to speak on the item.

Mayor Montandon stated the item would stay on the agenda.

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO NOVEMBER 21, 2001; ITEM NO. 21 Tabled TO JANUARY 16, 2002; ITEM NO. 37 Tabled TO NOVEMBER 21, 2001; ITEM NO. 40 CONTINUED TO NOVEMBER 21, 2001.

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 7:05 P.M.

2. **AMP-17-01 (ELKHORN/COMMERCE); AN APPLICATION SUBMITTED BY RANCO HOLDINGS, LLC ON BEHALF OF ELKCOM INVESTMENTS, LLC, PROPERTY OWNERS TO CHANGE THE COMPREHENSIVE PLAN FROM OFFICE TO MEDIUM DENSITY RESIDENTIAL (4.5 - 10 DU/ACRE) ON APPROXIMATELY 25 ACRES LOCATED AT THE SOUTHEAST CORNER OF ELKHORN ROAD AND COMMERCE STREET. (ASSOCIATED ITEM NO. 40; ORDINANCE NO. 1541) (CONTINUED FROM SEPTEMBER 19 & OCTOBER 17, 2001)**

ACTION: CONTINUED TO NOVEMBER 21, 2001.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

3. **APPEAL, SUBMITTED BY ART S. MACARAEG, OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-14-01 (CENTENNIAL CROSSING), AN APPLICATION TO CHANGE THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL FOR PROPERTY**

**LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND
COMMERCE STREET. (ASSOCIATED ITEM NO. 4; ZN-19-01) (CONTINUED
FROM AUGUST 15, & SEPTEMBER 5, & OCTOBER 3, 2001)**

Mayor Montandon opened the Public Hearing.

Planning Manager Steve Baxter explained on June 13, 2001, the Planning Commission unanimously recommended denial of the proposed amendment to change the Comprehensive Plan from Low Density Residential to Community Commercial for the subject property. Subsequently, an appeal was filed. Staff recommended Council uphold the Planning Commission's decision and deny AMP-14-01.

Mayor Montandon disclosed that although there was a friendship with a party involved in this application, there was no financial involvement.

George Garcia, 2501 Green Valley Parkway, Suite 108, Henderson, represented the applicants and stated the Master Plan was a guide for development and was meant to change as the complexion of the community changed. He stated Council had the discretion to allow a shopping center at the intersection of two one hundred foot arterial streets. He felt the flow of traffic off the beltway would make the southwest corner of Commerce Street and Centennial Parkway the major location for commerce in the area. It was his belief it was in the best interest of the community to develop a commercial center that would add more value and services to the immediate residents than would high density residential subdivision. He added the growing number of houses needed services to support the residents and the community.

Mr. Garcia stated the Planning Commission came to the conclusion that at the subject location, commercial development was appropriate in the minimum amount of 18 acres. The proposed project was 20 acres and although the request was for C-2 zoning, the applicant was amenable to complying with all requirements of C-1 zoning. Mr. Garcia pointed out, because of an administrative misunderstanding, the Planning Commission did not hear the merits of the proposal.

Mr. Garcia pointed out the Planning Commission was concerned there was no market to support the development. It was his opinion there was a substantial shortfall of commercial development in the area. Mr. Garcia provided a letter from Albertson's Grocery store stating their desire to develop at that location.

Councilman Eliason questioned whether the Planning Commission felt the item should be brought back at a later date. Planning Manager Steve Baxter stated that was the Planning

Commission's consensus.

Michael Humphrey, 6666 Montezuma Castle Lane, North Las Vegas, represented The Parks Homeowners Association and spoke in opposition to the proposed project. He stated with the elementary and middle schools in the vicinity, the increased traffic would be a safety hazard for the children. He also felt the shopping center would bring strangers to the area as well as shopping carts abandoned in open areas. He stated the Planning Commission had recently approved a 60 acre commercial development on North 5th Street that would possibly expand to 120 acres. There was another proposal from the owners of the 40 acre parcel of land just north of their development to construct a commercial development that would include restaurants, markets and shopping. He urged Council to deny the proposed development as it would adversely affect the lifestyle of the residents.

Mayor Montandon explained each home in a residential development generated a minimum of two trips per day. Neighborhood commercial developments intercepted existing traffic. He stated there would be more traffic generated from the residential development than a commercial development. Mr. Humphrey pointed out the construction of the beltway would generate more traffic in the area from motorists taking the Revere Street exit. Mayor Montandon reiterated residents would stay within a three mile radius to shop and would not go past a neighborhood shopping center to visit another.

Councilman Buck then asked if Mr. Humphrey was opposed to the commercial development proposed to the north of The Parks. Mr. Humphrey responded he was not opposed to it as the developer had worked with the residents to develop a shopping center that would benefit the neighborhood. Mr. Humphrey pointed out no one had contacted him with regard to this proposed development.

Mayor Pro Tempore Robinson stated he understood Mr. Humphrey's position but felt if the City did not take advantage of the commercial developments proposed now, it would be soon be too late.

The following residents voiced their opposition to the proposed project:

James Higgins, Jr., 315 Horse Pointe Avenue, North Las Vegas
Kathleen Estrada, 348 Regal Robin Way, North Las Vegas
Jess Estrada, 348 Regal Robin Way, North Las Vegas
Brad Doran, 6611 Montezuma Castle Lane, North Las Vegas
M. Ruth Byrd, 6638 Cinnabar Coast Lane, North Las Vegas
Glenn Miller 332 Horse Pointe Avenue, North Las Vegas
Adrian Cash, 6706 Gentle Harbor, North Las Vegas
Steve Moore, 401 Horse Point Avenue, North Las Vegas
Robert Singer, 344 Regal Robin Way, North Las Vegas

Richard Chenchio, 417 Horse Pointe Avenue, North Las Vegas
Jennifer Doran, 6611 Montezuma Castle Lane, North Las Vegas
Larry Elsom, 6658 Montezuma Castle Lane, North Las Vegas
David Morgan, 6709 Gentle Harbor, North Las Vegas
Wilhelmus Goller, 349 Regal Robin Way, North Las Vegas
C. Marie Valdez, 6718 Montezuma Castle Lane, North Las Vegas
Elizabeth Miller, 332 Horse Pointe Avenue, North Las Vegas
Gloria Chenchio, 417 Horse Pointe Avenue, North Las Vegas
Jaime Valdez, 6718 Montezuma Castle Lane, North Las Vegas
Lori Humphrey, 6666 Montezuma Castle Lane, North Las Vegas
Suni Parks, 6670 Montezuma Castle Lane, North Las Vegas
Dale Bruck, 332 Horse Pointe Avenue, North Las Vegas
Kimber Kelley, 6663 Montezuma Castle Lane, North Las Vegas
Curtis Parks 6670 Montezuma Castle Lane, North Las Vegas
Keiko Elsom 6658 Montezuma Castle Lane, North Las Vegas

Mayor Montandon stated the cost to service a home in North Las Vegas was approximately one-fourth to one-sixth the revenue it generated. A commercial development provided revenue greater than the cost of services required. It was those funds that allowed the City to build amenities such as neighborhood centers and parks.

John Kelley, 6663 Montezuma Castle Lane, North Las Vegas, stated it was the first time he had seen the plans and it was unfair for a decision to be made on a project that had not been previously reviewed. He stated while he was not opposed to commercial development, he felt this was the wrong location. He stated at previous meetings, the applicant represented the development to be a maximum of 18 acres. Mr. Garcia stated the development would be a minimum of 18 acres and a maximum of 30 acres. He requested clarification and urged Council to support the Planning Commission's decision and deny the application.

Mayor Montandon stated the flood control ditch that ran along Centennial to the west edge and through to the south edge of the subject property reduced the total acreage from 20 acres to approximately 18 acres. The drainage ditch provided a natural buffer from the homes to the south and west of the project. Mayor Montandon asked if the site plan presented to Council was conceptual. Mr. Garcia stated it was a preliminary plan. He stated he was new to the project and was told the neighbors had been notified of the elements of the proposed project. Mr. Garcia pointed out the conceptual plan did not comply with commercial development standards and stated he would require the applicant meet with the surrounding neighborhoods to work through the design of the project.

Ben Robison, 6237 Kitamaya, North Las Vegas, questioned whether Kitamaya would dead end. Mayor Montandon stated in a previous zoning application, the City abandoned Kitamaya north so that it would not go through to Centennial. Mr. Robison stated he had not

heard of any workshops held regarding the proposed project. Mayor Montandon stated every effort was made to advertise the public meetings. Councilman Buck pointed out mailing requirements dictated residents within a certain area be notified. Mr. Robison stated he was. City Manager Fritsch stated the Planning Commission had held the workshops during their regular Planning Commission meetings.

Councilman Eliason questioned if a portion of the project could be zoned as Office Professional. Mr. Garcia stated the impact on traffic would be at specific times and would potentially bring traffic into the area. He stated it would be possible to add an element of professional offices in the plan.

Councilwoman Smith felt it would be premature to approve the plan and felt there was already too much commercial in the area. She felt that while commercial developments did not have a direct impact on schools, they did have an impact on school neighborhoods. She suggested the item be returned to the Planning Commission for a review of the area with regard to commercial zoning.

City Attorney McGowan questioned if the applicant was making a formal request to amend the application to Neighborhood Commercial as the Comprehensive Plan Amendment and C-1 as the zoning designation. Mr. McGowan stated that in order for Council to act on a request that had not been first reviewed by the Planning Commission, the item should be returned to the Planning Commission, or, since the request was for a lesser zoning, Council could act on the item subject to a recommendation by the Planning Commission. Mayor Montandon clarified that in either case, the Planning Commission would have to review the items and provide a recommendation. City Attorney McGowan stated that was correct.

Mayor Pro Tempore Robinson asked how long Mr. Garcia had been on the project. Mr. Garcia responded approximately one week. Mayor Pro Tempore Robinson concurred the items needed to be returned to the Planning Commission. He urged Mr. Garcia to meet with the residents in the area and obtain their input. Mayor Pro Tempore Robinson questioned how long it would take to return the item to the Planning Commission for review and subsequently back to Council for action. Planning Manager Steve Baxter stated the item would be heard before Council in January 2002. Mayor Pro Tempore Robinson questioned how the delay would affect the commitment made by Albertson's. Mr. Garcia responded that without the approval of the zoning, there would be no commitment from Albertson's to build in the center. Mr. Garcia stated his desire that his applicant remain in the first position to develop a commercial center on the property.

Mayor Montandon closed the Public Hearing.

ACTION: REFERRED BACK TO THE PLANNING COMMISSION.

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

4. **APPEAL, SUBMITTED BY ART S. MACARAEG, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-19-01 (CENTENNIAL CROSSING), AN APPLICATION TO CHANGE THE ZONING FROM R-E RANCH ESTATES TO C-2 GENERAL COMMERCIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. (ASSOCIATED ITEM NO. 3; AMP-14-01) (CONTINUED FROM AUGUST 15, & SEPTEMBER 5, & OCTOBER 3, 2001)**

Mayor Montandon opened and closed the Public Hearing.

ACTION: REFERRED BACK TO THE PLANNING COMMISSION.

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

5. **AMP-23-01 (SURF PARK); AN APPLICATION SUBMITTED BY GARY LAKE/HELMER GROUP ON BEHALF OF MERIDAN HOMES, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM OFFICE TO MEDIUM DENSITY RESIDENTIAL (4.5 - 10 DU/ACRE), ON THE SOUTH SIDE OF ANN ROAD, APPROXIMATELY 1,600 FEET WEST OF CAMINO AL NORTE. (ASSOCIATED ITEM NO. 41; ZN-31-01, ORDINANCE NO. 1548)**

Mayor Montandon opened the Public Hearing.

Planning Manager Steve Baxter stated at the Planning Commission meeting of August 22,

2001, the Planning Commission considered and unanimously recommended approval of a change to the Comprehensive Plan for the subject site as Low Density Residential rather than the requested Medium Density Residential. The applicant proposed a Comprehensive Plan amendment to Medium Density Residential and a rezoning to the R-1 Single Family Residential District to develop a residential development that would comply with all ordinance requirements. Low Density Residential was approved as it was more compatible with the rezoning request.

Sally Pelham, 3610 North Rancho Drive, Las Vegas, from Southwest Engineering stated the applicant was in concurrence with the Planning Commission recommendations. Ms. Pelham stated the project contained 39 lots on approximately 9.5 acres and was compatible with surrounding land uses.

Tom Winter, 5804 Lone Song Road, North Las Vegas, stated low density residential was an acceptable alternative to their original request.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED TO CHANGE THE COMPREHENSIVE PLAN TO LOW DENSITY RESIDENTIAL.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

6. **VAC-11-01 (THE LAS VEGAS COMPANY); AN APPLICATION SUBMITTED BY LOSEE L.L.C., ON BEHALF OF THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, TO VACATE A PORTION OF COMMERCE STREET AT THE INTERSECTION OF COMMERCE STREET AND LOSEE ROAD.**

Mayor Montandon opened the Public Hearing.

Thomas DellaValle, 2560 Champion Circle, the applicant, appeared and stated he concurred with all conditions.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING FIVE CONDITIONS:

1. A public utility easement for the entire area being vacated must be submitted to the City of North Las Vegas Division of Property Management.
2. That landscaping plans for the area being vacated be submitted for review and approval by Planning staff prior to recordation of the vacation.
3. That a consolidation of parcels will be required to combine the existing lots into the new lot configuration.
4. A minimum six-foot-high wall shall be constructed on the property line between the area being vacated and the residential property to the west (Parcel 139-22-217-031).
5. That sidewalks connecting Henderson Circle to Losee Road be provided.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

7. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF OCTOBER 3, 2001.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

8. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF OCTOBER

17, 2001.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

9. APPROVAL TO AMEND THE 2001 - 2002 STAFFING PATTERN AS FOLLOWS:

(All staffing pattern changes will be processed when administratively feasible)

Mayor & City Council

Upgrade one (1) Executive Assistant Grade APT 18 to Grade APT 19

City Manager

Reclassify one (1) Management Analyst APT 20 to Special Projects Analyst APT 21

Upgrade one (1) Executive Assistant Grade APT 18 to Grade APT 19

Municipal Court

Upgrade one (1) Executive Assistant Grade APT 18 to Grade APT 19

Public Works

Traffic Operations

Title Change Only: One (1) Supervising Traffic Technician TS 20 to Traffic Technician/Electrician TNS 20

Reclassify one (1) Supervising Traffic Technician TS 20 to Traffic Operations Supervisor TS 21

Title Change Only: Five (5) Traffic Technician/Electrician II TNS 20 to Traffic Technician/ Electrician TNS 20

Title Change Only: Three (3) Sign Technician II TNS 16 to Sign and Marking Technician TNS 16

Title Change Only: Three (3) Sign Technician II TNS 15 to Traffic Operations Worker TNS 15

Roadway Maintenance

Reclassify six (6) Maintenance Worker II TNS 11 to Public Works Maintenance Worker TNS 14

Fleet Services

Reclassify one (1) Supervising Automotive/Equipment Mechanic TS 20 to Automotive/Equipment Supervisor TS 21

Title Change Only: One (1) Fleet Manager Grade TA 24 to Manager, Fleet Operations TA24

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

10. APPROVAL OF PRIVILEGED LICENSES (Exhibit A):

	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<u>NEW</u>			
1.	S & T Lake Mead Inc Abdul S. Dickow, Pres. <u>DBA:</u> Fiesta Supermarket 3208 E Lake Mead Blvd North Las Vegas, Nevada	LIQUOR Within Supermarket <u>Police Investigations Completed</u>	Packaged Liquor Sales

Pending Final Building & Fire Approvals

City Manager Fritsch stated Item No. 10-1 was an application for a Privileged License for S & T Lake Mead Inc. doing business as Fiesta Supermarket.

Mike Winne, 3005 Emmons, North Las Vegas, stated in the section of Lake Mead Boulevard between Civic Center Drive and Pecos Road, approximately nine-tenths of one mile, there were thirteen establishments that sold liquor. There were two schools in the same vicinity as well. Mayor Pro Tempore Robinson questioned how many of the thirteen establishments were open. Mr. Winne responded they were all open for business to sell drinks or packaged liquor. He did not feel it was appropriate to have that many liquor

establishments in the redevelopment area. Mayor Pro Tempore Robinson asked how many of those establishments sold hard liquor. Mr. Winne responded more than 50% of those establishments sold all types of liquor.

Councilwoman Smith asked whether the two establishments in question were open for business. Mr. Dickow and Mr. Favela stated they were not open. Councilwoman Smith then asked City Attorney McGowan if there was certain criteria necessary for denial. City Attorney McGowan stated there were explicit limitations for the number of on-sale and off-sale liquor licenses issued in a given year. That situation would not apply to these applicants but Council had broad discretion to approve or deny as Council saw fit. Councilwoman Smith agreed with Mr. Winne in that there were too many establishments serving liquor in that one area.

Abdul S. Dickow, 3208 East Lake Mead Boulevard, North Las Vegas, stated the Fiesta Supermarket was a full service market with over 6,000 square feet of floor space. Mayor Montandon asked if packaged liquor sales consisted of beer and wine only. Mr. Dickow stated the license was for all types of liquor.

Mayor Pro Tempore Robinson asked if a restaurant was recently approved in the shopping center with a license for on-sale liquor. Mr. Dickow stated there was and the liquor license was for the on-sale of beer and wine. Mayor Pro Tempore Robinson suggested a moratorium on liquor sales in the area as there were too many there already. Mr. Dickow stated he understood Council's dilemma but he had spent over \$100,000 to construct his full service grocery store that included packaged liquor sales.

Councilman Eliason suggested the items be held for two weeks until staff could investigate further. City Manager Fritsch concurred and stated in that area, there was on-site consumption of liquor, packaged liquor sales as well as casinos and bars. He suggested a report on the specific uses on each location to allow Council to make an informed decision as to whether or not to approve the privileged licenses.

Councilwoman Smith pointed out approving or not approving the proposed liquor licenses would not change the character of the area. She felt it was unfair of Council to target the two proposals currently before Council because of problems in the area.

Mr. Dickow stated on premise drinking plus the sale of packaged liquor caused problems. Mayor Pro Tempore responded the City had an open container law that prohibited such practices.

ACTION: TABLED TO NOVEMBER 21, 2001

MOTION: Mayor Pro Tempore Robinson

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

	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
2.	Angel Favela <u>DBA</u> : El Porvenir Market 3100 E Lake Mead Blvd, Ste 5 North Las Vegas, Nevada	LIQUOR <u>Police Investigation Completed</u>	Beer & Wine Off Sale Within a Convenience Food Store
	<u>Pending Final Building & Fire Approvals</u>		

Mr. Angel Favela, 3100 East Lake Mead Boulevard, Suite 5, North Las Vegas, stated he was unprepared to discuss his item but pointed out his establishment was across the street from the Fiesta Market. Mayor Montandon suggested Mr. Favela have supporting documentation ready for the meeting of November 21, 2001.

ACTION: TABLED TO NOVEMBER 21, 2001

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

11. APPROVAL TO PURCHASE THE KOVIS AUTOMATED RECORDS MANAGEMENT SYSTEM FOR THE CITY CLERK'S OFFICE FROM SOUTHERN NEVADA MICROGRAPHICS, IN THE AMOUNT OF \$239,997, UTILIZING STATE OF NEVADA REQUEST FOR PROPOSAL NUMBER 1063; AND AUTHORIZATION FOR THE MAYOR TO SIGN THE STATEMENT OF WORK ON BEHALF OF THE CITY. (CNLV Contract No. C-5044)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

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

12. APPROVAL OF REFUND OF FEES TO AVANTE HOMES IN THE AMOUNT OF \$107,485.85 BECAUSE SIXTY PERCENT OF THE REQUIRED PARKS PREVIOUSLY PAID THROUGH RESIDENTIAL CONSTRUCTION IMPACT FEES HAVE BEEN COMPLETED; AND AIRCENTER NORTH, LLC IN THE AMOUNT OF \$35,022 BECAUSE A CHANGE MADE TO PLANS REDUCED THE LENGTH OF SEWER AND WATER LINES REQUIRED FOR THE PROJECT.

ACTION: APPROVED

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

13. APPROVAL TO PURCHASE PROPERTY AND BOILER/MACHINERY INSURANCE FROM TRAVELERS INDEMNITY COMPANY VIA KAERCHER INSURANCE, INC. IN THE AMOUNT OF \$37,170 FOR THE PERIOD NOVEMBER 17, 2001 THROUGH NOVEMBER 16, 2002 WITH AN OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS AND AUTHORIZE THE RISK MANAGER TO EXERCISE THE RENEWAL OPTIONS.

ACTION: APPROVED

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

14. RATIFICATION OF AN APPLICATION TO THE DIVISION OF AGING SERVICES FOR A GRANT IN THE AMOUNT OF \$35,000 TO PURCHASE A CLIMATE-CONTROLLED VEHICLE TO EXPAND NUTRITIONAL SERVICES TO THE SENIORS PROGRAM.

ACTION: RATIFIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

15. RATIFICATION OF AN APPLICATION TO THE DIVISION OF AGING SERVICES FOR A GRANT IN THE AMOUNT OF \$145,100 TO PROVIDE FOR THE ADVANCEMENT OF NUTRITIONAL AND DIETARY AGRICULTURE SCIENCE BY UTILIZING VACANT CITY PROPERTY TO GROW A FRUIT AND VEGETABLE GARDEN FOR USE BY THE SENIORS IN THE COMMUNITY.

ACTION: RATIFIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

16. RATIFICATION OF A GRANT AWARDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEMA FIREFIGHTERS ASSISTANCE GRANTS IN THE AMOUNT OF \$158,000 (\$47,000 MATCHING FUNDS) FOR THE WELLNESS AND FITNESS PROGRAM FOR THE NORTH LAS VEGAS FIRE DEPARTMENT.

ACTION: RATIFIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

17. AUTHORIZATION TO INCREASE APPROPRIATIONS IN FIRE AND EMERGENCY SERVICES FUND TO PURCHASE A PARAMEDIC/RESCUE VEHICLE FOR THE FIRE DEPARTMENT, FROM BRAUN NORTHWEST IN THE AMOUNT OF \$157,158, AND USE A CITY OF HENDERSON CONTRACT NO. 112-98*99 TO EFFECT THE PURCHASE.

ACTION: APPROVED

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

18. APPROVAL OF AN AGREEMENT FOR WATER SERVICE BETWEEN THE LAS VEGAS VALLEY WATER DISTRICT, SOUTHERN NEVADA WATER AUTHORITY AND THE LAS VEGAS PAIUTE TRIBE TO PROVIDE WATER SERVICE TO THE PAIUTE TRIBE RESERVATION. (CNLV Contract No. C-5042)

ACTION: APPROVED

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

19. APPROVAL OF CONSTRUCTION CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH CARSON CONSTRUCTION MANAGEMENT, INC., IN THE AMOUNT OF \$150,000 FOR ALLEGED

OMISSIONS IN THE BID DOCUMENTS BY THE ARCHITECTURAL CONSULTANT, UNFORESEEN FIELD CONDITIONS, AND CITY REQUESTED MODIFICATIONS TO THE DETENTION CENTER DORMITORY PROJECT, BID NO. 1100. (CNLV Contract No. C-4920)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

20. APPROVAL OF A COMMUNICATIONS SITE LICENSE AGREEMENT WITH COMMERCIAL RADIO & TELEVISION, INCORPORATED IN THE AMOUNT OF \$22,200 FOR THE FIRST YEAR AND FEE PLUS CONSUMER PRICE INDEX FOR THE REMAINING FOUR YEARS TO OCCUPY RACK SPACE FOR RADIO EQUIPMENT AND TWO TOWER POSITIONS ON THE TOWERS OF THE COMMERCIAL RADIO & TELEVISION BUILDING ON TOP OF APEX MOUNTAIN FOR THE CITY'S 800MZ RADIO SYSTEM. (CNLV Contract No. C-5043)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

21. APPROVAL TO UTILIZE CITY OF HENDERSON CONTRACT NO. 101-98-99 TO PURCHASE AND INSTALL AN EMERGENCY 911 TELEPHONE SYSTEM FOR THE POLICE DEPARTMENT FROM VERIZON ENTERPRISE SALES IN THE AMOUNT OF \$268,048. (TABLED OCTOBER 17, 2001)

ACTION: TABLED TO JANUARY 16, 2002

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

22. APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-21-01 (CENTENNIAL AND COMMERCE), AN APPLICATION SUBMITTED BY IKE LAWRENCE EPSTEIN, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. (ASSOCIATED ITEM NO. 23; ZN-28-01) (SET PUBLIC HEARING FOR DECEMBER 5, 2001)

ACTION: PUBLIC HEARING SET FOR DECEMBER 5, 2001.

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

23. APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-28-01 (CENTENNIAL AND COMMERCE), AN APPLICATION SUBMITTED BY IKE LAWRENCE EPSTEIN, PROPERTY OWNER, TO CHANGE THE ZONING FROM R-E RANCH ESTATES TO C-1 NEIGHBORHOOD COMMERCIAL FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. (ASSOCIATED ITEM NO. 22; AMP-21-01) (SET PUBLIC HEARING FOR DECEMBER 5, 2001)

ACTION: PUBLIC HEARING SET FOR DECEMBER 5, 2001.

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Eliason
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,

Buck and Eliason
NAYS: None
ABSTAIN: None

24. **APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-25-01 (5TH AND FARM), AN APPLICATION SUBMITTED BY ROBERT J. GRONAUER ON BEHALF OF FIFTH AND FARM LLC, PROPERTY OWNERS, TO CHANGE THE COMPREHENSIVE PLAN LAND USE DESIGNATIONS OF LOW DENSITY RESIDENTIAL AND MEDIUM HIGH DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED EAST OF NORTH 5TH STREET AND APPROXIMATELY 650 FEET NORTH OF TROPICAL PARKWAY AND FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTH 5TH STREET AND EL CAMPOGRANDE AVENUE. (ASSOCIATED ITEM NO. 25; ZN-34-01) (SET PUBLIC HEARING FOR DECEMBER 5, 2001)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 5, 2001.

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

25. **APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-34-01 (5TH AND FARM), AN APPLICATION SUBMITTED BY ROBERT J. GRONAUER ON BEHALF OF FIFTH AND FARM LLC, PROPERTY OWNERS, TO CHANGE THE ZONING FROM R-E RANCH ESTATES AND R-2 TWO-FAMILY RESIDENTIAL DISTRICTS TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTH 5TH STREET AND EL CAMPO GRANDE AVENUE. (ASSOCIATED ITEM NO. 24; AMP-25-01) (SET PUBLIC HEARING FOR DECEMBER 5, 2001)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 5, 2001.

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Eliason

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

BUSINESS

26. APPROVAL OF A REQUEST FOR A GAMING/LIQUOR LICENSE FOR THE SURF CITY BAR & GRILL, LOCATED AT 1435 WEST CRAIG ROAD, SUITE D, NORTH LAS VEGAS.

A verbatim transcript is attached as Exhibit B.

ACTION: 45-DAY TEMPORARY LIQUOR LICENSE GRANTED

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

27. APPROVAL OF A GAMING LICENSE FOR SOUTHWEST GAMING SERVICES INC., SLOT OPERATOR, TO INSTALL (15) SLOT MACHINES WITHIN THE SURF CITY BAR & GRILL LOCATED AT 1435 WEST CRAIG ROAD, SUITE D, NORTH LAS VEGAS.

A verbatim transcript is attached as Exhibit B.

ACTION: APPROVED

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

28. CONSIDERATION OF A REQUEST, SUBMITTED BY LEGACY HOMES ON BEHALF OF AMERICAN DESTINATION II, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO WAIVE CONDITION NUMBER FIVE, REGARDING LANDSCAPING, OF RESOLUTION OF INTENT NUMBER 1717 (ZN-25-93; TIERRA DE LAS PALMAS VILLAGE 4); A RESOLUTION TO RECLASSIFY A TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF WASHBURN ROAD AND SIMMONS STREET FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT.

Mayor Montandon stated a request had been received to continue the item for four weeks. However, there were several people who desired to speak on the item.

Mayor Pro Tempore Robinson was concerned the developer was not required by the City to install perimeter landscaping before the project was partially complete.

Bob Proffitt, 2414 Parasail Point, North Las Vegas, president of the Tierra De Las Palmas Homeowner's Association, stated he had attended a recent Planning Commission meeting where the applicant had requested a waiver of landscaping requirements due to a financial hardship. The Planning Commission unanimously recommended denial and Mr. Proffitt was surprised to learn the item was before Council. He stated the homeowners purchased their homes with the promise the landscaping would be completed. He felt the noncompliance with City code affected all of the residents property values. He stated a brick wall with no perimeter landscaping was not sufficient. He requested the City keep the bond to pay for the improvements. Mr. Proffitt stated the City needed to force the developer to complete the landscaping or the Homeowner's Association would take them to court. Mr. Proffitt pointed out Legacy Homes had not paid their contractors and most homeowners in the development had liens placed upon their homes as a result. He questioned if there was anything Council could do to help the homeowners. Mayor Pro Tempore Robinson stated the homeowners might be able to contact an attorney who specialized in mechanic's liens.

Mayor Montandon assured Mr. Proffitt Council had no intention of allowing the landscaping to not be installed. He pointed out it was not necessary to hire an attorney; the title company should be contacted to take care of the liens through the title insurance.

Councilwoman Smith commented the applicant was not requesting a zoning change but a waiver of one condition. It was her understanding that Legacy Homes was not responsible for the problem; it was American Communities who neglected to put the landscaping in. Mr. Proffitt stated Legacy Homes was aware of the problem when they took over the subdivision and have just perpetuated the problem.

Councilman Buck questioned whether the bond funds submitted by American Communities

could be used to complete the landscaping. Mayor Montandon stated the City was currently pursuing bond remedies with American Communities for issues within the community. He pointed out the bond did not specifically cover the landscaping but the City did hold a significant amount of bond funds. Public Works Director Jim Bell added the performance bond for offsite improvements and related covenants did not specifically provide relief from the liens placed against the homes but did ensure the subdivision improvements would be completed. It was unclear whether the landscaping was considered a subdivision improvement covered by the bond.

Councilwoman Smith asked if it was necessary to cut the street to install the water lines for the landscaping, if that was a condition that was covered by the bond funds. Public Works Director Jim Bell responded that would be considered damage to an existing street and the bond would not be released to cover that type of reconstructive work. Councilwoman Smith stated there was a conflict because it would be necessary to cut into the street to install the electric and water lines for the landscaping. Mr. Bell responded the City had not yet accepted the project for maintenance and until the roadway was acceptable to the City, the surety would not be released. The release of the bond was contingent upon the completion of the project to the City's satisfaction.

Councilman Eliason made a motion to follow the Planning Commission's decision and deny the requested waiver.

Mayor Pro Tempore Robinson stated he would be abstaining from voting on the item. City Attorney McGowan explained because of his personal interest in the outcome of the vote, it would present a conflict of interest.

Councilwoman Smith pointed out in the City Council Information Session, it was alluded the request for continuance would be honored. Councilman Eliason withdrew his motion. City Manager Fritsch clarified by stating in the Information Session, Council stated their desire to hear the item and at that time, decide to table the item or take action.

The following residents spoke in opposition to the requested waiver:

Suzanne Allred, 2417 Paradise Isle Avenue, North Las Vegas
Bernice Wingo, 5122 Fiji Island Court, North Las Vegas
Walter Munch, 4838 Little Cayman Street, North Las Vegas
Theresa McCullough-Gonzalez, 2418 Island Paradise Avenue, North Las Vegas
Linda Meisenheimer, 5126 Water Coconut Street, North Las Vegas
Bob Borgersen, 4751 Possum Berry, North Las Vegas
Juanita Fulbright, 5138 Water Coconut Street, North Las Vegas

Mayor Montandon reiterated once the title company was made aware that a lien would be their

liability, they were responsible to defend the action.

Councilwoman Smith reiterated in the past, requests for continuances had been honored. She felt it was unfair to decide upon the issue when both sides were not represented.

ACTION: PLANNING COMMISSION DECISION UPHELD; WAIVER DENIED.

MOTION: Councilman Eliason

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Buck and Eliason

NAYS: Councilwoman Smith

ABSTAIN: Mayor Pro Tempore Robinson

ORDINANCES

INTRODUCTION ONLY

29. **ORDINANCE NO. 1554; 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 AT THE SOUTHWEST CORNER OF ANN ROAD AND SIMMONS STREET (ZN-22-99, SIMMONS MARKET PLACE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1554 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 R-E TO C-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND SIMMONS STREET (ZN-22-99, SIMMONS MARKET PLACE) AND PROVIDING FR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

30. **ORDINANCE NO. 1555; 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 AT THE SOUTHWEST CORNER OF CRAIG ROAD AND REVERE STREET (ZN-36-01; J.R. PROPERTIES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)

Ordinance No. 1555 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 R-1 TO C-2 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND REVERE STREET (ZN-36-01, J.R. PROPERTIES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

31. **ORDINANCE NO. 1556; 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 TROPICAL PARKWAY AND LAWRENCE STREET (ZN-37-01, THE CANYONS II) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1556 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 R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND LAWRENCE STREET (ZN-37-01, THE CANYONS II) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

32. **ORDINANCE NO. 1557; 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-2 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND BRUCE STREET (ZN-38-01, CENTEX HOMES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1557 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 R-E TO R-2 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND BRUCE STREET (ZN-38-01, CENTEX HOMES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

33. **ORDINANCE NO. 1558; 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 SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND BRUCE STREET (ZN-39-01, THE CANYONS I) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1558 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 R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND BRUCE STREET

(ZN-39-01, THE CANYONS I) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

34. **ORDINANCE NO. 1559; 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 C-1 TO R-1 FOR PROPERTY GENERALLY LOCATED WEST OF COMMERCE STREET, APPROXIMATELY 260 FEET NORTH OF CAREY AVENUE (ZN-40-01, CAREY LANDING) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1559 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 C-1 TO R-1 FOR PROPERTY GENERALLY LOCATED WEST OF COMMERCE STREET, APPROXIMATELY 260 FEET NORTH OF CAREY AVENUE (ZN-40-01, CAREY LANDING) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

35. **ORDINANCE NO. 1560; 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 SOUTHWEST CORNER OF HAMMER LANE AND DORIS STREET (ZN-41-01, WASHBURN AND BRUCE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1560 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 R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF HAMMER LANE AND DORIS STREET (ZN-41-01, WASHBURN AND BRUCE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

36. **ORDINANCE NO. 1561; 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 AT THE SOUTHEAST CORNER OF CRAIG ROAD AND DECATUR BOULEVARD (ZN-05-98, WALGREENS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1561 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 R-E TO C-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND DECATUR BOULEVARD (ZN-05-98, WALGREENS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

37. **ORDINANCE NO. 1562; 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-P FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LAMANEDA AVENUE AND SIMMONS STREET (ZN-31-00, SIMMONS PROFESSIONAL PLAZA) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

ACTION: INTRODUCTION TABLED TO NOVEMBER 21, 2001

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

38. **ORDINANCE NO. 1563; 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 PUD FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND REVERE STREET (ZN-24-01 CENTENNIAL AND REVERE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1563 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 R-E TO PUD FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND REVERE STREET (ZN-24-01 CENTENNIAL AND REVERE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

39. **ORDINANCE NO. 1565; AN ORDINANCE RELATED TO ZONING; AMENDING 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 R-A/R-2 TO PUD (ZN-42-01, YALE SENIOR APARTMENTS); FOR PROPERTY LOCATED SOUTH OF TONOPAH AVENUE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 21, 2001)**

Ordinance No. 1565 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING 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 R-A/R-2 TO PUD (ZN-42-01, YALE SENIOR APARTMENTS), FOR PROPERTY LOCATED SOUTH OF TONOPAH AVENUE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 21, 2001.

ORDINANCES

FINAL ACTION

40. **ORDINANCE NO. 1541; AN ORDINANCE RELATED TO ZONING; AMENDING 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 R-E TO PUD (ZN-25-01; ELKHORN/COMMERCE), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ELKHORN ROAD AND COMMERCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 2; AMP-17-01) (CONTINUED FROM SEPTEMBER 19 & OCTOBER 17, 2001)**

ACTION: CONTINUED TO NOVEMBER 21, 2001

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

41. **ORDINANCE NO. 1548; 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 R-1 FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF ANN ROAD, APPROXIMATELY 1,600 FEET WEST OF CAMINO AL NORTE (ZN-31-01, SURF PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1548 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 -L TO R-1 FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF ANN ROAD, APPROXIMATELY 1,600 FEET WEST OF CAMINO AL NORTE (ZN-31-01, SURF PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

42. ORDINANCE NO. 1551; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS REPEALING ORDINANCE NOS. 1456 AND 1507 BEING CHAPTER 2.68 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE; TO ESTABLISH NEW TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND REGULATIONS FOR EMPLOYMENT AND RECRUITMENT AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

Ordinance No. 1551 as introduced by the City Clerk:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS REPEALING ORDINANCE NOS. 1456 AND 1507 BEING CHAPTER 2.68 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE; TO ESTABLISH NEW TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND REGULATIONS FOR EMPLOYMENT AND RECRUITMENT AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

43. **ORDINANCE NO. 1552; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY REPEALING ORDINANCE 1427 IN ITS ENTIRETY AND REPLACING WITH ORDINANCE 1552 TO ADD CONDITIONS OF RESOLUTION OF INTENT 1483, REMOVE CONDITION NUMBER 38, REQUIRING THAT AN ANCHOR TENANT BE DEVELOPED PRIOR TO THE DEVELOPMENT OF OTHER PADS AND AMEND CONDITION NUMBER 39 TO ALLOW COMMERCIAL USES WHICH WOULD ONLY BE ALLOWED IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AS PRINCIPALLY PERMITTED USES, OR AS SPECIAL USES FOR A PUD (ZN-23-89, DEL PRADO HIGHLANDS) GENERALLY LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND CHEYENNE AVENUE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1552 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY REPEALING ORDINANCE 1427 IN ITS ENTIRETY AND REPLACING WITH ORDINANCE 1552 TO ADD CONDITIONS OF RESOLUTION OF INTENT

1483, REMOVE CONDITION NUMBER 38, REQUIRING THAT AN ANCHOR TENANT BE DEVELOPED PRIOR TO THE DEVELOPMENT OF OTHERPADS AND AMEND CONDITION NUMBER 39 TO ALLOW COMMERCIAL USES WHICH WOULD ONLY BE ALLOWED IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AS PRINCIPALLY PERMITTED USES, OR AS SPECIAL USES FOR A PUD (ZN-23-89, DEL PRADO HIGHLANDS) GENERALLY LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND CHEYENNE AVENUE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Smith requested an update on the water service customer lines. City Manager Fritsch stated a presentation would be given to Council at the November 21, 2001 Information Session.

Councilman Buck requested the November 21, 2001 City Council Meeting be held at 4:00 p.m. She also requested Staff investigate holding one City Council meeting in December.

Councilman Buck requested an ordinance review on commercial design standards with regard to convenience stores and also meandering sidewalks. She then requested a review of the tavern license requirements. It was determined the reviews would take place at the Council Information Session on December 5, 2001.

CITY COUNCIL BOARD UPDATES

C Las Vegas Convention & Visitors Authority

No report given

C Clark County District Board of Health

Councilman Eliason stated the primary issue before the Board was material recovery facilities, such as construction clean-up companies.

C Southern Nevada Regional Planning Coalition

Councilwoman Smith stated no major issues were discussed.

C Clark County Regional Transportation Commission

Councilman Buck stated there was a meeting scheduled for November 20, 2001 at 4:00 p.m. at the Area Technical Trade Center. She reported Craig Road would be re-stripped to three lanes eastbound from west of the southbound on ramp to Pecos Road and westbound from Pecos Road to the I-15 southbound loop on-ramp. Craig Road would also be re-paved including restructuring the existing median islands in order to fully remove all existing striping. Exclusive right turn lanes would be constructed at east bound Craig Road to southbound I-15, eastbound Craig Road to southbound Pecos, and westbound Craig Road to northbound I-15. Councilman Buck stated the northbound off-ramp would be widened and a signal controlling the right turn movement would be installed in addition to a new signal at the Craig Road I-15 southbound off-ramp intersection. Councilman Buck stated these improvements were in addition to the construction of the overpass over the railroad tracks. Councilman Buck pointed out these improvements would help with the congestion experienced on Craig Road at the exchanges until further improvements were made.

Public Works Director Jim Bell added the improvements were part of the northeast corridor study and were early action projects.

Councilman Buck stated the RTC would brief the Council on the improvements in January.

C Clark County Regional Flood Control District

No report given.

C North Las Vegas Housing Authority

No report given.

C Southern Nevada Water Authority

No report given.

C Colorado River Commission

No report given.

C Nevada Development Authority

Mayor Pro Tempore Robinson stated the NDA was actively pursuing organizations to relocate to Nevada and he was attempting to direct them to North Las Vegas. He stated several board members had tendered their resignations.

C Debt Management Commission

Mayor Montandon stated there were no issues therefore no meeting was held.

CITY MANAGER'S REPORT

There was no report.

PUBLIC FORUM

Paul Dunn questioned the location of gas pumps and car wash at the Turtle Stop Gas Station. He also stated he had encountered problems when reporting a crime to the Police Department.

Mike Winne commended the schools for their disaster relief efforts. He then requested a detailed listing of attorney fees with regard to the Mike Thomas and John Armstrong litigations. Mr. Winne then spoke of free speech and the Open Meeting Law.

Glen Easter spoke regarding the filing of a police report and a criminal complaint and requested a copy of same.

Mike Thomas spoke regarding the Open Meeting Law.

