

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

November 5, 2003

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:02 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 Gregory Rose	Community Development Director Jacque Hinchman
Assistant City Manager Dan Tarwater	Public Works Director Jim Bell
City Attorney Sean McGowan	Fire Chief Jim Stubler
City Clerk Eileen M. Sevigny	Detention Center Chief Ken Ellingson
Human Resources Director Vince Zamora	Police Chief Mark Paresi
Acting Development Services Director Steve Baxter	Special Projects Analyst Kimberly McDonald
Strategic Planning Director Eric Dabney	Assistant City Clerk Karen L. Storms
Parks & Recreation Director Michael Henley	Deputy City Clerk Julie Shields

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Eileen M. Sevigny, CMC  
City Clerk

**INVOCATION**

Pastor Eric Betts  
Present Truth Seventh Day

**PLEDGE OF ALLEGIANCE**

Mayor Michael L. Montandon

### **PRESENTATION**

- ★ Presentation of a plaque to Rod McDaniels, Code Enforcement Officer, selected as Code Enforcement Officer of the Year for the State of Nevada by the Nevada Association of Code Enforcement.

ACTION: PRESENTATION MADE

### **AGENDA**

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF NOVEMBER 5, 2003.**

ACTION: APPROVED AS AMENDED; ITEM NO. 53 CONTINUED TO NOVEMBER 19, 2003

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

### **CONSENT AGENDA**

8. **APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2003.**

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 OF THE AMENDED LEASE AGREEMENT IN THE AMOUNT OF \$16,424.16 BETWEEN THE CITY AND NORTH LAS VEGAS CHAMBER OF COMMERCE FOUNDATION FOR OFFICE SPACE LOCATED AT 2290 MCDANIEL STREET, SUITE 1-B FOR THE PERIOD DECEMBER 1, 2003 THROUGH NOVEMBER 30, 2004, WHICH INCLUDES A 2.1% CONSUMER PRICE INDEX INCREASE PURSUANT TO THE ORIGINAL LEASE AGREEMENT. (CNLV CONTRACT NO. C-4833)**

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 TO ACCEPT THE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$1,875,000 (\$1,875,000 FEDERAL FUNDS, \$625,000 MATCHING FUNDS FOR A TOTAL AMOUNT OF \$2,500,000) FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2006 WHICH WILL BE USED TO HIRE 25 NEW POLICE OFFICERS.**

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

11. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH BEAZER HOMES NEVADA FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CENTENNIAL PARKWAY**

**AND LOSEE ROAD IN THE AMOUNT OF 3.3% OF THE TOTAL COST OR \$16,234, CENTENNIAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 4.3% OF THE TOTAL COST OR \$22,870, CENTENNIAL PARKWAY AND WALNUT ROAD IN THE AMOUNT OF 3.0% OF THE TOTAL COST OR \$17,214, TROPICAL PARKWAY AND LOSEE ROAD IN THE AMOUNT OF 1.9% OF THE TOTAL COST OR \$10,902, AND TROPICAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 1.7% OF THE TOTAL COST OR \$7,743 FOR SUNRISE CANYON LOCATED ON THE NORTHWEST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD.**

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 CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH KB HOME NEVADA, INC. FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT BELTWAY AND SIMMONS STREET IN THE AMOUNT OF 2.3% OF THE TOTAL COST OR \$14,253, CENTENNIAL PARKWAY AND SIMMONS STREET IN THE AMOUNT OF 1.7% OF THE TOTAL COST OR \$7,743, AND TROPICAL PARKWAY AND SIMMONS STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,919 FOR GRANADA HILLS, LOCATED ON THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET.**

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 OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH SMITH'S FOOD AND DRUG CENTERS, INC. TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNS AT CENTENNIAL PARKWAY AND DECATUR BOULEVARD IN THE APPROXIMATE AMOUNT OF 2.2% OF THE TOTAL COST OR \$9,279, EL CAMPO GRANDE AVENUE AND DECATUR BOULEVARD IN THE APPROXIMATE AMOUNT OF 3.4% OF THE TOTAL COST OR \$21,070, AND ANN ROAD AND DECATUR BOULEVARD IN THE APPROXIMATE AMOUNT OF 8.8% OF THE TOTAL COST OR \$22,604 FOR THE ANN/DECATUR MARKETPLACE PROJECT LOCATED ON THE NORTHEAST CORNER OF ANN ROAD AND DECATUR BOULEVARD. (CNLV CONTRACT NO. C-5524)**

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. **APPROVAL OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH JUPITER GOLF COMPANY LAS VEGAS LIMITED PARTNERSHIP FOR A LEFT TURN ONLY MEDIAN OPENING ON CRAIG ROAD APPROXIMATELY 1,025 FEET EAST OF COMMERCE STREET AND TO PROVIDE SURETY IN THE AMOUNT OF \$15,000 TO COVER THE CONSTRUCTION COSTS OF ITS FUTURE CLOSURE. (CNLV CONTRACT NO. C-5525)**

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

15. **AMP-41-03, CENTEX HOMES; AN APPLICATION, SUBMITTED BY CENTEX HOMES DBA REAL HOMES ON BEHALF OF DANIEL S. MOSLEY REVOCABLE TRUST ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO LDR, LOW DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED APPROXIMATELY 339 FEET NORTH OF SAN MIGUEL AVENUE AND WEST OF COLEMAN STREET. (SET PUBLIC HEARING FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 49, ORDINANCE NO. 1889, ZN-56-03)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 19, 2003

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. **AMP-51-03, TROPICAL HILLS; AN APPLICATION SUBMITTED BY ROBERT HOWARTH ON BEHALF OF YBALLE DANILO NARVIOS LIVING TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR, MEDIUM DENSITY RESIDENTIAL, M-HDR, MEDIUM-HIGH DENSITY RESIDENTIAL AND INDUSTRIAL TO LDR, LOW DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD. (SET PUBLIC HEARING FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 1885, ZN-72-03)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 19, 2003

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. **AMP-53-03, DECATUR AND TROPICAL; AN APPLICATION SUBMITTED BY WORLDMARK, INC. ON BEHALF OF DECATUR TROPICS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HDR HIGH DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE. (SET PUBLIC HEARING FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 46, ORDINANCE NO. 1886, ZN-75-03)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 19, 2003

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. **APPEAL, SUBMITTED BY JIM STUBLER, CITY OF NORTH LAS VEGAS FIRE CHIEF, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-22-03, CHEYENNE STREET TAVERN; AN APPLICATION SUBMITTED BY TONY AND LOUISA CHOW, ET AL, PROPERTY OWNERS, FOR A USE PERMIT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN IN AN M-2 GENERAL INDUSTRIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND ENGLESTAD STREET. (SET PUBLIC HEARING FOR NOVEMBER 19, 2003)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 19, 2003

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. **APPEAL, SUBMITTED BY ANDY COCKELL ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY VN-08-03, TRIPLE SEVEN; AN APPLICATION SUBMITTED BY TRIPLE SEVEN ON BEHALF OF TERRY CRAWFORD, PROPERTY OWNER, FOR VARIANCES TO ALLOW AN OFF-PREMISE SIGN, BILLBOARD, WITH A ZERO FOOT FRONT AND SIDE SETBACK WHERE TEN FEET IS REQUIRED; TO ALLOW A 160 FOOT SEPARATION FROM A RESIDENTIAL ZONE WHERE 300 FEET IS REQUIRED; AND TO ALLOW A 565 FOOT SEPARATION FROM ANOTHER OFF-PREMISE SIGN WHERE 750 FEET IS REQUIRED, IN THE M-2, GENERAL INDUSTRIAL DISTRICT ON PROPERTY LOCATED AT 2409 EAST GOWAN ROAD. (SET PUBLIC HEARING FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 20, UN-51-03)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 19, 2003

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. **APPEAL, SUBMITTED BY ANDY COCKELL ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-51-03, TRIPLE SEVEN; AN APPLICATION SUBMITTED BY TRIPLE SEVEN ON BEHALF OF TERRY CRAWFORD, PROPERTY OWNER, FOR A USE PERMIT TO ALLOW A 70-FOOT HIGH OFF-PREMISE SIGN, BILLBOARD, IN THE M-2, GENERAL INDUSTRIAL DISTRICT ON PROPERTY LOCATED AT 2409 EAST GOWAN ROAD. (SET PUBLIC HEARING FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 19, VN-08-03)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 19, 2003

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. **VAC-19-03, CRAIG AND COLEMAN; AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF MATONOVICH FAMILY TRUST, ET AL, PROPERTY OWNER, FOR A VACATION OF A PORTION OF FUSELIER DRIVE AND APPROXIMATELY 300 FEET OF A PUBLIC UTILITY EASEMENT COMMENCING NORTH OF SAN MIGUEL AVENUE AND PROCEEDING NORTH APPROXIMATELY 646 FEET ON FUSELIER DRIVE. (SET PUBLIC HEARING FOR DECEMBER 3, 2003)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 3, 2003

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**

22. **PRESENTATION AND DISCUSSION REGARDING THE PROPOSED STRATEGIC PLANNING PROCESS FOR FISCAL YEAR 2003-04 AND DIRECTION FROM COUNCIL ON THE HIRING OF A CONSULTANT IN AN AMOUNT NOT TO EXCEED \$50,000, TO LEAD THE CITY THROUGH THE STRATEGIC PLANNING PROCESS.**

City Manager Rose stated the City's growth rate was between eight and ten percent, annually. Currently, approximately 70 percent of the land was vacant, which presented unique development opportunities to the City. In the 2003-2004 Work Plan presented to Council, City Manager Rose stated he would present Council with a strategy for a visioning process. This process was divided into six objectives and/or priorities:

1. **Develop a Visioning Plan for the City of North Las Vegas.** Identify local and national consultants with experience specializing in visioning for local governments.
2. **Appoint/Identify a Visioning Committee Task Force.** Work with Council to determine the composition of the task force. Select key community stakeholders to appoint to the task force. Encourage citizen involvement and obtain citizen perspective.
3. **Identify Community Values.** Host a series of town hall meetings and/or focus groups. Draft a report highlighting the information received from each ward.

Combine all the information from the combined task force. Develop a survey tool from the task force input. Outline the task force's areas of interest for the future.

The goal was to identify what the needs of the citizens were and to gain their perspective on what the City should look like in 2025. This information would be presented to Council, who would determine priorities.

4. **Assess the City's Strengths and Weaknesses.** The Task Force would perform a SWOT(Strengths, Weaknesses, Opportunities and Threats) test analysis as it related to City Services and the results would be factored into the Visioning Plan.
5. **Prepare a Visioning Document and Survey.** Draft a Visioning Statement reflecting the Community's values.
6. **Develop a Strategy for Implementing Vision.** Develop an action plan for recurring survey results and improving City Services. Develop a citizen scorecard that assists in measuring the progress of the visioning report effort. Identify obstacles to implementing vision, including associated costs.

City Manager Rose recommended Council accept the proposed strategy for the 2003-2004 planning process and approve funding (not to exceed \$50,000) to hire a visioning consultant to lead the City through the strategic planning process. City Manager Rose requested Council authorize him to pursue funding to perform a survey of the City's services. The City would request input from its citizens concerning issues such as potholes, police and fire protection, parks and recreation facilities.

Mayor Montandon stated it was critical to update and renew the City's vision on a regular basis.

ACTION: COUNCIL ACCEPTED THE STRATEGIC PLANNING PROCESS FOR FY 2003-04; APPROVED FUNDING NOT TO EXCEED \$50,000 TO HIRE A VISIONING CONSULTANT; APPROVED FUNDING NOT TO EXCEED \$7,500 FOR CITIZEN SURVEY; DIRECTED STAFF TO IMPLEMENT THIS PROCESS.

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**23. PRESENTATION AND DISCUSSION REGARDING THE NEW LEGISLATIVE AFFAIRS COMMITTEE AND APPROVAL OF THE COMMITTEE COMPOSITION.**

Special Projects Analyst Kimberly McDonald stated in August, 2003, Council approved the proactive legislative process, the creation of the Legislative Affairs Committee, and the concept of a committee led by the City Manager consisting of the Council Members, City Manager, Assistant City Manager, two Department Directors and the Special Projects Analyst. The primary function of this committee was to recommend proposed legislative initiatives for Federal and State platforms. Council directed staff to proceed with the implementation process for the new legislative process, and to return for a follow up presentation.

The purpose and function of the Legislative Affairs Committee was to assess the Department Directors' initiatives regarding Federal and State platforms, and to place them into one of three categories. The priority category addressed the City's major initiatives. The support category consisted of initiatives the City agreed with conceptually, and the third category consisted of initiatives endorsed by the City. This committee would make recommendations to the Council to determine which components of the Federal and State platforms Council would vote upon, and would be pursued within the community.

The composition of the committee included Councilwoman Smith, Councilman Eliason, City Manager Gregory Rose, Assistant City Manager Tarwater, City Attorney McGowan, Strategic Planning Director Dabney and Special Projects Analyst McDonald.

The time line for the legislative process would begin in January, 2004 by reviewing the proposed initiatives. In February, the committee would identify proponents and opponents to assist in crafting the campaign strategy. In March and April, Council would meet with the Congressional and State delegation to inform them of their platform. In May and June, the committee would submit the bill drafts in advance of the September 1, 2004 deadline.

Special Projects Analyst McDonald recommended Council approve the composition of the Legislative Affairs Committee and direct the committee to move forward with implementation.

**ACTION:** THE COMPOSITION OF LEGISLATIVE AFFAIRS COMMITTEE APPROVED AND STAFF DIRECTED TO BEGIN IMPLEMENTATION PROCESS.

**MOTION:** Councilman Buck

**SECOND:** Councilwoman Smith

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

**NAYS:** None

**ABSTAIN:** None

**24. PRESENTATION ON THE STATUS OF THE AUTOMATED METER READING PROGRAM CURRENTLY BEING IMPLEMENTED, SHOWING HOW AUTOMATION WILL BE USED TO INCREASE THE EFFICIENCY OF THE METER READING PROCESS AND HOW IT WILL ALLOW THE UTILITY SYSTEM TO GROW WITHOUT THE NEED FOR ADDITIONAL STAFFING. (CNLV CONTRACT NO. C-5331)**

Assistant Public Works Director Bereskin stated in 2001, an investigation was conducted which determined a water meter replacement program was needed. He stated the useful life of a standard water meter was twenty years, and over 50 percent of the City's existing water meters exceeded this statistic. An extensive evaluation was completed and the City's Legal and Finance departments assisted Public Works through this process. In June, 2003, Council approved \$2 million to implement the program. Former Councilman Rhodes asked Staff to perform a pilot program to insure the City was on the right track, and the program was the right choice for the community.

Automated Meter Reading technology consisted of an Invensys System, a multi-jet meter with electronic technology connected to a radio transmitting unit. The benefit to this system was the long battery life and an extended warranty. An auto-view program provided meter reading technicians with current maps and the exact locations of the meters on them. The system indicated which meters had and had not been read at the end of the meter reader's route, prior to being downloaded into the Hansen billing system.

All water meters were installed by July 28, 2003. Initial errors were corrected by September 3, 2003. There were 300 meters in the system and the Utilities Division received 299 meter readings accurately; a replacement was received for the single unit returned to the factory. Assistant Public Works Director Bereskin stated Staff was confident in the program. The reasons for changing to automated meter reading technology were the increasing costs related to billing adjustments due to improper meter reading, personnel training, route management, and easement problems related to employees reaching over fences into residents' yards to gain access to meters. The implementation plan for the meter reading program was a five year plan. Two thousand meters would be changed from the existing system during the first year, and an allocation of \$500,000 of the \$2 million approved for this project would be expended. City Manager Rose would present Council with the Capital Improvement Plan (CIP) program, outlining the next five years of implementation. The City had approximately 53,000 meters that needed to be converted and 4,000 to 6,000 meters would be added each year. New construction would be funded through new growth and the new utility rate design implemented a \$170 charge for the new meters. It was estimated the City would achieve savings of \$180,000 during 2003-2004, and \$1.5 million per year at the end of the five year plan. The benefits of this program were to eliminate the need for additional staff to keep up with the growth of the City and allow the Utility Division to reorganize the work force. The City would realize a reduction in potential on-the-job injuries. Staff would accurately read the meters which would reduce billing

problems.

ACTION: PRESENTATION GIVEN

**25. APPROVAL OF EMPLOYMENT AGREEMENT FOR CITY MANAGER, GREGORY ROSE IN THE AMOUNT OF \$147,000 ANNUALLY WITH COST OF LIVING ADJUSTMENTS OF \$6,000 EACH AT THE END OF YEARS ONE AND THREE FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2006. (CNLV CONTRACT NO. C-5526)**

Councilman Buck asked Deputy City Attorney Lewis whether Council had the ability to conduct performance evaluations for the City Manager in excess of once per year. Deputy City Attorney Lewis stated the existing agreement provided for one annual performance review and suggested language be included in the motion with a provision to hold a review of the City Manager's performance at City Council's direction, to be prepared by the City Attorney's office prior to execution.

Councilwoman Smith referred to Section 3.3 of the Agreement concerning the existing 30-day notification of termination by the City Manager and suggested it be increased to 90 days.

Mayor Montandon asked Deputy City Attorney Lewis whether there was a precedent for requiring 90 days' notice for separation. Deputy City Attorney Lewis stated the City did not have a precedent set and 90 days would be acceptable.

Mayor Pro Tempore Robinson asked Councilwoman Smith why there was a need for 90 days' notice, and she replied 30 days' notice was inadequate.

City Manager Rose stated he appreciated Council's confidence in him and had no concern regarding performance reviews. He suggested a 60-day notice was reasonable.

ACTION: APPROVED AS AMENDED; LEGAL STAFF DIRECTED TO PREPARE LANGUAGE TO ALLOW COUNCIL TO SET PERFORMANCE REVIEWS AS NECESSARY, AND TO REQUIRE A 60-DAY NOTICE TO THE COUNCIL OF TERMINATION BY THE CITY MANAGER.

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

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

2. **AMP-46-03 (R.S. AND MARTHA S. BHATHAL); AN APPLICATION, SUBMITTED BY R.S. BHATHAL AND MARTHA S. BHATHAL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HDR HIGH DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RANCH HOUSE ROAD. (ASSOCIATED ITEM NO. 54, ORDINANCE NO. 1874, ZN-64-03)**

Acting Development Services Director Baxter stated the subject parcel was approximately eight acres, and the Planning Commission recommended approval.

Mayor Montandon opened the Public Hearing.

**Michael Gleason, 7320 Smoke Ranch, Las Vegas**, represented Mr. and Mrs. Bhathal, who agreed with the Planning Commission's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

54. **ORDINANCE NO. 1874; 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 APPROXIMATELY 8 ACRES THEREIN FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-64-03, R.S. AND MARTHA S. BHATHAL), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RANCH HOUSE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 2, AMP-46-03)**

Ordinance Number 1874 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 APPROXIMATELY 8 ACRES THEREIN FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-64-03, R.S. AND MARTHA S. BHATHAL), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RANCH HOUSE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Baxter stated this item was recommended for approval by the Planning Commission.

ACTION: PASSED AND ADOPTED

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

3. **AMP-47-03 (LONG ISLAND LAND HOLDINGS); AN APPLICATION, SUBMITTED BY LONG ISLAND LAND HOLDINGS, LLC AND GROUCHO, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF BUSINESS, RESEARCH OR DEVELOPMENT PARK TO LIGHT INDUSTRIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND BROOKS AVENUE. (ASSOCIATED ITEM NO. 55, ORDINANCE NO. 1875, ZN-65-03)**

Acting Development Services Director Baxter stated this site was approved and designated for light industrial and related uses. The Planning Commission voted approval for this application.

Mayor Montandon opened the Public Hearing.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

55. **ORDINANCE NO. 1875; 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 APPROXIMATELY 25 ACRES THEREIN FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO M-1, BUSINESS PARK INDUSTRIAL (ZN-65-03, LONG ISLAND LAND HOLDINGS), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND BROOKS AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, AMP-47-03)**

Ordinance No. 1875 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 APPROXIMATELY 25 ACRES THEREIN FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO M-1, BUSINESS PARK INDUSTRIAL (ZN-65-03, LONG ISLAND LAND HOLDINGS), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND BROOKS 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

4. **AMP-48-03 (LAMB 30); AN APPLICATION, SUBMITTED BY INFINITY PLUS ON BEHALF OF LAMB 30 ET AL C/O JULI KOENTOPP, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF M-HDR, MEDIUM-HIGH DENSITY RESIDENTIAL AND BUSINESS, RESEARCH OR DEVELOPMENT PARK TO REGIONAL COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND AZURE AVENUE. (ASSOCIATED ITEM NO. 56, ORDINANCE NO. 1876, ZN-70-03)**

Acting Development Services Director Baxter stated the site was located in a commercial area between two commercially zoned parcels. The Planning Commission recommended approval of the application.

Mayor Montandon opened the Public Hearing.

**George Garcia, 1711 Whitney Mesa Drive, Henderson,** concurred with the recommendations of the Planning Commission and Staff.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

56. **ORDINANCE NO. 1876; 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 APPROXIMATELY 5 ACRES THEREIN FROM M-2 GENERAL INDUSTRIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-70-03, LAMB 30), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-48-03)**

Ordinance No. 1876 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 APPROXIMATELY 5 ACRES THEREIN FROM M-2 GENERAL INDUSTRIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-70-03, LAMB 30), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Baxter stated the Planning Commission recommended approval of the application.

ACTION: PASSED AND ADOPTED

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

5. **AMP-49-03 (NELSON RANCH); AN APPLICATION, SUBMITTED BY CENTEX HOMES ON BEHALF OF WATERFALL LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR, VERY LOW DENSITY RESIDENTIAL TO MLDR, MEDIUM-LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF AVIARY WAY AND GRAND TETON DRIVE. (ASSOCIATED ITEM NO. 57, ORDINANCE NO. 1877, ZN-69-03)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Baxter stated the 166-acre property was located north of Aliante, and the Planning Commission recommended approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

**57. ORDINANCE NO. 1877; 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 APPROXIMATELY 166 ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-69-03, NELSON RANCH), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ALIANTE PARKWAY AND GRAND TETON DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-49-03)**

Ordinance No. 1877 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 APPROXIMATELY 166 ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-69-03, NELSON RANCH), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ALIANTE PARKWAY AND GRAND TETON DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Baxter stated the PUD consisted of 519 single-family residential units and 118 duplex units. The density was 4.5 dwelling units per acre. There were 12 acres of open space and the streetscapes were similar to those in Aliante. The Planning Commission recommended approval.

Councilman Buck asked Acting Development Services Director Baxter where the duplexes would be situated and he responded they were in the eastern section of the project and would not directly abut Aliante.

Councilman Eliason confirmed there would be meandering sidewalks and curvilinear streets.

Mayor Montandon indicated the conditions within the ordinance were 755 lots, and a minimum lot size of 5,000 square feet.

Acting Development Services Director Baxter stated duplexes were listed on the original application. The application was changed and the current ordinance was correct, listing

minimal lot size of 5,000 square feet and did not reflect any statements concerning duplexes.

ACTION: PASSED AND ADOPTED

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

**6. APPEAL, SUBMITTED BY ROBERT GRONAUER ON BEHALF OF THE PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-19-03 (PECOS 90); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, ON BEHALF OF REVERE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATIONS OF LIGHT INDUSTRIAL AND INDUSTRIAL TO MDR, MEDIUM DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND DONOVAN WAY. (CONTINUED AUGUST 20, SEPTEMBER 17, AND OCTOBER 15, 2003) (ASSOCIATED ITEM NO. 7, ZN-36-03)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Baxter stated the site consisted of approximately 90 acres and was located west of the Union Pacific Railroad line. The Planning Commission recommended denial of the application.

**Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas**, represented the property owner and the applicant, Richmond American Homes. The application submitted to the Planning Commission changed the Master Plan from industrial to residential development. He presented several exhibits to Council and suggested there were significant changes to the subject area that warranted approval of the amendment to the Master Plan for residential development.

Mr. Gronauer stated the residential community proposed was not the first residential community adjacent to railroad tracks. Issues were raised concerning trains blowing their whistles as they passed the subject property. Regulations required Union Pacific Railroad blow their whistles upon approaching at-grade crossings, which did not apply to this property. SOA Security Company was hired to listen to the whistles blown in this area, and

no whistles were blown in this area throughout a seven day period.

Mr. Gronauer recapped Sections One through Seven of his report concerning residential development adjacent to railroads:

Section 1, Exterior Noise Analysis. The report stated an acceptable decibel level was 65. Initially, the proposed closest home would have registered an approximate decibel level of 70. This home was eventually removed from the plan. He further stated HUD financing could be achieved as long as they remained within the noise decibel level of 65.

Section 2, Railroad Vibrations. This issue was addressed by Andrew Jakes, an industry expert, who stated there was not a concern with vibration as it related to the proposed development.

Section 3, Safety, Health and Environment. The report concluded it was safer for freight travel by rail line than by truck. There was a Hazmat safety concern regarding hazardous materials. There were three Hazmat fatalities by rail over the past 12 years, compared to the number of Hazmat incidents by truck.

Section 4, Buffering Issues. The national standards, building codes, fire standards, and other jurisdiction standards were researched on how residential development adjacent to railroad rights-of-way was established. The proposed buffer was equivalent or greater when compared with standards for other jurisdictions.

Mr. Gronauer stated from the center line of the railroad track, and within 100 feet of the railroad right-of-way, the elevation changed. The applicant would install a 30-foot wide drainage channel because of the drainage issue. They were also required to build a retaining wall and a landscape berm of a four-to-one slope and a block sound wall on top of the berm. This would achieve the noise study requirements with regard to mitigation measures, providing an 11-foot barrier in this area. The closest home was 210 feet from the wall to the residence.

Section 5, Other Jurisdiction Requirements. He contacted the American Planning Association to inquire what the requirements were. He referenced the most stringent requirement was the development of homes a minimum of 200 feet from the centerline of the railroad tracks.

Section 6, Residential Communities Adjacent to Railroads. This report contained a Clark County Aerial photograph outlining the Union Pacific Rail Line. Clark County had dealt with several issues over the past year concerning properties adjacent to Union Pacific Railroad. Per Clark County standards, there was a minimum building requirement of fifty feet away from the right-of-way line. The applicant proposed 210 feet.

Section 7, Conditions for Agreement. A minimum of 210 feet from the centerline of the railroad tracks would be required, subject to the proposed buffer that was described. The builder would comply with the sound study to insure FHA and HUD standards met a noise decibel level of 65. They would also be required to comply with the vibration decibel levels. The builder would be required to provide potential homeowners in the area with a disclosure advising them they are in close proximity to railroad tracks.

Mr. Gronauer concluded by introducing Mr. Andrew Jakes, a court-certified expert in the railroad industry. Mr. Jakes addressed the vibration issue and the proper distance between residential development and the railroad crossing. FTA recommended measurements 50 feet from the railroad track. He stated people could not perceive vibration under 65 decibels, 50 feet away from the rail track and that vibration was not an issue in this case. Ninety-four to ninety-five percent of all rail accidents had been at-grade crossings. He advised there had to be a reason for a train derailment, and it usually involved hitting a vehicle or pedestrian and there were no grade crossings in this area. He stated this was a flat track with no slope. If the train operator fell asleep, the train would continue to travel along the track, unless it collided with something.

Councilman Eliason inquired when vibration travels and begins to decrease, would it have the ability to increase. Mr. Jakes stated that it does decrease, but depended upon the conditions of the soil and rail track. The trenches could be modified to improve the conditions.

**Esquire Zachary Shaw, 4270 South Decatur Boulevard, #B-11, Las Vegas**, represented the Operating Engineers Trust Fund, who owned the Golden Triangle property south of the subject property. Their concerns were presented to the Planning Commission. Problems existed in the past with the Golden Triangle property where residential areas had encroached on the industrial area and resulted in great expense to his client. If this item were to be granted, they would have to employ security staff to remedy the problems for the building and its tenants to monitor littering and dumping. The second problem was gaining access to the property because of the railroad spurs from the Union Pacific railroad to the property. The Union Pacific Railroad raised this issue with the Planning Commission and they concurred with that problem. If the proposal were granted, the Operating Engineers Trust Fund would request a condition regarding Municipal Code 17.20.140, which referenced a 75-foot setback requirement between residential and industrial use. Currently, there was a zero foot setback requirement, without the existence of residential property. When Golden Triangle purchased the property, they relied on the zero foot setback requirement that could be developed to the property line. Esquire Shaw stated to allow Richmond American to develop residential homes and require Golden Triangle to provide a 75-foot setback was an inequity. In addition to modifying the development plan, the most harmful condition to the client was it reduced the development capabilities 75 feet along the designated area, which was a significant impact to the development plans. A 75-foot setback caused the property to become irregular. They requested Council allow

Golden Triangle to maintain the 75-foot development capability and required Richmond American to provide the 75-foot setback required by Municipal Code.

Councilman Eliason confirmed there was not an existing railroad spur.

Councilman Buck asked what currently existed on the Operating Engineers Trust land. Attorney Shaw stated there were industrial buildings and vacant land. She confirmed the land next to the proposed project was vacant and agreed with Attorney Shaw's statement regarding setbacks.

Mayor Montandon confirmed the portion of Operating Engineers land had improved off-sites. Community Development Director Hinchman stated when they initially purchased the property, they did complete off-sites on 360 acres.

Mr. Gronauer stated Washburn Road would be a major thoroughfare at I-15, connecting to the east side of the City of North Las Vegas. He proposed the north side of Washburn Road be designated for residential use and the south side of Washburn Road (8-10 acres) be designated for industrial use.

Councilman Buck asked what the depth of the trench was and Mr. Gronauer responded between five and six feet deep. She stated the report indicated the trench had to be 12 feet deep to be effective. Mr. Gronauer stated this was from the elevation of the railroad tracks itself. The railroad tracks were elevated and proposed to be 19.45 feet. Mr. Gronauer stated they could increase the depth of the drainage channel by one to two feet, depending on the vibration, and provide any mitigation necessary.

Mayor Montandon stated he estimated the required distance from the railroad tracks to be greater than 100 feet and less than 500 feet. He thought 200-300 feet would be an appropriate distance. He further stated Mr. Shaw's concern regarding the setbacks was a genuine issue. Mayor Montandon stated it was important to separate the two items for voting purposes. Council would first hear the Master Plan Amendment. If Council was desirous of changing the Master Plan, the obvious recommendation was to change the plan as suggested for residential development north of Washburn Road. Specifics regarding setbacks, type of barriers, or trenches would be in Item No. 7, specifically on the PUD. Item No. 6 would address whether or not Council would approve residential development.

Councilman Eliason referred to two development projects built next to railroad tracks; the City of Las Vegas' 61-acre, high-rise residential project and the Commons, a single-family residential development in Denver, Colorado. The homes closest to the tracks sold first in Denver.

Mayor Pro Tempore Robinson stated disclosure regarding the railroad track was a necessary element.

Councilwoman Smith stated her decision came down to the mitigation of the railroad tracks, and the potential hazards and dangers. The second issue was the best use of the land, whether it was for industrial or residential purposes and in determining which would be most appropriate, and in the best interest of the City. She agreed that Washburn Road would be an appropriate point of demarcation, and supported the northern part of Washburn Road to be residential development and the southern portion, industrial development.

Mayor closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; RESIDENTIAL USE APPROVED FOR NORTH OF WASHBURN ROAD ONLY.

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

7. **APPEAL, SUBMITTED BY ROBERT GRONAUER ON BEHALF OF THE PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-36-03 (LAUREL CANYON); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, ON BEHALF OF REVERE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT CONSISTING OF MEDIUM DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED BETWEEN ANN ROAD AND WASHBURN ROAD ALONG THE WEST SIDE OF THE UNION PACIFIC RAILWAY. (CONTINUED AUGUST 20, SEPTEMBER 17, AND OCTOBER 15, 2003) (ASSOCIATED ITEM NO. 6, AMP-19-03)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Baxter stated this PUD was single-family residential, with lot sizes ranging from 4500-6000 square feet, for a total of 469 lots. He stated there was no ordinance, as it was denied by the Planning Commission. There were changes to the preliminary plan with the new configuration, so the City would request the applicant submit a new preliminary plan with the modifications to Washburn Road.

Mayor Montandon stated if the Council's desire was to approve it on an appeal basis, the appropriate motion would be for a new PUD to be prepared and presented to Council.

Councilman Buck asked whether conditions they would like to see in the PUD should be discussed at this time. Mayor Montandon referred to the proposed conditions behind Tab 7 of Mr. Gronauer's proposal. An additional condition was to modify the ordinance so there was no residential development south of Washburn Road, and to include the 39 conditions that Staff recommended. Councilman Buck wanted to insure that Item No. 6 included a requirement to provide a disclosure to the proposed residents concerning the railroad tracks. Mr. Gronauer stated he would create a separate document regarding this disclosure.

Councilman Buck also asked whether there was appropriate access for fire and police within this subdivision. Councilman Eliason stated this issue was addressed within the 39 conditions recommended by Staff. Acting Development Services Director Baxter reiterated the conditions covered access for fire and police.

Deputy City Attorney Lewis stated an explicit condition was that the preliminary development plan would be presented to Council.

Mayor Montandon closed the Public Hearing.

**ACTION:** APPROVED AS AMENDED; STAFF DIRECTED TO SUBMIT AN ORDINANCE THAT INCORPORATES BOTH STAFF AND APPLICANT CONDITIONS; PRELIMINARY DEVELOPMENT PLAN TO BE SUBMITTED TO COUNCIL FOR APPROVAL.

**MOTION:** Mayor Montandon

**SECOND:** Councilwoman Smith

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

**NAYS:** None

**ABSTAIN:** None

Mr. Gronauer asked for clarification regarding the final development plan, and questioned what was meant by the preliminary development plan. Deputy City Attorney Lewis stated the preliminary development plan was the document by which the Planning Commission and Council had its discretion and had to be approved before the City could move forward with a final development plan. In this case, the change was such that the preliminary development plan had to be reviewed by Staff, so they could review the appearance of the proposed development site.

Mr. Gronauer stated it seemed as though they were resubmitting a new planned unit

development, and that what was before Council was the PUD; the only change would be the changes south of Washburn Road.

Mayor Montandon clarified a recommendation for a change to the preliminary development plan had been made by the applicant. When this item is submitted to Council, it would be reviewed as though it were a new submission and would need to conform to the proposed ordinance.

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**BUSINESS (continued)**

**26. APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL LANDSCAPE ARCHITECTURAL AND PLANNING SERVICES AGREEMENT WITH POGGEMEYER DESIGN GROUP, INC. FOR THE COMPREHENSIVE UPDATE OF THE PARKS AND RECREATION MASTER PLAN AND FACILITIES DEVELOPMENT PROGRAM TO EXTEND THE TIME FOR COMPLETION OF THE PROJECT TO FEBRUARY 4, 2004 INSTEAD OF OCTOBER 15, 2003. (CNLV CONTRACT NO. C-5183)**

ACTION: APPROVED

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 TO AMEND AND AUGMENT THE FY 2003-04 STREET MAINTENANCE, PARKS AND FIRE FUND BUDGET FOR THE PARKS AND**

**RECREATION DEPARTMENT IN THE AMOUNT OF \$26,400 WHICH REPRESENTS THE UNSPENT BALANCE OF FUNDS APPROPRIATED LAST FISCAL YEAR 2002-03 FOR DEVELOPMENT OF A PARKS MASTER PLAN.**

Mayor Montandon confirmed with City Manager Rose that 50% of the funds would be reserved until the completion of the document.

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. RATIFICATION OF FUND TRANSFER IN THE AMOUNT OF \$21,600 FROM FY 2003-04 CONTINGENCY FUND TO THE INFORMATION TECHNOLOGY DEPARTMENT FY 2003-04 OPERATING BUDGET TO REPLACE AN UNINTERRUPTIBLE POWER SOURCE (UPS) FOR THE POLICE DEPARTMENT BASEMENT.**

ACTION: APPROVED

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

**29. APPROVAL TO SELL BEER AT THE 2004 CITY SPONSORED TASTES AND TUNES SPECIAL EVENT TO BE HELD APRIL 30 AND MAY 1, 2004.**

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

30. **APPROVAL TO AWARD REQUEST FOR PROPOSAL NO. 001-003, COLLECTION AGENCY SERVICES, TO AARGON COLLECTION AGENCY AND CREDIT BUREAU CENTRAL, AT A COMPENSATION RATE OF 17% OF THE AMOUNT COLLECTED, FOR THE PERIOD NOVEMBER 5, 2003 THROUGH OCTOBER 14, 2004 WITH THE OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR PERIODS AND AUTHORIZATION FOR THE CITY MANAGER TO SIGN CONTRACT DOCUMENTS AND EXERCISE THE RENEWAL OPTIONS. (CNLV CONTRACT NO. C-5527, AARGON) (CNLV CONTRACT NO. C-5528, CREDIT BUREAU CENTRAL)**

Finance Director Stoeckinger stated, on the advice of legal counsel, language concerning potential court actions with collections needed to be modified. All other terms and conditions remained the same.

ACTION: APPROVED AS AMENDED; CONTRACTS AMENDED TO DELETE THE WORDS "LEGAL FEES," IN THE LAST SENTENCE OF PAGE TWO, PARAGRAPH 2.

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

31. **APPROVAL TO PURCHASE EXCESS LIABILITY INSURANCE FROM SIRPRO THROUGH ORGILL/SINGER AND ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$500,000 FROM THE DATE OF PURCHASE THROUGH OCTOBER 2004 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE YEAR TERMS AND AUTHORIZATION FOR THE CITY MANAGER TO EXERCISE THE RENEWAL OPTIONS. (CNLV CONTRACT NO. C-5534)**

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

**32. APPROVAL OF PAYMENT IN THE AMOUNT OF \$33,959.93 TO VALLEY HOSPITAL FOR AN INJURED WORKER.**

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

**33. RATIFICATION OF PAYMENT IN THE AMOUNT OF \$44,240.78 TO AN INJURED EMPLOYEE FOR A PERMANENT PARTIAL DISABILITY AWARD.**

ACTION: APPROVED

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. APPROVAL TO AMEND THE 2003-2004 STAFFING PATTERN AS FOLLOWS: (ALL STAFFING PATTERN CHANGES WILL BE PROCESSED WHEN ADMINISTRATIVELY FEASIBLE)**

**CITY ATTORNEY**

Criminal Law Division

Reclassify and alternately staff two (2) Legal Secretary CNF 16 to Legal Assistant/Senior Legal Assistant TNS 13/TNS 14.  
Reclassify and alternately staff two (2) Legal Assistant TNS 13 to Legal Assistant/Senior Legal Assistant TNS 13/TNS 14

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**35. APPROVAL TO AWARD BID NO. 1151 IN THE AMOUNT OF \$420,061.21 TO GENEVA PIPE FOR THE PURCHASE OF REINFORCED BOX CULVERTS AND ACCESSORIES FOR THE SIMMONS STREET CHANNEL PROJECT. (CNLV CONTRACT NO. C-5529)**

ACTION: APPROVED

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

**36. APPROVAL OF INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE LAMB BOULEVARD IMPROVEMENT PROJECT (I-15 TO NORTHERN BELTWAY) IN AN AMOUNT NOT TO EXCEED \$7,785,000 FOR PRELIMINARY ENGINEERING, FINAL DESIGN, SURVEYING, RIGHT-OF-WAY ENGINEERING AND ACQUISITIONS, CONSTRUCTION, AND CONSTRUCTION MANAGEMENT TO BE COMPLETED BY JUNE 30, 2006. (CNLV CONTRACT NO. C-5530)**

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**37. APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE SIMMONS STREET CHANNEL PROJECT IN AN AMOUNT NOT TO EXCEED \$5,200,000 FOR CONSTRUCTION,**

**CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES TO BE COMPLETED BY DECEMBER 31, 2004. (CNLV CONTRACT NO. C-5531)**

ACTION: APPROVED

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

- 38. APPROVAL OF FIRST SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE I-15/LAMB BOULEVARD INTERCHANGE PROJECT IN AN AMOUNT NOT TO EXCEED \$13 MILLION FOR PRELIMINARY ENGINEERING, FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, UTILITY RELOCATIONS, CONSTRUCTION, AND CONSTRUCTION MANAGEMENT. (CNLV CONTRACT NO. C-5066)**

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

- 39. APPROVAL OF INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA TO PROVIDE PARTIAL FUNDING FOR ANNUAL LANDSCAPE AND AESTHETIC IMPROVEMENT MAINTENANCE COSTS FOR THE I-15/LAMB BOULEVARD INTERCHANGE PROJECT IN THE APPROXIMATE AMOUNT OF \$4,000 PER YEAR, 25% OF ACTUAL NEVADA DEPARTMENT OF TRANSPORTATION COSTS, FOR AN INDEFINITE PERIOD OF TIME. (CNLV CONTRACT NO. C-5532)**

ACTION: APPROVED

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

**40. APPROVAL OF SIXTH SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE LAS VEGAS WASH "A" CHANNEL - 3 BRIDGES PROJECT IN THE AMOUNT OF \$40,000 TO COVER COSTS TO UPDATE THE FINAL DESIGN PLANS AND PREPARE ADDITIONAL TRAFFIC CONTROL AND CONSTRUCTION PHASING PLANS TO BE COMPLETED BY DECEMBER 2003 WITH CONSTRUCTION STARTING IN EARLY 2004. (CNLV CONTRACT NO. C-3859)**

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

**41. APPROVAL OF A GRANT OF EASEMENT TO NEVADA POWER COMPANY TO CONSTRUCT A POWER TRANSMISSION LINE IN AVIARY WAY FROM CENTENNIAL PARKWAY TO GRAND TETON DRIVE.**

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

**42. APPROVAL OF THE ENCROACHMENT AND TRANSMISSION EASEMENT USE AGREEMENT WITH NEVADA POWER COMPANY FOR A 10 FOOT WIDE STRIP**

**OF PROPERTY ADJACENT TO THE WASHBURN COMMUNITY POLICE  
FACILITY PROJECT. (CNLV CONTRACT NO. C-5533)**

ACTION: APPROVED

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

**ORDINANCES**

**INTRODUCTION ONLY**

43. **ACCEPTANCE OF PETITIONS FOR ANNEXATION, ANNEXATION NO. 123, FROM GRANT BRUCE, LLC, ARAWAY, LTD, AND JEN MAR INVESTMENT CORPORATION TO ANNEX APPROXIMATELY 20 NET ACRES LOCATED ON THE NORTHEAST CORNER OF HAMMER LANE AND DONNA STREET. (ASSOCIATED ITEM NO. 44, ORDINANCE NO. 1883)**

ACTION: PETITIONS ACCEPTED

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

44. **ORDINANCE NO. 1883, ANNEXATION NO. 123; 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. (SET FINAL ACTION FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 43)**

Ordinance No. 1883 as introduced by the City Clerk:

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: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

45. **ORDINANCE NO. 1885; 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 APPROXIMATELY 43 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-72-03, TROPICAL HILLS, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 16, AMP-51-03)**

Ordinance No. 1885 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

APPROXIMATELY 43 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-72-03, TROPICAL HILLS, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

46. **ORDINANCE NO. 1886; 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 APPROXIMATELY 15.65 ACRES THEREIN FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT, ZN-75-03, DECATUR AND TROPICAL, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 17, AMP-53-03)**

Ordinance No. 1886 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 APPROXIMATELY 15.65 ACRES THEREIN FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT, ZN-75-03, DECATUR AND TROPICAL, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

47. **ORDINANCE NO. 1887; 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 APPROXIMATELY 10 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-**

**FAMILY RESIDENTIAL DISTRICT, ZN-71-03, ALEXANDER & COMMERCE, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ALEXANDER ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 19, 2003)**

Ordinance No. 1887 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 APPROXIMATELY 10 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-71-03, ALEXANDER & COMMERCE, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ALEXANDER ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

48. **ORDINANCE NO. 1888; 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 APPROXIMATELY 21 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-76-03, CLAYTON/EL CAMPO GRANDE, FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CLAYTON STREET AND EL CAMPO GRANDE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 19, 2003)**

Ordinance No. 1888 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 APPROXIMATELY 21 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-76-03, CLAYTON/EL CAMPO GRANDE, FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CLAYTON STREET AND EL CAMPO GRANDE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING

THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

49. **ORDINANCE NO. 1889; 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 APPROXIMATELY 7.78 ACRES THEREIN FROM C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-56-03, CENTEX HOMES, FOR PROPERTY LOCATED APPROXIMATELY 339 FEET NORTH OF SAN MIGUEL AVENUE AND WEST OF COLEMAN STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 19, 2003) (ASSOCIATED ITEM NO. 15, AMP-41-03)**

Ordinance No. 1889 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 APPROXIMATELY 7.78 ACRES THEREIN FROM C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-56-03, CENTEX HOMES, FOR PROPERTY LOCATED APPROXIMATELY 339 FEET NORTH OF SAN MIGUEL AVENUE AND WEST OF COLEMAN STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

50. **ORDINANCE NO. 1890; AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE CITY OF NORTH LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) JAIL REFUNDING BONDS, SERIES 2004; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS AND OTHER DETAILS CONCERNING THE BONDS. (SET FINAL ACTION FOR NOVEMBER 19, 2003)**

Ordinance No. 1890 as introduced by the City Clerk:

AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE CITY OF NORTH LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) JAIL REFUNDING BONDS, SERIES 2004;

PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS AND OTHER DETAILS CONCERNING THE BONDS.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

51. **ORDINANCE NO. 1891; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL ENACTING A MORATORIUM ON "TAVERNS, BARS AND LOUNGES" BY PROHIBITING THE FILING, ACCEPTANCE AND/OR ACTION UPON LAND USE APPLICATIONS REQUESTING APPROVAL OF A SPECIAL USE PERMIT OR CERTAIN SPECIAL USE PERMIT EXTENSIONS OF TIME FOR "TAVERNS, BARS, AND LOUNGES" PURSUANT TO NLVMC §17.28.050. (SET FINAL ACTION FOR NOVEMBER 19, 2003)**

Ordinance No. 1891 as introduced by the City Clerk:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL ENACTING A MORATORIUM ON "TAVERNS, BARS AND LOUNGES" BY PROHIBITING THE FILING, ACCEPTANCE AND/OR ACTION UPON LAND USE APPLICATIONS REQUESTING APPROVAL OF A SPECIAL USE PERMIT OR CERTAIN SPECIAL USE PERMIT EXTENSIONS OF TIME FOR "TAVERNS, BARS, AND LOUNGES" PURSUANT TO NLVMC §17.28.050.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR NOVEMBER 19, 2003

## **ORDINANCES**

### **FINAL ACTION**

52. **ORDINANCE NO. 1870; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-07-03); AMENDING SECTION 17.12.020, TO CHANGE THE DEFINITION OF A FINANCIAL INSTITUTION; ADD A DEFINITION FOR AN AUTOMOBILE TITLE LOAN FACILITY AND A CHECK CASHING FACILITY; REMOVE FINANCIAL INSTITUTIONS AS A SPECIAL USE FROM SECTIONS 17.20.100(C), 17.20.110(C), 17.20.120(C), 17.20.130(C) AND 17.20.140(C) AND ADD FINANCIAL USES AS A PERMITTED USE TO SECTIONS 17.20.100(B), 17.20.110(B), 17.20.120(B), 17.20.130(B) AND 17.20.140(B); AND ADD AUTOMOBILE TITLE LOAN FACILITIES AND CHECK CASHING FACILITIES AS**

**PERMITTED USES TO SECTIONS 17.20.130(B) AND 17.20.140(B); REMOVE “BANKS AND FINANCIAL INSTITUTIONS” FROM SECTION 17.24.020(7) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED OCTOBER 15, 2003)**

Ordinance No. 1870 as introduced by the City Manager:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-07-03); AMENDING SECTION 17.12.020, TO CHANGE THE DEFINITION OF A FINANCIAL INSTITUTION; ADD A DEFINITION FOR AN AUTOMOBILE TITLE LOAN FACILITY AND A CHECK CASHING FACILITY; REMOVE FINANCIAL INSTITUTIONS AS A SPECIAL USE FROM SECTIONS 17.20.100(C), 17.20.110(C), 17.20.120(C), 17.20.130(C) AND 17.20.140(C) AND ADD FINANCIAL USES AS A PERMITTED USE TO SECTIONS 17.20.100(B), 17.20.110(B), 17.20.120(B), 17.20.130(B) AND 17.20.140(B); AND ADD AUTOMOBILE TITLE LOAN FACILITIES AND CHECK CASHING FACILITIES AS PERMITTED USES TO SECTIONS 17.20.130(B) AND 17.20.140(B); REMOVE “BANKS AND FINANCIAL INSTITUTIONS” FROM SECTION 17.24.020(7) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Acting Development Services Director Baxter stated this was recommended for approval by Staff and the Planning Commission. Subsequent to their approval, the City Attorney's Office has raised some legal concerns regarding the details of the ordinance. He recommended this version of the ordinance be denied at this time.

ACTION: DENIED

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

**53. ORDINANCE NO. 1863 (ANNEXATION NO. 117); 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. 1863 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: CONTINUED TO NOVEMBER 19, 2003

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

58. **ORDINANCE NO. 1878; 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 APPROXIMATELY 12.5 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-61-03, SUNFLOWER II) FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1878 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 APPROXIMATELY 12.5 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-61-03, SUNFLOWER II) FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Baxter stated this item was recommended for approval by the Planning Commission.

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

59. **ORDINANCE NO. 1879; 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 APPROXIMATELY 16 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO R-1/MPC, SINGLE-FAMILY RESIDENTIAL/MASTER PLANNED COMMUNITY DISTRICT (ZN-66-03, ALIANTE PARCEL 12B) FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND DORRELL LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1879 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 APPROXIMATELY 16 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO R-1/MPC, SINGLE-FAMILY

RESIDENTIAL/MASTER PLANNED COMMUNITY DISTRICT (ZN-66-03, ALIANTE PARCEL 12B) FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND DORRELL LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Services Development Director Baxter stated this ordinance was consistent with the Comprehensive Plan.

ACTION: PASSED AND ADOPTED

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

**60. ORDINANCE NO. 1880; 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 APPROXIMATELY 10 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-67-03, LONE MOUNTAIN & LOSEE COMMERCIAL), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND LONE MOUNTAIN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1880 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 APPROXIMATELY 10 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-67-03, LONE MOUNTAIN & LOSEE COMMERCIAL), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND LONE MOUNTAIN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

61. **ORDINANCE NO. 1881; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-08-03); AMENDING SECTION 17.12.020, TO CHANGE THE DEFINITION OF AN ANIMAL HOSPITAL; REMOVE "ANIMAL HOSPITAL, CLINIC AND KENNEL PROVIDING THE ESTABLISHMENT AND ANIMAL RUNS ARE COMPLETELY ENCLOSED IN THE BUILDING" FROM SECTION 17.20.110(B) AND 17.20.120(B); AND ADD "ANIMAL HOSPITAL" AS A PRINCIPALLY PERMITTED USE TO SECTIONS 17.20.100(B), 17.20.110(B) AND 17.20.120(B); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1881 as introduced by the City Manager:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-08-03); AMENDING SECTION 17.12.020, TO CHANGE THE DEFINITION OF AN ANIMAL HOSPITAL; REMOVE "ANIMAL HOSPITAL, CLINIC AND KENNEL PROVIDING THE ESTABLISHMENT AND ANIMAL RUNS ARE COMPLETELY ENCLOSED IN THE BUILDING" FROM SECTION 17.20.110(B) AND 17.20.120(B); AND ADD "ANIMAL HOSPITAL" AS A PRINCIPALLY PERMITTED USE TO SECTIONS 17.20.100(B), 17.20.110(B) AND 17.20.120(B); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Acting Development Services Director Baxter stated the Planning Commission recommended approval of this item.

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

**62. ORDINANCE NO. 1882; AN ORDINANCE TO AMEND ORDINANCE NO. 1408, BEING SECTION 17.24.110 OF CHAPTER 17.24 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED "SIGNS," PROVIDING FOR THE EXPEDITIOUS REMOVAL OF ILLEGAL SIGNS AND SIGN STRUCTURES, PROHIBITING PLACING SIGNS ON PUBLIC UTILITY INSTALLATIONS AND COLLECTING FEES FOR SIGN REMOVAL.**

Ordinance No. 1882 as introduced by the City Manager:

AN ORDINANCE TO AMEND ORDINANCE NO. 1408, BEING SECTION 17.24.110 OF CHAPTER 17.24 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED "SIGNS," PROVIDING FOR THE EXPEDITIOUS REMOVAL OF ILLEGAL SIGNS AND SIGN STRUCTURES, PROHIBITING PLACING SIGNS ON PUBLIC UTILITY INSTALLATIONS AND COLLECTING FEES FOR SIGN REMOVAL.

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**

Councilman Buck stated she had reported shopping carts in a hazardous area, but the carts were not removed by the company contracted to do so. Community Development

Director Hinchman responded she would contact the company regarding their response times and added Code Enforcement would remove the hazard from the location when called.

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

No report was given.

### **PUBLIC FORUM**

Dr. Dorothy Ukaegbu spoke regarding her alleged incident of racial profiling by a North Las Vegas Police Officer. She expressed concern for the treatment of North Las Vegas citizens who may be unjustly accused because of race and socio-economic background.

Senator Joe Neal appeared in support of Dr. Dorothy Ukaegbu, and reiterated his concern regarding racial profiling. He complimented the City on the manner in which it had handled its growth and development and related matters.

### **ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 8:23 p.m.

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

**APPROVED: December 17, 2003**

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

Attest:

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