

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

May 21, 2003

Website - <http://www.cityofnorthlasvegas.com>

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:00 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 L. Eliason

**STAFF PRESENT**

City Manager Kurt Fritsch	Public Works Director Jim Bell
Assistant City Manager Gregory Rose	Detention Center Chief Ken Ellingson
Assistant City Manager Dan Tarwater	Finance Director Phil Stoeckinger
City Attorney Sean McGowan	Fire Chief Jim Stubler
City Clerk Eileen Sevigny	Administrative Services Director Eric Dabney
Human Resources Director Vince Zamora	Development Services Director Donna Kristaponis
Police Chief Mark Paresi	Assistant to the City Manager Brenda Johnson
Community Development Director Jacque Risner	Assistant City Clerk Karen L. Storms
Parks & Recreation Director Michael Henley	

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Eileen M. Sevigny, CMC  
City Clerk

**INVOCATION**

Pastor Rose Haag  
Harvest Rock Church

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tempore William E. Robinson

**PRESENTATION**

- ★ **PRESENTATION OF AN "AWARD OF RECOGNITION" TO EMT-P BRIAN CARLSON AND EMT-I JAKE COLLINS FOR THEIR HEROIC EFFORTS IN RESCUING VICTIMS OF A MOTOR VEHICLE ACCIDENT WITH FIRE INVOLVEMENT.**

ACTION: AWARDS PRESENTED TO SOUTHWEST AMBULANCE EMPLOYEES EMT-P BRIAN CARLSON AND EMT-I JAKE COLLINS

**PROCLAMATIONS**

- ★ **PROCLAIMING THE WEEK OF MAY 18 THROUGH MAY 24, 2003 AS EMERGENCY MEDICAL SERVICES WEEK.**

ACTION: MAY 18 THROUGH MAY 24, 2003 PROCLAIMED EMERGENCY MEDICAL SERVICES WEEK

- ★ **PROCLAIMING THE WEEK OF MAY 18 THROUGH MAY 24, 2003 AS NATIONAL PUBLIC WORKS WEEK.**

ACTION: MAY 18 THROUGH MAY 24, 2003 PROCLAIMED NATIONAL PUBLIC WORKS WEEK

**COUNCIL RECOGNITION**

- ★ **RECOGNITION OF CHEYENNE HIGH SCHOOL MEN'S BASKETBALL TEAM, DIVISION AAAA, STATE CHAMPIONS.**

ACTION: RECOGNITION GIVEN

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MAY 21, 2003.**

ACTION: APPROVED AS AMENDED; ITEM NO. 10-3 ADDRESS CORRECTED TO READ: 300 WEST LAKE MEAD BOULEVARD, ITEM NO. 32 CONTINUED TO JUNE 18, 2003, ITEM NO. 37 CONTINUED TO JUNE 4, 2003

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**10. APPROVAL OF PRIVILEGED LICENSES: (EXHIBIT A)**

<b><u>BUSINESS NAME</u></b>	<b><u>LICENSE TYPE</u></b>	<b><u>ACTIVITY</u></b>
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**CHANGE NAME & OWNER - LIQUOR**

1.	WGF Enterprises LLC Kaveh (Kevin) Golshan, Managing Member <b><u>DBA:</u></b> Cheyenne Losee Market & Gas 3260 Losee Road North Las Vegas, Nevada	Liquor    <b><u>Police Investigation Completed</u></b> <b><u>Formerly: Breez Rite In (Eli Applebaum, Owner)</u></b>	Beer & Wine Off Sale Within Convenience Food Store
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**NEW GAMING**

2.	Golden Gaming Inc. Brad R. Pederson, Pres. <b><u>DBA:</u></b> Golden Route Operations 5110 S. Valley View Blvd. Las Vegas, Nevada	Gaming Slot Operator	(7) Slot Machines Location: Cheyenne Chevron
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**Pending Final State Gaming Commission Approval scheduled for 5/22/03**

**NEW LIQUOR & GAMING**

3. Losee Mini Mart Inc.                      Liquor & Gaming              Beer & Wine Off Sale  
Thomas J. DellaValle, Pres.                      Within Convenience Food Store  
**DBA:** Losee Mini Mart              Owner Operator              (7) Slot Machines  
300 W. Lake Mead Boulevard  
North Las Vegas, Nevada  
Police Investigation Completed

Pending Final Building & Fire Inspection Approvals  
Pending Final State Gaming Commission Approval scheduled for 5/22/03

**ACTION:**        APPROVED WITH AN ADDRESS CORRECTION TO NO. 3. ADDRESS TO  
                      READ: 300 WEST LAKE MEAD BOULEVARD

**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

**11.    APPROVAL TO AMEND THE 2002-2003 STAFFING PATTERN AS FOLLOWS:**  
(All staffing pattern changes will be processed when administratively feasible)

**PUBLIC WORKS**

Transportation Services Core Group/Roadway Maintenance Division

Transfer two (2) Heavy Equipment Operator TNS 18 from Resource and Facility Service Core Group, Resource and Environment Division, to Transportation Services Core Group, Roadway Maintenance Division.

**DEVELOPMENT SERVICES**

Inspections

Add one (1) Inspector/Combination Inspector TNS 19/TNS 20

**ACTION:**        APPROVED

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

12. **APPROVAL OF THE ENGAGEMENT OF ATTORNEY ROBERT W. FREEMAN FOR PERIODIC LITIGATION ASSIGNMENTS AS DETERMINED BY THE CITY ATTORNEY WITH FEES TO BE WITHIN BUDGETARY LIMITS. (CNLV CONTRACT NO. C-5385)**

ACTION: APPROVED

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

13. **APPROVAL OF AN AMENDMENT TO THE LICENSE AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND ELDORADO NEIGHBORHOOD FIRST HOMEOWNERS ASSOCIATION WHICH PERMITS THE HOMEOWNERS ASSOCIATION TO MAINTAIN THE LANDSCAPE ON CAMINO ELDORADO BETWEEN ANN ROAD AND TROPICAL PARKWAY AT AN ESTIMATED SAVINGS TO THE CITY OF \$12,600 ANNUALLY. (CNLV CONTRACT NO. C-3358)**

ACTION: APPROVED

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

14. **APPROVAL TO APPROPRIATE \$34,500, TO BE PAID TO VARIOUS VENDORS, FOR THE RETROFIT OF FIRE STATION 52 FOR USE BY THE POLICE DEPARTMENT SPECIAL OPERATIONS BUREAU. (CNLV CONTRACT NO. C-5386)**

ACTION: APPROVED

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

15. **ACCEPTANCE OF FISCAL YEAR 2002-2003 TRAFFIC SAFETY GRANT IN THE AMOUNT OF \$4,350 FROM THE NEVADA DEPARTMENT OF PUBLIC SAFETY TO PAY REGISTRATION COSTS FOR CITY EMPLOYEES TO PARTICIPATE IN TRAFFIC SAFETY COURSES AVAILABLE ON THE INTERNET THROUGH THE INSTITUTE OF TRAFFIC ENGINEERS (ITE).**

ACTION: APPROVED

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

16. APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH REAL HOMES A DIVISION OF CENTEX HOMES FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND LOSEE ROAD IN THE AMOUNT OF 4.6% OF THE TOTAL COST OR \$22,629, CRAIG ROAD AND LOSEE ROAD IN THE AMOUNT OF 3.0% OF THE TOTAL COST OR \$7,500 AND ANN ROAD AND BRUCE STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$6,197 FOR THE ANN/LAWRENCE WEST SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF ANN ROAD AND LAWRENCE STREET.

ACTION: APPROVED

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

17. APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH REAL HOMES A DIVISION OF CENTEX HOMES FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 3.2% OF THE TOTAL COST OR \$14,576, ANN ROAD AND COMMERCE STREET IN THE AMOUNT OF 1.2% OF THE TOTAL COST OR \$5,903, CENTENNIAL PARKWAY AND NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 1.2% OF THE TOTAL COST OR \$6,382, AND TROPICAL PARKWAY AND NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF 8.8% OF THE TOTAL COST OR \$40,083 FOR THE CARMENA RESIDENTIAL SUBDIVISION LOCATED ON THE SOUTHEAST CORNER OF AZURE AVENUE AND DONNA STREET.

ACTION: APPROVED

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

18. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH TESORO LLC FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ALEXANDER ROAD AND REVERE STREET IN THE AMOUNT OF 1.2% OF THE TOTAL COST OR \$6,886, GOWAN ROAD AND REVERE STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,919 AND CRAIG ROAD AND REVERE STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,919 FOR THE CENTENNIAL/STATZ RESIDENTIAL SUBDIVISION LOCATED ON THE NORTH SIDE OF CENTENNIAL PARKWAY BETWEEN MCCARRAN STREET AND STATZ STREET.**

ACTION: APPROVED

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

19. **APPROVAL OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH THE CLARK COUNTY SCHOOL DISTRICT FOR THEIR SHARE OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNS AT TROPICAL PARKWAY AND SIMMONS STREET IN THE APPROXIMATE AMOUNT OF 7.1% OF THE TOTAL COST OR \$34,927, TROPICAL PARKWAY AND CLAYTON STREET IN THE APPROXIMATE AMOUNT OF 1.4% OF THE TOTAL COST OR \$6,887, ANN ROAD AND CLAYTON STREET IN THE APPROXIMATE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,919 AND SCHOOL ZONE FLASHING LIGHTS - 4 FLASHERS IN THE APPROXIMATE AMOUNT OF 100.0% OF THE TOTAL COST OR \$51,564 FOR THE EVA SIMMONS ELEMENTARY SCHOOL LOCATED ON THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND COLEMAN STREET. (CNLV CONTRACT NO. C-5387)**

ACTION: APPROVED

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

20. **APPROVAL OF CONDEMNATION OF REAL PROPERTY NEEDED FOR THE CLAYTON STREET WIDENING PROJECT, LONE MOUNTAIN ROAD TO CRAIG ROAD, AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN A PORTION (43,197 SQUARE FEET) OF THE PROPERTY OWNED BY MARILYN ROBINSON AND MARY KAY ROBINSON LIVING TRUST, APN 139-04-201-004.**

ACTION: APPROVED

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

**21. APPROVAL OF AMENDMENT NO. 2 TO THE SPECIAL IMPROVEMENT DISTRICT  
HARDSHIP DETERMINATION INTERLOCAL AGREEMENT WITH CLARK  
COUNTY SOCIAL SERVICE WHICH EXTENDS THE CURRENT CONTRACT  
(WHICH EXPIRES JUNE 30, 2003) TO JUNE 30, 2004. (CNLV CONTRACT NO. C-  
4931)**

ACTION: APPROVED

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

**22. APPROVAL OF A LEASE WITH MOUNTAIN UNION TELECOM FOR A  
TELECOMMUNICATION FACILITY AT THE SUN VALLEY WELL SITE LOCATED  
ON THE EAST SIDE OF VALLEY DRIVE SOUTH OF GOWAN ROAD IN THE  
AMOUNT OF \$12,000 PER YEAR FOR FIVE YEARS WITH FOUR OPTIONAL  
TERMS OF FIVE YEARS EACH WITH A TWO PERCENT INCREASE PER YEAR.  
(CNLV CONTRACT NO. C-5388)**

ACTION: APPROVED

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

**23. APPROVAL TO AWARD THE CONSTRUCTION CONTRACT, INCLUDING BID ADDITIVE B, IN THE AMOUNT OF \$95,500 TO WESTERN SINGLE PLY, INC. FOR THE NEIGHBORHOOD RECREATION CENTER ROOF RENOVATION PROJECT. (CNLV CONTRACT NO. C-5389)**

ACTION: APPROVED

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

**24. AMP-11-03 (CRAIG AND SIMMONS COMMERCIAL CENTER); AN APPLICATION, SUBMITTED BY MDL GROUP ON BEHALF OF THE MATONOVICH FAMILY TRUST, KERSHAW CANYON, LLC, THOMAS LOZZI AND C.A.K. LIMITED PARTNERSHIP, AND THE DANIEL S. MOSELY REV. TRUST AGREEMENT 1996, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF COLEMAN STREET AND SAN MIGUEL AVENUE. (SET PUBLIC HEARING FOR JUNE 4, 2003) (ASSOCIATED ITEM NO. 37, ORDINANCE NO. 1795, ZN-17-03)**

ACTION: PUBLIC HEARING SET FOR JUNE 4, 2003

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

**BUSINESS**

**25. DISCUSSION AND/OR DIRECTION TO STAFF TO CONTINUE THE INVESTIGATION OF A FUTURE REGIONAL PARK ON AN 80 ACRE PARCEL LOCATED EAST OF DECATUR BOULEVARD AND NORTH OF DORRELL LANE. (TABLED FROM MAY 7, 2003)**

Councilman Eliason stated local municipalities wanted to participate in the creation of a park near the northwest border of the City. Councilman Eliason stated Las Vegas Councilman Michael Mack stated the City of Las Vegas offered to include the City of North Las Vegas in their master plan park update and analysis. There would be no cost to the City if the Council desired to be included in the Las Vegas master plan park update. The update would be completed in approximately 90 days.

Mayor Montandon questioned if the City of Las Vegas was interested in a specific parcel. Councilman Eliason stated Las Vegas was interested in a general area; a specific amount of acreage had not been determined. Councilman Eliason questioned if the Council would like Staff to take appropriate action.

Councilwoman Smith felt the City's participation in the Las Vegas park study would contribute to sound regional planning. She stated when local government agencies pooled their funds, costs would be reduced and the citizens would benefit.

Mayor Montandon stated he felt it would be beneficial to inform the City of Las Vegas in regards to the City maintained 163 acre radio control airfield and the 320 acres of state land north of the airfield. The state owned land had been inactive due to a fossil discovery. Councilman Eliason stated the radio control airfield and state land had been discussed in addition to the northwest detention center basin and a site in the Bureau of Land Management area.

Mayor Montandon felt it would be good for the City to be included in the Las Vegas master plan park update.

City Manager Kurt Fritsch stated Staff would provide assistance as directed by Council.

**ACTION: CITY OF NORTH LAS VEGAS TO BE INCLUDED IN CITY OF LAS VEGAS PARK STUDY**

**MOTION: Councilman Eliason**

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

**26. APPROVAL OF SETTLEMENT OF THE LAWSUIT FILED BY GEORGIA NUNEZ IN THE APPROXIMATE AMOUNT OF \$702,500 (\$452,500 TO PERS TO INCREASE HER RETIREMENT BENEFITS AND PAYING HER AN ADDITIONAL \$250,000) FOR WRONGFUL TERMINATION. (CNLV CONTRACT NO. C-5390)**

City Manager Fritsch stated \$715,000 was the current settlement amount, \$465,000 to Public Employees' Retirement System (PERS) to increase Ms. Nunez' retirement benefits and an additional \$250,000 for wrongful termination. The incident occurred ten years ago in the Municipal Court by a previous judge. City Attorney Sean McGowan and Staff had negotiated the settlement.

City Attorney McGowan stated the case was unfortunate because the City would be required to recommend the settlement due to a change in the State of Nevada case law. The case law change stated the City could be held responsible for inappropriate behavior which had occurred in the past at the Municipal Court. City Attorney McGowan stated a jury had awarded Ms. Nunez a favorable verdict. The City had not been a party in that law suit but following the favorable verdict and former Judge Gary Davis' inability to pay Ms. Nunez, the Nevada Supreme Court allowed her to sue the City.

ACTION: SETTLEMENT APPROVED IN THE APPROXIMATE AMOUNTS OF \$715,000; \$465,000 TO PERS, AND \$250,000 WRONGFUL TERMINATION

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 AN APPROPRIATION IN THE AMOUNT OF \$40,000 TO CATHOLIC CHARITIES OF SOUTHERN NEVADA TO PROVIDE SERVICES AT THE CRISIS INTERVENTION CENTER PROVIDED THAT OTHER VALLEY MUNICIPALITIES SIMILARLY CONTRIBUTE OR OTHER FUNDING SOURCES ARE UTILIZED IN AN AMOUNT EQUAL TO SUCH CONTRIBUTIONS.**

Mayor Montandon stated the City had participated in the regional homeless issue primarily through the North Las Vegas Housing Authority and Community Development Block Grants to increase the number of affordable housing units. Mayor Montandon stated a crisis intervention center had proven to be a necessity and thanked the Catholic Charities of Southern Nevada for the benefits they provided the community.

ACTION: APPROVED

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: Councilman Eliason

ABSTAIN: None

**28. PRESENTATION BY THE NEVADA DEPARTMENT OF TRANSPORTATION AND DIRECTION AS TO THE PREFERRED DESIGN ALTERNATIVE FOR THE CRAIG ROAD GRADE SEPARATION PROJECT.**

**Glenn Petrenko, Project Coordinator, Nevada Department of Transportation,** stated the Nevada Department of Transportation (NDOT), in cooperation with the City of North Las Vegas, the Regional Transportation Commission of Southern Nevada, (RTC) and the Federal Highway Administration were in the preliminary planning stages to widen Craig Road and eliminate the at-grade Union Pacific Railroad (UPRR) crossing. Mr. Petrenko stated the purpose of the project would be to improve the operational performance of Craig Road and the interchange and also eliminate one of the highest hazard railroad crossings in Nevada. The number of vehicles utilizing Craig Road per day was approximately 48,000 and the number would increase by approximately 72,000 vehicles throughout the next 20 years.

Mr. Petrenko stated the multi-phase project consisted of phase one which widened Craig Road from Decatur Boulevard to Commerce Street, phase two would be the widening between Commerce Street and Berg Street which was currently being bid on by contractors, phase three would be the at-grade construction of the UPRR crossing and phase four had been the restriping of Craig Road between Lamb Boulevard and Pecos Road which had included minor interchange improvements. Mr. Petrenko stated the scope of the UPRR crossing project consisted of widening Craig Road from four lanes to six lanes from Brooks Avenue to Pecos Road, grade separate the existing UPRR crossing, provide an easier method of access to and from Donovan Way in addition to providing access to existing businesses. The project was a critical phase of the multi-phase project to widen Craig Road and eliminate the traffic delays. He stated the project would not be an interchange reconstruction project.

Mr. Petrenko stated two public information meetings had been held where the five alternatives A, B, C, D, and E had been presented. All of the alternatives had been evaluated by the City and NDOT.

Mr. Petrenko stated the alternatives and affected properties would be divided into quadrants for purposes of explanation of the alternatives. The Frehner property would be in the southwest quadrant, Cashman Equipment Company, would be in the southeast quadrant, the Holiday Inn Express Hotel and Suites was located north of Craig Road and the Operating Engineers building was located across the railroad tracks. Alternative A impacted multiple properties; Cashman Equipment Company, the Holiday Inn Express Hotel and Suites, and the Turtle Stop. Alternative A would also cause interference with street and business access on Donovan Way. Alternative B affected the Frehner property, Cashman Equipment Company, and Holiday Inn Express Hotel and Suites and the Operations Engineers building. Alternative B would create a four point intersection at Craig Road across from the southbound off-ramp of Interstate 15 (I-15) and would require the north parcel of Cashman Equipment Company.

Mayor Montandon questioned if the UPRR would participate with the cost of the grade separation. Mr. Petrenko stated yes, the UPRR would take responsibility for a portion of the cost. The payment percentage had not yet been determined.

Mr. Petrenko stated Alternative C had been designed as a variation to Alternative B to reduce the impact to the Cashman Equipment Company property. He stated Alternative D constructed a six lane overpass above Donovan Way and the UPRR crossing. Donovan Way would remain at-grade with the railroad tracks. The frontage roads which parallel Craig Road would be built with steeper grades and would create ramps with difficult access. In addition, the railroad crossing would remain at-grade. Mr. Petrenko stated Alternative E would widen Craig Road. Mr. Petrenko stated Cashman Equipment Company had provided options which were evaluated but failed operationally and geometrically.

Mr. Petrenko stated three alternatives remained. The no build alternative would be eliminated due to the impediment in traffic flow. Alternative A would be eliminated due to right-of-way impacts and operational performance. Alternative B would be eliminated due to right-of-way impacts and Alternative D would be eliminated because the at-grade railroad crossing would still exist. He stated Alternative C would cost approximately \$30 million and the estimated cost of Alternative E would range from \$45 million to \$55 million. Design costs were unknown at the present time. Mr. Petrenko stated a design consultant would possibly be hired and the UPRR would have specific design requirements.

Mr. Petrenko stated the obstacles encountered with the at-grade project had been right-of-way and access issues, impact to adjacent properties due to the varied grades of Craig Road and UPRR requirements.

Mr. Petrenko stated the City and NDOT would mutually agree on the most viable alternative based on sound engineering judgement, available funding and public comments. The comment period would remain open until May 30, 2003. A future date would be set for the final design hearing and a decision on the preferred alternative would be chosen.

Alternative C, if chosen, would be advertised in the fall of 2004 and Alternative E, if chosen, would be advertised in late 2004 or early 2005. The construction schedule would be dictated by the UPRR. The RTC of Southern Nevada had obligated \$25 million toward the project, \$5,740,000 would be used from federal funding, the state gas tax would contribute \$1.5 million for an approximate total cost of \$32,240,000.

Councilman Eliason questioned the cost of Alternative E. Mr. Petrenko stated approximately one and a half miles of reconstruction would be required. A single track currently existed and the UPRR would prefer a double main line track in addition to maintenance access. The RTC had future plans to possibly place light rail in the area. Mr. Petrenko stated a four lane track could possibly exist on the railroad overpass. The Las Vegas Wash structure would need to be replaced. Retaining walls and siding would need to be constructed and current spur lines would be affected.

Mayor Montandon stated a simple answer did not exist for the at-grade separation issue. The issue had been before Council on previous occasions. He questioned City Attorney McGowan on the legalities of the Council's recommendation of an alternative before the end of the comment period. City Attorney McGowan asked for clarification from Mr. Petrenko of what action he desired from the Council. Mr. Petrenko stated he asked the City Council for a recommendation of approval for a preferred alternative. Mr. Petrenko stated a final decision concerning the recommended alternative would occur after the comment period had ended. All recommendations and comments would be considered from government agencies, business persons and the public at large before an alternative would be chosen. City Manager Fritsch stated the item appearing on the agenda for Council's review was their opportunity to comment on the alternatives available for the at-grade separation issue. Mayor Montandon questioned if Council's decision on a recommendation of an alternative would be the final opportunity the City would be offered to recommend an alternative. Mr. Petrenko stated it would be the Council's option.

Councilman Buck questioned if approval had been granted from the UPRR regarding Alternative E. Mr. Petrenko stated he felt verbal support existed for Alternative E.

Councilwoman Smith stated she would recommend Alternative C. Mayor Pro Tempore Robinson agreed with Councilwoman Smith.

Mayor Montandon stated the recommendation of Alternative C was a recommendation and not a final decision.

**ACTION: ALTERNATIVE C RECOMMENDED**

**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

Mayor Montandon recessed the meeting at 6:45 p.m. and reconvened the meeting at 6:54 p.m.

ACTION: ITEM NO. 28 REOPENED

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

**Lance Earl, Hale Lane Attorneys At Law, 2300 West Sahara, Eighth Floor, Box 8, Las Vegas,** stated he represented various properties including the Holiday Inn Express Hotel and Suites and the Turtle Stop. He stated the businesses were near the UPRR crossing and Craig Road. Mr. Earl stated the Holiday Inn Express Hotel and Suites, the Turtle Stop and nearby businesses would be devastated from the various alternatives recommended to Council by NDOT. Mr. Earl stated he felt NDOT would only consider Alternative C even though the public comment period had not ended. He felt public comment would be ignored and NDOT had already decided the preferred alternative would be C.

Councilman Buck stated she disagreed with Mr. Earl. She had conflicting information regarding Alternative E from officials at NDOT. She stated approximately five years earlier, when she had served on the Planning Commission, she had met with business owners from the Holiday Inn Express Hotel and Suites and the Turtle Stop. She explained an access problem would occur concerning Donovan Way because the railroad crossing at Craig Road would be altered in the future. Councilman Buck stated the area business owners knew of the risk with locating their businesses in the area of Craig Road and the UPRR.

Mr. Earl stated the business owners in the area were aware of the increased traffic on Craig Road and of the problem with the UPRR crossing but believed a full disclosure of the economic and the drastic impacts the repairs to Craig Road would create had not occurred. Councilman Buck questioned if the Turtle Stop was open. Mr. Earl stated the Turtle Stop was closed. Councilman Buck stated the Turtle Stop had not been a viable business for approximately the last year.

Mayor Montandon stated he believed he had stated to various business owners from the area during previous Council meetings that in the future customers of the various area business would be approximately 30 feet above the business with no available access to services. Mayor Montandon stated the business owners understood what could happen in the future due to UPRR crossing at Craig Road.

Councilwoman Smith stated she felt the business owners in the area had been notified of future corrections of the at-grade UPRR crossing at Craig Road and added it would be necessary for the City to offer a recommendation of a viable alternative to the problem. She stated it appeared the funding for Alternative C had been determined and she supported the recommendation of Alternative C. Councilwoman Smith stated all comments from citizens and business owners would be considered in addition to comments offered by the City.

Mr. Earl stated he would have preferred the Council wait until after the public comment period had ended to recommend an alternative. He felt additional comments from business owners would not be taken seriously by NDOT.

#### **PUBLIC HEARINGS - 6:30 P.M.**

2. **VAC-07-03 (CLAYTON STREET); AN APPLICATION SUBMITTED BY NORTH VALLEY ENTERPRISES LLC, PROPERTY OWNER, FOR A VACATION OF THE WESTERLY SIX FEET OF CLAYTON STREET RIGHT-OF-WAY COMMENCING AT CENTENNIAL PARKWAY AND PROCEEDING NORTH APPROXIMATELY 2,664 FEET.**

Mayor Montandon opened the Public Hearing.

**Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas,** appeared on behalf of the applicant.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

3. **VAC-08-03 (ALICANTE PARKWAY REALIGN); AN APPLICATION SUBMITTED BY NORTH VALLEY ENTERPRISES LLC, PROPERTY OWNER, FOR A VACATION OF ALICANTE PARKWAY COMMENCING APPROXIMATELY 663 FEET NORTH OF ELKHORN ROAD AND PROCEEDING NORTH APPROXIMATELY 893 FEET.**

Mayor Montandon opened the Public Hearing.

**Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas,** appeared on behalf of the applicant.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE CONDITION THAT THE VACATION SHALL RECORD CONCURRENTLY WITH THE DEDICATION OF THE NEW ALIGNMENT.

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

4. **AMP-13-03 (LAURIC PROPERTIES INC.); AN APPLICATION, SUBMITTED BY LAURIC PROPERTIES INC. ON BEHALF OF THE POWER LINE TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. (ASSOCIATED ITEM NO. 5, ORDINANCE NO. 1790, ZN-21-03)**

Mayor Montandon opened the Public Hearing.

**Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas,** appeared on behalf of the applicant.

Councilman Buck questioned how the Aliante community felt regarding the commercial property zoning. Ms. Lazovich stated she spoke with members of the Aliante community and she had received no objections.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

5. **ORDINANCE NO. 1790; 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 A SINGLE FAMILY RESIDENTIAL DISTRICT TO A NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET (ZN-21-03) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-13-03)**

Ordinance No. 1790 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 A SINGLE FAMILY RESIDENTIAL DISTRICT TO A NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET (ZN-21-03) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED & 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

6. **AMP-17-03 (RANCHO CALIENTE); AN APPLICATION, SUBMITTED BY CAPITAL CITY INC. ON BEHALF OF NEVADA BUSINESS ASSOCIATES, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO MLDR, MEDIUM LOW DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF COMMERCE STREET APPROXIMATELY 300 FEET NORTH OF ANN ROAD. (ASSOCIATED ITEM NO. 7, ORDINANCE NO. 1794, ZN-26-03)**

Development Services Director Donna Kristaponis stated a condition for the item by the Planning Commission addressed the park. The Rancho Caliente community would share a park with the Rancho Mirage community. The Rancho Mirage development had a large area set aside for a park and the two communities were going to combine their land for one large park. Director Kristaponis stated prior to building permits being issued for the Rancho Caliente project, the 3.9 acre park in the Rancho Mirage development must be completed including basketball and sand volleyball courts, tot lot, shade structures and benches.

Mayor Montandon opened the Public Hearing.

**Kathryn Grider, Senior Planner, WRG Design Inc., 2260 Corporate Circle Suite 430, Las Vegas,** appeared on behalf of the applicant. Ms. Grider stated the two communities would share the open space. A trail would be constructed linking the two communities. Ms. Grider believed the amendment to the comprehensive plan land use from low density residential to medium low density residential would allow the homes built on the property to be built in an attractive manner. Ms. Grider stated the smallest lot would be 4500 square feet. The development would be designed as a stand alone residential project. The owner of the parcel had previously had the parcel subdivided.

Councilwoman Smith stated she was concerned about the possibility of the remaining portion of the property being zoned commercial at a later date. She requested the item be continued. Ms. Grider stated the developer would only develop one portion of the property and she had no control over the remaining parcel. Councilwoman Smith questioned if the item was continued for two weeks if that would pose an issue for the developer.

**Brad Jones, Project Manager, WRG Design Inc., 2260 Corporate Circle Suite 430, Las Vegas,** stated the item had been continued previously. The developer did not want to zone the remaining parcel. Councilwoman Smith stated she would like to extend the notice to include the remaining parcel. Mr. Jones stated a two week continuance would be fine. Mayor Montandon stated they could apply for an amendment to the master plan without the owner's signature.

City Manager Fritsch questioned Director Kristaponis if two weeks would be sufficient to notice proposed changes. Director Kristaponis stated it would not. Director Kristaponis stated four weeks would allow enough time to complete the necessary procedures. Councilwoman Smith questioned if four weeks would create a hardship. Mr. Jones stated yes, four weeks would create a hardship.

Councilman Buck asked who owned the land on the corner. Ms. Grider stated the same owner but the land had been divided into two parcels.

Councilman Eliason stated Staff could be directed to return with a request for an amendment to the master plan for the remaining parcel and the initial project could move forward.

Mayor Montandon asked Mr. Jones if his client was Speciality Holdings. Mr. Jones replied yes but he would need to verify exactly who owned which parcel of land. Mr. Jones stated an amendment to the master plan would be fine for the second portion of the property.

Councilman Buck stated she would like the proposed projected extended onto the remaining parcel to include the corner. She asked Director Kristaponis how could an ascetically built project be achieved for both land parcels. Director Kristaponis stated the Council could not approve the project or continue the item and direct Staff to apply for an amendment to the master plan.

Mr. Jones requested the item be continued for two weeks.

Mayor Montandon stated the current master plan for the area was for low density residential and the applicant had requested a change to medium low density residential. The property was not currently master planned commercial.

City Manager Fritsch stated he believed a condition for the project required two access points for the project. The developer would be dependent on the adjacent parcel for the second access. He stated the project plan was not complete.

Mayor Montandon closed the Public Hearing.

**ACTION:** CONTINUED TO JUNE 4, 2003

**MOTION:** Mayor Montandon

**SECOND:** Councilwoman Smith

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

**NAYS:** None

**ABSTAIN:** None

7. **ORDINANCE NO. 1794; 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF COMMERCE STREET APPROXIMATELY 300 FEET NORTH OF ANN ROAD (ZN-26-03, RANCHO CALIENTE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 6, AMP-17-03)**

Ordinance No. 1794 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF COMMERCE STREET APPROXIMATELY 300 FEET NORTH OF ANN ROAD (ZN-26-03, RANCHO CALIENTE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: CONTINUED TO JUNE 4, 2003

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

8. **AN APPEAL, SUBMITTED BY MARK T. MCGINTY (SWISHER & HALL) ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-17-03 (FIRST SPANISH BAPTIST CHURCH); AN APPLICATION, SUBMITTED BY SWISHER & HALL AIA, LTD, ON BEHALF OF FIRST SPANISH BAPTIST CHURCH, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E, RANCH ESTATES DISTRICT TO ALLOW THE DEVELOPMENT OF A CHURCH ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ALLEN LANE AND WASHBURN ROAD.**

Director Kristaponis stated a special use permit had been approved by Council at a previous meeting but the permit had expired. The applicant applied a second time with the same plan for a 13,200 square foot church with a 4,000 square foot office and a 7,600 square foot fellowship hall. Director Kristaponis stated when the item had been discussed before Council the first time the main concern was with the nearby residential estates. Staff supported the project but the Planning Commission recommended denial.

Mayor Montandon opened the Public Hearing.

**Mark T. McGinty, Project Manager, Swisher & Hall, 7373 Peak Drive, Suite 250, Las Vegas,** appeared on behalf of the owner. Mr. McGinty stated the reason for the expiration of the special use permit was because he did not finish the project. The adjacent property owner who supported the Spanish Baptist Church project, had a special use permit to support his own church. Mr. McGinty stated the applicant would not ask for additional considerations but only requested the original special use permit be reinstated.

**Daniel Ray Trofohlz, 1455 East Rochelle Avenue #43, Las Vegas,** stated he was a school teacher in the community. He felt the church would be a good resource for the growing Spanish community. He supported the project.

**Senior Pastor Juan M. Sclafani Sr., 1725 East Torino Avenue, Las Vegas,** stated he was the senior pastor of the church and counseled families and couples. He expressed a strong commitment to the community and supported the project.

**Pablo Navarro, 4205 Park Court, Las Vegas,** stated he was a school teacher in the community. He supported the project.

**Jorge Sanchez, 2205 Peach Hill Avenue, Las Vegas,** stated he was a member of the church and worked for the church. He stated the education the children received through the University Baptist Academy would be a great influence throughout their lives and aide them in becoming good citizens. He supported the project.

**Patty Steilley, 525 Hall of Fame Drive, Las Vegas,** stated she supported the project.

**Juan M. Sclafani Jr., 1725 East Torino Avenue, Las Vegas,** stated the education he had received through the University Baptist Academy and the teachings from the church had greatly influenced his life.

**Jorge A. Porras, 4105 Abrams Avenue, Las Vegas,** stated the church would benefit the North Las Vegas community. He supported the project.

**Ulises Rodas, 261 Westchester Drive Apartment #247, Las Vegas,** stated he had been a member of the church for six years and it had greatly influenced his life. He supported the project.

**Rafael Mundo, 604 Sara Jane Lane, Las Vegas,** stated he was an assistant pastor of the church. He felt the church would be a great influence for the community's children. He supported the project.

**Fausto Barraza, 3152 LaBrodor Drive, Las Vegas,** stated he felt the church taught children respect for family, teachers and authority. He supported the project.

Councilman Buck stated she was concerned about the church being built in the Ranch Estates Preservation area but the church would be across the street from the new North Las Vegas Police Substation and she felt they would be good neighbors. Councilman Buck supported the project.

Councilwoman Smith stated she shared Councilman Buck's concerns. She felt since the church project had been previously approved, she would support the project because churches and schools were being built in Ranch Estates Preservation area instead of residents raising livestock.

Mayor Montandon closed the Public Hearing.

**ACTION: PLANNING COMMISSION DECISION OVERTURNED; UN-17-03 APPROVED  
SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That approval of a drainage study is require prior to submittal of the civil improvement plans.
2. That a water network analysis must be submitted with the civil improvement plans.
3. That construction of the half-street improvements for Washburn Road and Allen Lane are required with development of the site.
4. That the following right -of-way dedications are required:
  - A. Forty feet (40.00) for Washburn Road.
  - B. Ten feet (10.00) for Allen Lane.
  - C. A flared intersection at Washburn and Allen per the Uniform Standard Drawings for Public Works Construction Off-Site Improvements Drawing Number 201.1
5. That fire access lanes shall be designed and installed in accordance with Fire Code requirements.
6. That the development comply with the Commercial Design Guidelines, including but not limited to the following:
  - A. The building(s) shall be oriented toward and located at the minimum front setbacks of the Washburn and Allen Street corner.
  - B. A minimum 20 feet of landscaping shall be provided next to the Washburn Road and Allen Lane rights-of-way.
  - C. A minimum 20 feet of landscaping shall be provided adjacent to the northern and western property.
  - D. A minimum 6-foot wide landscape island shall be provided at each end of all parking rows and one additional island for every 15 parking spaces contained in a row.

7. That a cornice and wainscot (Mandarin Split-face blocks) be provided to each side of the office and fellowship buildings.
8. That the elevations generally conform to those submitted with this request, unless otherwise addressed herein.
9. That a barrier be provided between the developed and undeveloped portion of the site to prevent vehicles from driving or parking on the undeveloped area. Such barrier shall be indicated on the civil and/or building plans, subject to staff review and approval.

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

9. **AN APPEAL, SUBMITTED BY THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-10-03 (TRIED STONE BAPTIST CHURCH); AN APPLICATION, SUBMITTED BY TRIED STONE BAPTIST CHURCH, PROPERTY OWNER, FOR A USE PERMIT TO ALLOW AN EXPANSION OF 10,800 SQUARE FEET TO AN EXISTING CHURCH IN AN R-CL SINGLE-FAMILY COMPACT LOT DISTRICT ON PROPERTY LOCATED AT 621 WEST CAREY AVENUE.**

Director Kristaponis stated the Planning Commission applied time constraints to the approval of the project. A condition resulted which stated the Church could only be open from 7 a.m. to 10:00 p.m. Staff searched for other churches with the same type of time constraint and could find none. She stated hours of operation constraints usually were applied to car washes or bars.

Mayor Montandon opened the Public Hearing.

**Pastor Gregory Smith, Tried Stone Baptist Church 621 West Carey, North Las Vegas,** appeared on behalf of the applicant. Pastor Smith stated he would like the conditions removed regarding the hours of operation and parking restrictions on Carey Avenue. He stated church goers had been parking along Carey Avenue for many years. Director Kristaponis stated Carey Avenue was a public street and a parking restriction would be difficult to enforce. Mayor Pro Tempore Robinson stated he supported the change in the parking restriction.

Councilwoman Smith stated the church had been located at the current location for many years. She felt the two conditions should be removed.

Mayor Montandon closed the Public Hearing.

**ACTION: UN-10-03 APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The Construction of a new church building will require civil improvement plans for the site that include full half street improvements along Carey Avenue, Royal Street and Miller Avenue.
2. The site plan must be revised to include 32' wide commercial driveways.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer.
5. A water network analysis must be submitted with the civil improvement plans.
6. A merger and resubdivision or reversionary map is required to remove lot lines.
7. The applicant must dedicate right-of-way for the spandrel at Royal and Miller Avenue.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Carey Avenue.

9. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.

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

## ORDINANCES

### INTRODUCTION ONLY

29. **ORDINANCE NO. 1801; 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LA MADRE WAY AND COMMERCE STREET (ZN-28-03, COMMERCE/VERDE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 4, 2003) (ASSOCIATED ITEM NO. 30, ORDINANCE NO. 1802, ZN-29-03)**

Ordinance No. 1801 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LA MADRE WAY AND COMMERCE STREET (ZN-28-03, COMMERCE/VERDE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JUNE 4, 2003

30. **ORDINANCE NO. 1802; 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LA MADRE WAY AND CONWAY STREET (ZN-29-03, COMMERCE/VERDE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 4, 2003) (ASSOCIATED ITEM NO. 29, ORDINANCE NO. 1801, ZN-28-03)**

Ordinance No. 1802 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LA MADRE WAY AND CONWAY STREET (ZN-29-03, COMMERCE/VERDE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JUNE 4, 2003

31. **ORDINANCE NO. 1803; AN ORDINANCE BY THE CITY OF NORTH LAS VEGAS ENACTING A MORATORIUM ON RESIDENTIAL DEVELOPMENT ON LOT AREAS OF LESS THAN 4,500 SQUARE FEET BY PROHIBITING ACCEPTANCE OF, OR ANY ACTION UPON PLANNED UNIT DEVELOPMENT APPLICATIONS PURSUANT TO NLVMC 17.28.060 FROM JUNE 4, 2003 UNTIL JULY 2, 2003, WHICH APPLICATIONS EITHER (1) INCLUDE A PRELIMINARY DEVELOPMENT PLAN THAT INDICATES RESIDENTIAL LOT AREA OF LESS THAN 4,500 SQUARE FEET; OR (2) INCLUDE A PRELIMINARY DEVELOPMENT PLAN THAT DOES NOT INCLUDE INDIVIDUAL LOT AREAS, BUT INDICATES RESIDENTIAL UNIT DENSITIES OF GREATER THAN 6.0 UNITS PER GROSS ACRE. (SET FINAL ACTION FOR JUNE 4, 2003)**

Ordinance No. 1803 as introduced by the City Manager:

AN ORDINANCE BY THE CITY OF NORTH LAS VEGAS ENACTING A MORATORIUM ON RESIDENTIAL DEVELOPMENT ON LOT AREAS OF LESS THAN 4,500 SQUARE FEET BY PROHIBITING ACCEPTANCE OF, OR ANY ACTION UPON PLANNED UNIT DEVELOPMENT APPLICATIONS PURSUANT TO NLVMC 17.28.060 FROM JUNE 4, 2003 UNTIL JULY 2, 2003, WHICH APPLICATIONS EITHER (1) INCLUDE A PRELIMINARY DEVELOPMENT PLAN THAT INDICATES RESIDENTIAL LOT AREA OF LESS THAN 4,500 SQUARE FEET; OR (2) INCLUDE A PRELIMINARY DEVELOPMENT PLAN THAT DOES NOT INCLUDE INDIVIDUAL LOT AREAS, BUT INDICATES RESIDENTIAL UNIT DENSITIES OF GREATER THAN 6.0 UNITS PER GROSS ACRE.

City Manager Fritsch asked Director Kristaponis if she would inform Council of upcoming Planning Commission meetings related to the item.

Director Kristaponis stated the Planning Commission had conducted three workshops. The most recent occurred the previous evening. The next phase of the process would be a public hearing which would be held next Wednesday, May 28, 2003. Further action would occur May 29, 2003 and then the ordinance would be brought before Council.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JUNE 4, 2003

## ORDINANCES

### FINAL ACTION

32. **ORDINANCE NO. 1749; AN ORDINANCE RELATING TO ZONING (ZOA-15-02); AMENDING SECTION 17.24.110, PARAGRAPH C AND SECTION 17.12.020 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO ALLOW OFF-PREMISE SIGNS ADJACENT TO INTERSTATE 15 IN THE C-2 GENERAL COMMERCIAL DISTRICT, REMOVE THE AMORTIZATION PROVISIONS FROM VARIOUS SECTIONS OF THE TITLE, DEFINE "MATERIAL STRUCTURAL VALUE" AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED FROM JANUARY 15, FEBRUARY 5, FEBRUARY 19, AND APRIL 16, 2003)**

Ordinance No. 1749 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING (ZOA-15-02); AMENDING SECTION 17.24.110, PARAGRAPH C AND SECTION 17.12.020 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO ALLOW OFF-PREMISE SIGNS ADJACENT TO INTERSTATE 15 IN THE C-2 GENERAL COMMERCIAL DISTRICT, REMOVE THE AMORTIZATION PROVISIONS FROM VARIOUS SECTIONS OF THE TITLE, DEFINE "MATERIAL STRUCTURAL VALUE" AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: CONTINUED TO JUNE 18, 2003

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

33. **ORDINANCE NO. 1777 (ANNEXATION NO. 122); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1777 as introduced by the City Manager:

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO

ACTION: PASSED & 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

34. **ORDINANCE NO. 1791; 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 A MASTER PLANNED COMMUNITY DISTRICT TO A PUBLIC/SEMI-PUBLIC MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF ELKHORN ROAD, 800± FEET WEST OF ALICANTE PARKWAY (ZN-20-03, NORTH VALLEY ENTERPRISES LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1791 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 A MASTER PLANNED COMMUNITY DISTRICT TO A PUBLIC/SEMI-PUBLIC MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF ELKHORN ROAD, 800± FEET WEST OF ALICANTE PARKWAY (ZN-20-03, NORTH VALLEY ENTERPRISES LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

City Manager Fritsch stated the ordinance related to Fire Station No. 56.

ACTION: PASSED & ADOPTED

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

35. **ORDINANCE NO. 1792; 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LAWRENCE STREET AND CENTENNIAL PARKWAY (ZN-25-03, DONNA & DEER SPRINGS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1792 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LAWRENCE STREET AND CENTENNIAL PARKWAY (ZN-25-03, DONNA & DEER SPRINGS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

36. **ORDINANCE NO. 1793; 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND BRUCE STREET (ZN-27-03, CENTENNIAL BRUCE SOUTH) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1793 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND BRUCE STREET (ZN-27-03, CENTENNIAL BRUCE SOUTH) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED & ADOPTED

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

37. **ORDINANCE NO. 1795; 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 A RANCH ESTATES DISTRICT TO A SINGLE FAMILY RESIDENTIAL DISTRICT AND A NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF COLEMAN STREET AND SAN MIGUEL AVENUE (ZN-17-03, CRAIG SIMMONS COMMERCIAL CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 24, AMP-11-03)**

Ordinance No. 1795 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 A RANCH ESTATES DISTRICT TO A SINGLE FAMILY RESIDENTIAL DISTRICT AND A NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF COLEMAN STREET AND SAN MIGUEL AVENUE (ZN-17-03, CRAIG SIMMONS COMMERCIAL CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: CONTINUED TO JUNE 4, 2003

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

### APPOINTMENTS

**38. APPOINTMENTS BY COUNCILMAN BUCK AND COUNCILMAN ELIASON OF TWO MEMBERS TO THE CITIZENS ADVISORY COMMITTEE FOR THREE YEAR TERMS TO EXPIRE JUNE 30, 2006.**

Councilman Eliason stated he would be prepared to make his appointment at the Council Meeting of June 4, 2003. Councilman Buck stated she required additional time to choose from the three individuals she was considering. City Manager Fritsch stated the Public Works Department would moving forward with the reactivation of the Utility Board. The rate analysis public hearing would occur May 29, 2003.

ACTION: TABLED TO JUNE 4, 2003

### **COUNCIL ITEMS**

Councilman Buck thanked staff for their work regarding the City's Taste & Tunes event. Councilwoman Smith thanked the North Las Vegas Chamber of Commerce for their participation in the event. Councilman Buck and Mayor Pro Tempore Robinson stated they would like the grass in front of City Hall to remain in place.

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

City Manager Fritsch stated the new sign ordinance would be introduced at the June 4, 2003 City Council meeting.

### **PUBLIC FORUM**

Dorothy Renee Barnes spoke of organized crime in the community.

### **ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 8:01 P.M.

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

**APPROVED: June 18, 2003**

/s/ Michael L. Montandon  
Mayor Michael L. Montandon

Attest:

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