

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

May 19, 2004

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

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	Utilities Director David Bereskin
Assistant City Manager Dan Tarwater	Acting Community Development Director Kenny Young
City Clerk Karen L. Storms	Acting Planning Manager Marc Jordan
Human Resources Director Vince Zamora	Recreation Manager Jim Stritchko
Planning and Zoning Director Jory Stewart	Chief Deputy City Attorney Leslie Nielsen
Police Chief Mark Paresi	Senior Deputy City Attorney Jim Lewis
Finance Director Phil Stoeckinger	Assistant to the City Manager Brenda Johnson
Strategic Planning Director Eric Dabney	Deputy City Clerk Julie A. Shields
Fire Chief Jim Stubler	
Public Works Director Jim Bell	
Parks & Recreation Director Michael Henley	

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

The Reverend Gary Hunter
Greater St. James Baptist Church

PLEDGE OF ALLEGIANCE

Michael L. Montandon, Mayor

PRESENTATIONS

- ★ **PRESENTATION OF A PLAQUE TO DR. JON R. PENNELL D.V.M. FOR HIS ASSISTANCE TO THE NORTH LAS VEGAS POLICE DEPARTMENT K-9 UNIT, BY PROVIDING AN EMERGENCY FIRST AID TRAINING COURSE AND DONATING EMERGENCY FIRST AID KITS.**

ACTION: PLAQUE PRESENTED

- ★ **PRESENTATION OF A PLAQUE TO DR. JOSEPH A. FREER D.V.M. FOR HIS ASSISTANCE IN THE PURCHASE OF CANINE VESTS FOR THE NORTH LAS VEGAS POLICE DEPARTMENT.**

ACTION: PLAQUE PRESENTED

- ★ **PRESENTATION OF A PLAQUE TO MS. LYNN M. BENNETT FOR HER DONATION FOR THE PURCHASE OF FOUR CANINE BALLISTIC VESTS FOR THE NORTH LAS VEGAS POLICE DEPARTMENT PATROL CANINES.**

ACTION: PLAQUE PRESENTED

- ★ **RECOGNITION AND PRESENTATION OF AN AWARD TO NEVADA LEAGUE OF CITIES YOUTH AWARD RUNNERS-UP JASMINE WILLIAMS AND CHARISSE SY.**

ACTION: AWARDS PRESENTED

- ★ **RECOGNITION OF BUSINESSES FOR THEIR PARTNERSHIP AND SUPPORT FOR THE 2004 TASTES & TUNES EVENT.**

ACTION: PLAQUES PRESENTED

PROCLAMATION

- ★ **PROCLAIMING THE WEEK OF MAY 16 THROUGH MAY 22 AS NATIONAL PUBLIC WORKS WEEK.**

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

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MAY 19, 2004.**

ACTION: APPROVED AS AMENDED; ITEM NO. 2 WITHDRAWN WITHOUT PREJUDICE; ITEM NO. 44 WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. **AMP-66-03 (LONE MOUNTAIN & LOSEE II); AN APPLICATION SUBMITTED BY R & S LOSEE, LLC, ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO M-LDR MEDIUM-LOW DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LOSEE ROAD. (ASSOCIATED ITEM NO. 44, ORDINANCE NO. 1922, ZN-115-03) (CONTINUED FROM MARCH 17, 2004)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

3. **VAC-10-04 (BRUCE & HAMMER); AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF ARAWAY, LTD., PROPERTY OWNER, TO VACATE DORIS STREET BETWEEN HAMMER LANE AND ANN ROAD, AND TO VACATE STEPHEN DRIVE COMMENCING AT DORIS STREET AND PROCEEDING WEST APPROXIMATELY 385 FEET.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated the vacation of the roads would not adversely effect the City's Master Plan.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The vacation is required to record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
2. The Traffic Study must support the vacation of Doris Street and Stephen Drive.

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

4. **AMP-26-04 (WESTWIND); AN APPLICATION SUBMITTED BY SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE RACEL STREET BETWEEN DECATUR BOULEVARD AND SAN MATEO STREET, TO REDUCE GRAND TETON DRIVE FROM A 100 FOOT RIGHT-OF-WAY TO A 96 FOOT RIGHT-OF-WAY BETWEEN DECATUR BOULEVARD AND SAN MATEO STREET.**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated the Planning Commission and Staff recommended approval of the item.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED AS AMENDED; REQUEST TO DELETE RACEL STREET BETWEEN DECATUR BOULEVARD AND SAN MATEO STREET

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

5. **AMP-28-04 (HAMMER & PECOS); AN APPLICATION SUBMITTED BY NORTH PECOS REAL ESTATE PARTNERS, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL TO M-LDR MEDIUM-LOW DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND HAMMER LANE. (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 1969, ZN-29-04)**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated the surrounding property had been designated residential and would be developed with 4,500 square foot lots. The Shadow Creek Golf Course was nearby. AMP-28-04 would remove an island of land zoned industrial. Planning Commission recommended approval.

Bill Curran, 300 South Fourth Street, Suite 1201, Las Vegas, appeared on behalf of the applicant. Mr. Curran stated the applicant had resolved the remaining open space issues with the Parks and Recreation Department.

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

45. **ORDINANCE NO. 1969; 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 10.63 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-29-04 HAMMER/PECOS), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND HAMMER LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-28-04)**

Ordinance No. 1969 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 10.63 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-29-04 HAMMER/PECOS), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND HAMMER LANE 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

6. **AMP-29-04 (CENTENNIAL & COMMERCE); AN APPLICATION SUBMITTED BY R & S INVESTMENTS ON BEHALF OF CENTURY TWO, LLC, AND CENTURY LAS VEGAS, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR, MEDIUM DENSITY RESIDENTIAL TO C-1 NEIGHBORHOOD COMMERCIAL FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF COMMERCE STREET AND CENTENNIAL PARKWAY. (ASSOCIATED ITEM NO. 46, ORDINANCE NO. 1970, ZN-30-04)**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated the applicant agreed to amend the application to convenience commercial from neighborhood commercial.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED FOR CONVENIENCE COMMERCIAL

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

46. ORDINANCE NO. 1970; 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 2.5 ACRES THEREIN FROM R-2, TWO-FAMILY RESIDENTIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-30-04, CENTENNIAL & COMMERCE), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF COMMERCE STREET AND CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 6, AMP-29-04)

Ordinance No. 1970 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 2.5 ACRES THEREIN FROM R-2, TWO-FAMILY RESIDENTIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-30-04, CENTENNIAL & COMMERCE), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF COMMERCE STREET AND CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

7. **APPEAL, SUBMITTED BY ROBERT J. GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY VN-06-04; AN APPLICATION SUBMITTED BY JV PROPERTIES, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) TO BE LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY WHERE 300 FEET IS REQUIRED AND TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) TO BE MORE THAN 300 FEET FROM I-15 RIGHT-OF-WAY FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF CLARK COUNTY ROAD 215 AND MILITARY ROAD. (ASSOCIATED ITEM NO. 8, UN-59-03)**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated the applicant had requested a 40 foot set back from a residential property line where 300 feet was required and also would like to locate the billboard sign 935 feet from the Interstate "15 (I-15) right-of-way" where the maximum distance could not exceed 300 feet. He added the proposed billboard sign location would be nearer the Interstate 215 (I-215) right-of-way and not the I-15 right-of-way. Staff felt the item met the definition for a variance. A variance was defined as a request for set backs only. The request would be more accurately defined as a use variance which would allow a billboard to be located on a property which normally would not permit one.

Real Property Services Manager Randy Cagle stated the current exhibit presented to Council profiled excerpts from the Clark County Beltway (I-215) plan. The highlighted yellow portion of the plan identified the I-15 right-of-way. The area displayed in orange showed a 300 foot set back from the I-15 right-of-way and the area displayed in purple showed a 660 foot set back from the I-15 right-of-way. The City's Municipal Code stated a billboard must be placed 300 feet beyond I-15 and the distance per Nevada Administrative Code directed billboards not be allowed beyond 660 feet of I-15.

Public Works Director Jim Bell stated the I-215 was a Clark County project and they had acquired the right-of-way. The right-of-way did not extend beyond the control access line.

Mark Fiorentino, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and requested Council allow him to present the appeal for Item Nos. 7, 8, 9 and 10. Mayor Montandon stated each item would be voted on separately but Mr. Fiorentino could conduct one presentation for all four items.

City Manager Rose read Item Nos. 8, 9 and 10 into the record.

Mr. Fiorentino stated the Use Permits for the applications had been with the City for approximately ten months. The City had amended the billboard ordinance to define the proper locations for their placement. He stated the City's code required the billboard to be located within 300 feet of the I-15 right-of-way but the term I-15 right-of-way had not been defined in the code. Mr. Fiorentino felt the issue to be decided by Council would be to define where the I-15 right-of-way started and ended. Mr. Fiorentino felt the I-15 right-of-way stopped at the end of the I-15 and I-215 ramp.

Mr. Fiorentino stated the City should examine their own ordinances and codes. The billboard ordinance had contemplated an overlay district and should have had a map attached to it. Staff did not create the map, even though the ordinance referred to the map. He stated the implication of the City's 2002 and 2004 zoning map and 1999 Land Use Master Plan showed the ramps were included as part of I-15 and extended to Range Road. Mayor Montandon questioned if Mr. Fiorentino understood the City used a Geographic Information System (GIS) and had the same data. Mr. Fiorentino disagreed with Mayor Montandon's statement. Mr. Fiorentino stated the 2002 Master Plan of Streets and Highways map did not address the I-15 and I-215 interchange but was relevant because the ramps were still shown. He stated the Planning Commission adopted the current Master Plan of Streets and Highways map and amended the map without ever changing the I-15 ramps. A search conducted by Mr. Fiorentino's staff indicated no further official action had taken place to delete the ramps but the most current map he had received did not show the I-15 ramps.

Mr. Fiorentino stated City Staff had instructed him to attach a map to the appeal application to prove his request was within the distance requirement. He attached a map provided by Clark County and the City accepted the appeal request. Mr. Fiorentino stated Staff indicated now, the map would not be acceptable. He stated Staff interpreted the code incorrectly.

Mr. Fiorentino stated the proposed billboard would be compatible with the area and would be the same type of sign allowed in Aliante.

Mayor Montandon stated ambiguity existed regarding the item. With regard to Nevada Department of Transportation's (NDOT) 660 foot regulation, he felt the City did not interpret the code incorrectly. If the I-215 did not exist, the argument would not be occurring. Mayor Montandon did not appreciate billboards, even if the billboard were to be placed within the 300 foot allowed area. He expressed concern that a Pandora's box situation could be happening. Billboards had been allowed in Aliante per the Development Agreement and had been thoroughly negotiated. Mayor Montandon felt the City had received multiple benefits from the overall agreement and that was a good enough reason to allow billboards in the Aliante community.

Councilwoman Smith believed the ramps were part of I-15. She felt the City was interpreting the code accurately and the proposed billboards faced I-15. Mayor Montandon stated he understood the ordinance included I-15 and not the ramps. He stated future arguments would result from this issue.

Councilman Buck interpreted the City's map included the ramps as I-15. She supported the item and stated the City's maps could be updated.

Real Property Services Manager Randy Cagle presented a large copy of the City's Land Use Master Plan map. He stated on the legend of the map, I-15 was represented as a dashed red line and the ramps were a solid red line. They were not indicated as part of I-15. Manager Cagle stated the information contained on the map would be for display purposes only and no liability existed for the accuracy of the data. Councilman Buck questioned if a citizen obtained a map from the City, could they rely on the information presented in the map. Manager Cagle responded the map had been created to show land use and to interpret the map to indicate the right-of-way for I-15 was an inappropriate use. He stated the applicant had been aware of the ownership and the proposed site was not part of I-15.

Mayor Montandon questioned Mr. Fiorentino if the parcel of land had been 40 acres when the client purchased it. Mr. Fiorentino responded he did not know.

Councilwoman Smith stated she did not recall if the Council had used the legal description of I-15 when they had considered the billboard ordinance. She felt a reasonable person would understand the ordinance without the definition.

Mr. Fiorentino stated his office had received a letter from Clark County which stated the property had multiple ownerships. He stated who owned the land was irrelevant.

Mayor Montandon questioned Senior Deputy City Attorney Jim Lewis regarding the voting order of the related items. Senior Deputy City Attorney Lewis stated if Council believed the interchange was part of the I-15 right-of-way, the Council could approve the Use Permits which were Item Nos. 8 and 10 without the variance application for the I-15 right-of-way. He stated he thought he had heard Mr. Fiorentino state that part of the variance application, where a variance was required, was from one of the industrial zoned properties. Mr. Fiorentino responded yes. Senior Deputy City Attorney Lewis stated one of the variances should be approved in a limited manner and the second should be withdrawn. Senior Deputy City Attorney Lewis stated voting could begin with Item Nos. 8 and 10, No. 9 could be withdrawn by the applicant and No. 7 could be modified.

Mayor Montandon closed the Public Hearing.

8. **UN-59-03 (JV PROPERTIES LLC); AN APPLICATION SUBMITTED BY JV PROPERTIES, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CLARK COUNTY ROAD 215 AND MILITARY ROAD. (ASSOCIATED ITEM NO. 7, VN-06-04)**

Mayor Montandon opened the Public Hearing.

Comments made relevant to this item were discussed with Item No. 7.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: Mayor Montandon and Councilman Eliason

ABSTAIN: None

10. **UN-60-03 (FLF 98 LLC); AN APPLICATION SUBMITTED BY FLF 98 LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND RANGE ROAD. (ASSOCIATED ITEM NO. 9, VN-07-04)**

Mayor Montandon opened the Public Hearing.

Comments made relevant to this item were discussed with Item No. 7.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: Mayor Montandon and Councilman Eliason

ABSTAIN: None

Mr. Fiorentino stated regarding Item Nos. 7 and 9, the applicant would withdraw the portion of the item that related to the separation of the I-15 right-of-way. He asked Council to decide the issue regarding the required separation from the residential zone boundary.

Councilwoman Smith questioned if the design standards should be included as a condition and requested Item No. 8 be reconsidered.

ACTION: RECONSIDER ITEM NO. 8

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: Mayor Montandon

ABSTAIN: None

8. **UN-59-03 (JV PROPERTIES LLC); AN APPLICATION SUBMITTED BY JV PROPERTIES, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CLARK COUNTY ROAD 215 AND MILITARY ROAD. (ASSOCIATED ITEM NO. 7, VN-06-04)**

Mayor Montandon opened the Public Hearing.

Comments made relevant to this item were discussed with Item No. 7.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED AS AMENDED; TO INCLUDE DESIGN STANDARDS AS PRESENTED BY APPLICANT IN EXHIBIT 15 (SIMILAR TO ALIANTE)

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Mayor Montandon and Councilman Eliason

ABSTAIN: None

Councilwoman Smith requested Item No. 10 be reconsidered.

ACTION: RECONSIDER ITEM NO. 10

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

- 10. UN-60-03 (FLF 98 LLC); AN APPLICATION SUBMITTED BY FLF 98 LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND RANGE ROAD. (ASSOCIATED ITEM NO. 9, VN-07-04)**

Mayor Montandon opened the Public Hearing.

Comments made relevant to this item were discussed with Item No. 7.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED AS AMENDED; TO INCLUDE DESIGN STANDARDS AS PRESENTED BY APPLICANT IN EXHIBIT 15 (SIMILAR TO ALIANTE)

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: Mayor Montandon and Councilman Eliason

ABSTAIN: None

7. **APPEAL, SUBMITTED BY ROBERT J. GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY VN-06-04; AN APPLICATION SUBMITTED BY JV PROPERTIES, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) TO BE LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY WHERE 300 FEET IS REQUIRED AND TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) TO BE MORE THAN 300 FEET FROM I-15 RIGHT-OF-WAY FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF CLARK COUNTY ROAD 215 AND MILITARY ROAD. (ASSOCIATED ITEM NO. 8, UN-59-03)**

Mayor Montandon opened the Public Hearing.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED AS AMENDED; TO ALLOW AN OFF-PREMISE SIGN TO BE LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY; APPLICANT WITHDREW THEIR REQUEST TO ALLOW AN OFF-PREMISE SIGN TO BE MORE THAN 300 FEET FROM I-15 RIGHT-OF-WAY

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Mayor Montandon and Councilman Eliason

ABSTAIN: None

9. **APPEAL, SUBMITTED BY ROBERT J. GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY VN-07-04; AN APPLICATION SUBMITTED BY FLF 98, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) TO BE LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY WHERE 300 FEET IS REQUIRED AND TO ALLOW AN OFF PREMISE SIGN (BILLBOARD) TO BE MORE THAN 300 FEET FROM I-15 RIGHT-OF-WAY FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND RANGE ROAD. (ASSOCIATED ITEM NO. 10, UN-60-03)**

Mayor Montandon opened the Public Hearing.

Comments made relevant to this item were discussed with Item No. 7.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED AS AMENDED; TO ALLOW AN OFF-PREMISE SIGN TO BE LESS THAN 300 FEET FROM A RESIDENTIAL ZONE BOUNDARY; APPLICANT WITHDREW THEIR REQUEST TO ALLOW AN OFF-PREMISE SIGN TO BE MORE THAN 300 FEET FROM 1-15 RIGHT-OF-WAY

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: Mayor Montandon and Councilman Eliason

ABSTAIN: None

CONSENT AGENDA

11. APPROVAL OF SPECIAL CITY COUNCIL STUDY SESSION MINUTES OF MARCH 17, 2004.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

12. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF MARCH 17, 2004.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

13. APPROVAL OF SPECIAL CITY COUNCIL STUDY SESSION MINUTES OF MARCH 30, 2004.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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 CELEBRATE HOMES 23, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNS AT ALEXANDER ROAD AND COMMERCE STREET IN THE APPROXIMATE AMOUNT OF 3.7% OF THE TOTAL COST OR \$15,605, ALEXANDER ROAD AND MARTIN LUTHER KING BOULEVARD IN THE APPROXIMATE AMOUNT OF 2.3% OF THE TOTAL COST OR \$2,760, AND CRAIG ROAD AND COMMERCE STREET IN THE APPROXIMATE AMOUNT OF 2.6% OF THE TOTAL COST OR \$5,582 FOR THE HARMONY II DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF ALEXANDER ROAD AND COMMERCE STREET. (CNLV CONTRACT NO. C-5677)

ACTION: APPROVED

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

15. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE) APPORTIONMENT REPORT NO. 10, BASED UPON THE SUBDIVISION OF LAND INTO NUMEROUS PARCELS NECESSITATING THE APPORTIONMENT OF THE ASSESSMENT ON WHICH AN IMPROVEMENT IS LEVIED.

ACTION: APPROVED

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

16. AMP-30-04 (CENTENNIAL LAMB CENTER); AN APPLICATION SUBMITTED BY PETER MICHELIN ON BEHALF OF MICHAEL ANGELO, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF BUSINESS, RESEARCH OR DEVELOPMENT PARK TO M-LDR, MEDIUM-LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET. (SET PUBLIC HEARING FOR JUNE 2, 2004) (ASSOCIATED ITEM NO. 17, AMP-31-04 AND ITEM NO. 40, ORDINANCE NO. 1984, ZN-35-04)

ACTION: PUBLIC HEARING SET FOR JUNE 2, 2004

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

17. **AMP-31-04 (CENTENNIAL LAMB CENTER); AN APPLICATION SUBMITTED BY PETER MICHELIN ON BEHALF OF MICHAEL ANGELO, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF BUSINESS, RESEARCH OR DEVELOPMENT PARK TO COMMUNITY COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LAMB BOUELVARD. (SET PUBLIC HEARING FOR JUNE 2, 2004) (ASSOCIATED ITEM NO. 16, AMP-30-04 AND ITEM NO. 40, ORDINANCE NO. 1984, ZN-35-04)**

ACTION: PUBLIC HEARING SET FOR JUNE 2, 2004

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

18. **AMP-33-04 (CITY OF NORTH LAS VEGAS); AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO ADD, EXTEND AND MODIFY NUMEROUS STREETS WITHIN THE NORTHEAST SECTION OF THE CITY. (SET PUBLIC HEARING FOR JUNE 2, 2004)**

ACTION: PUBLIC HEARING SET FOR JUNE 2, 2004

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

19. UN-66-04 (SIERRA READY MIX); AN APPLICATION SUBMITTED BY SIERRA READY MIX, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN 80-FOOT HIGH OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY LOCATED AT 4150 SMILEY ROAD. (SET PUBLIC HEARING FOR JUNE 2, 2004)

ACTION: PUBLIC HEARING SET FOR JUNE 2, 2004

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

20. UN-68-04 (LAS VEGAS BILLBOARD); AN APPLICATION SUBMITTED BY LAS VEGAS BILLBOARD ON BEHALF OF MARK ALTSCHULER, ET AL, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF MADGE LANE AND BUFFY ROAD. (SET PUBLIC HEARING FOR JUNE 2, 2004)

ACTION: PUBLIC HEARING SET FOR JUNE 2, 2004

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

21. **APPEAL, SUBMITTED BY ROBERT GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-03-04 (LONE MOUNTAIN ESTATES); AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF LARRY M. AND MARY S. MONTOYA, CELEBRATE PROPERTIES, LLC AND THE CHURCH BAPTIST HOMESITE, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-EL RANCH ESTATES LIMITED DISTRICT ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ALLEN LANE AND LONE MOUNTAIN ROAD. (SET PUBLIC HEARING FOR JUNE 2, 2004) (ASSOCIATED ITEM NO. 22, T-1050)**

ACTION: PUBLIC HEARING SET FOR JUNE 2, 2004

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

22. **APPEAL, SUBMITTED BY ROBERT GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY T-1050 (LONE MOUNTAIN ESTATES); AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF LARRY M. AND MARY S. MONTOYA, CELEBRATE PROPERTIES, LLC AND THE CHURCH BAPTIST HOMESITE, PROPERTY OWNERS, FOR A TENTATIVE MAP REVIEW IN AN R-E RANCH ESTATES DISTRICT (PROPOSED R-EL RANCH ESTATES LIMITED DISTRICT) CONSISTING OF 33 SINGLE-FAMILY DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND ALLEN LANE. (SET PUBLIC HEARING FOR JUNE 2, 2004) (ASSOCIATED ITEM NO. 21, ZN-03-04)**

ACTION: PUBLIC HEARING SET FOR JUNE 2, 2004

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

23. VAC-13-04 (CRAIG AND LAMB); AN APPLICATION SUBMITTED BY R & S INVESTMENTS ON BEHALF OF VEGAS INDUSTRIAL DEVELOPMENT, LLC, PROPERTY OWNER, TO VACATE APPROXIMATELY 111 FEET OF DRAINAGE RIGHT-OF-WAY SOUTH OF CRAIG ROAD AND APPROXIMATELY 1,415 FEET EAST OF WALNUT ROAD. (SET PUBLIC HEARING FOR JUNE 16, 2004)

ACTION: PUBLIC HEARING SET FOR JUNE 16, 2004

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

BUSINESS

24. PRESENTATION REGARDING MYNEVADA.GOV WEB PORTAL AND APPROVAL TO RELEASE TO THE GENERAL PUBLIC ON MAY 31, 2004 AND CONFIRM THE DIRECTION OF FUTURE DEVELOPMENT AND SUPPORT OF THE PORTAL.

Information Technology Manager Ila Kowalski stated Phase 1 of MyNevada.Gov was ready to be released to the public. The intent of MyNevada.Gov was to create a single access point for citizens to utilize. Each jurisdiction would maintain their identity. She asked Council to support the release of MyNevada.Gov and further development of the remaining three phases.

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

25. RATIFICATION OF APPOINTMENTS OF KAREN L. STORMS AS CITY CLERK AND DAVID BERESKIN AS DIRECTOR OF UTILITIES EFFECTIVE MAY 10, 2004.

ACTION: KAREN L. STORMS APPOINTED CITY CLERK AND DAVID BERESKIN APPOINTED DIRECTOR OF UTILITIES

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

26. APPROVAL TO PURCHASE A MOBILE COMMAND/DECONTAMINATION APPARATUS, WITH GRANT FUNDS PREVIOUSLY APPROVED BY COUNCIL, USING CITY OF LAS VEGAS BID NO. 98-2100.01, IN THE AMOUNT OF \$500,000 FROM PIERCE MANUFACTURING FOR USE BY THE FIRE DEPARTMENT.

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

27. SELECTION OF A NAME FOR THE NEW PARK AT THE LOWER LAS VEGAS DETENTION BASIN GENERALLY LOCATED AT HAMMER LANE AND SCOTT ROBINSON DRIVE.

ACTION: PARK TO BE NAMED SANDSTONE RIDGE PARK

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

28. SELECTION OF A NAME FOR THE NEW 12 ACRE PARK LOCATED AT THE CORNER OF GOWAN ROAD AND SIMMONS STREET.

ACTION: PARK TO BE NAMED DESERT HORIZONS PARK

MOTION: Mayor Montandon

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

29. APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS, THE CITY OF LAS VEGAS, AND CLARK COUNTY FOR A TERM OF 30 YEARS COMMENCING JUNE 1, 2005, TO PROVIDE ANIMAL CONTROL SERVICES WITHIN THEIR RESPECTIVE TERRITORIAL LIMITS AND RECEIVE ANIMAL SHELTER SERVICES FROM THE ANIMAL FOUNDATION, WHICH REPRESENTS THE FIRST REGIONAL ANIMAL SHELTER IN THE LAS VEGAS VALLEY. (ASSOCIATED ITEM NO. 30, AND ITEM NO. 43, ORDINANCE NO. 1988) (CNLV CONTRACT NO. C-5678)

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

30. **APPROVAL OF AN AGREEMENT WITH THE ANIMAL FOUNDATION DBA LIED ANIMAL SHELTER IN THE AMOUNT OF \$375,000 FOR THE FIRST YEAR, \$300,000 FOR THE SECOND THROUGH SIXTH YEARS, AND \$250,000 FOR THE REMAINING FOUR YEARS PLUS AN AUTOMATIC CONSUMER PRICE INDEX (CPI) INCREASE EACH YEAR FOR A TERM OF TEN YEARS, APRIL 1, 2005 THROUGH JUNE 30, 2015, WITH TWO FIVE YEAR RENEWAL OPTIONS TO PROVIDE ANIMAL SHELTERING SERVICES FOR THE NORTH LAS VEGAS ANIMAL CONTROL DIVISION. (ASSOCIATED ITEM NO. 29, AND ITEM NO. 43, ORDINANCE NO. 1988) (CNLV CONTRACT NO. C-5679)**

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

31. **RATIFICATION OF APPLICATION TO THE STATE OF NEVADA OFFICE OF ATTORNEY GENERAL FOR GRANT FUNDS UNDER THE STOP (SERVICES - TRAINING - OFFICERS - PROSECUTORS) VIOLENCE AGAINST WOMEN PROGRAM FOR A FULL-TIME SPANISH SPEAKING VICTIM ADVOCATE IN THE CITY ATTORNEY'S OFFICE (\$50,453 AWARD; \$38,664 MATCH), A PART-TIME BILINGUAL VICTIM ADVOCATE IN THE POLICE DEPARTMENT (\$17,530 AWARD; \$5,844 MATCH), AND ONE FULL-TIME SPANISH SPEAKING WARRANT OFFICER WHO WILL FOCUS ON DOMESTIC VIOLENCE OFFENDERS (\$60,044.62 AWARD; \$23,960 MATCH).**

ACTION: GRANT FUNDS APPLICATION RATIFIED

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

32. RATIFICATION OF AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS UNDER THE FY 2004 BULLETPROOF VEST PROGRAM IN THE AMOUNT OF \$96,325, OF WHICH \$48,200 ARE MATCHING FUNDS, TO BE USED TO PURCHASE REPLACEMENT VESTS FOR THE POLICE DEPARTMENT AND STAB VESTS FOR THE DETENTION & CORRECTIONS DEPARTMENT.

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

33. APPROVAL TO AMEND THE FY2003-04 GENERAL FUND BUDGET FOR THE CITY CLERK'S OFFICE IN THE AMOUNT OF \$46,200, TO BE TRANSFERRED FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR THE PURPOSE OF SCANNING FILES AND ON-GOING RECORDS MANAGEMENT FOR THE PLANNING AND ZONING DEPARTMENT.

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 OF A LEASE AGREEMENT WITH MOUNTAIN UNION TELECOM LLC TO CONSTRUCT A CELL FACILITY AT GOYNES PARK LOCATED AT WASHBURN ROAD AND WILLIS STREET FOR A FIVE YEAR TERM WITH FOUR OPTIONAL TERMS OF FIVE YEARS EACH, WITH AN ANNUAL INCOME OF \$12,000, A TWO PERCENT INCREASE PER YEAR, AND A ONE-TIME PAYMENT OF \$33,465 TO BE USED FOR CONSTRUCTION OF AN OUTFIELD FENCE FOR THE BASEBALL FIELD. (CNLV CONTRACT NO. C-5680)

Bob Borgersen, 4751 Possum Berry Lane, North Las Vegas Nevada, stated he would like the cell tower be equipped to display an American flag.

Councilman Eliason stated three existing cell towers were already located within a mile of the proposed location. He felt the Council could miss an opportunity to request the applicant provide palm trees, a clock or a flag holder.

Councilman Buck expressed concern regarding interference between the cell tower and the operation of Police Department dispatch. Senior Deputy City Attorney Jim Lewis commented the contract specified the tenant would repair and correct any problem the cell tower could cause regarding interference. Councilman Buck questioned if the tenant was not able to correct an interference problem, could the City require the applicant remove the cell tower. City Manager Rose replied yes, the Federal Communications Commission (FCC) required the cell tower be removed if it caused interference with public safety communications. Councilman Buck questioned if a clause could be inserted into the contract which would require removal of the cell tower if interference existed and not repairable. City Manager Rose replied yes. Senior Deputy City Attorney Lewis stated a condition in the contract allowed the applicant to replace the existing cell tower with another cell tower if an unsolvable problem occurred.

Todd Fusome, Mountain Union Telecom LLC, represented the applicant. He stated Mountain Union Telecom was governed by FCC regulations. He stated if interference occurred, the problem could be resolved. Councilman Eliason expressed concern regarding the close proximity of the applicant's cell tower and the existing cell towers in the area. Mr. Fusome stated cell towers would be located within a half mile of one another due to the population growth of the area. Mayor Pro Tempore Robinson questioned if palm

trees or a flag display would provided. Mr. Fusome responded no because it would not be a part of the original design. The equipment would be screened by pine trees.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Eliason

ABSTAIN: None

35. APPROVAL OF THE GRANT OF EASEMENT TO NEVADA POWER COMPANY FOR FIRE STATION NO. 55 LOCATED ON ALLEN LANE APPROXIMATELY 700 FEET NORTH OF ANN ROAD, WHICH WOULD ENABLE NEVADA POWER COMPANY TO OPERATE AND MAINTAIN THEIR FACILITIES.

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 AMENDMENT NO. 3 TO THE SPECIAL IMPROVEMENT DISTRICT HARDSHIP DETERMINATION INTERLOCAL AGREEMENT WITH CLARK COUNTY SOCIAL SERVICE WHICH EXTENDS THE CURRENT CONTRACT (WHICH EXPIRES JUNE 30, 2004) TO JUNE 30, 2005. (CNLV CONTRACT NO. C-4931)

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

37. APPROVAL OF THE PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES AGREEMENT WITH G.C. WALLACE, INC. IN AN AMOUNT NOT TO EXCEED \$729,500 TO PROVIDE PRE-CONSTRUCTION SERVICES, CONSTRUCTION MANAGEMENT, CONTRACT ADMINISTRATION, INSPECTION, MATERIALS TESTING, AND POST-CONSTRUCTION SERVICES REQUIRED FOR THE LAS VEGAS WASH - "A" CHANNEL - THREE BRIDGES PROJECT. (CNLV CONTRACT NO. C-5681)

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

38. APPROVAL TO AWARD THE LAS VEGAS WASH - "A" CHANNEL - THREE BRIDGES PROJECT, BID NO. 1156 IN THE AMOUNT OF \$7,646,837.96 TO MEADOW VALLEY CONTRACTORS, INC. FOR THE DEMOLITION OF EXISTING UNDERSIZED DRAINAGE CULVERTS IN THE LAS VEGAS WASH "A" CHANNEL AT CHEYENNE AVENUE, LAS VEGAS BOULEVARD AND CAREY AVENUE AND REPLACING THE CULVERTS WITH STEEL GIRDER BRIDGE CROSSINGS. (CNLV CONTRACT NO. C-5682)

ACTION: APPROVED

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

39. RESOLUTION NO. 2292; A RESOLUTION ADOPTING AN INTERLOCAL AGREEMENT TO PROVIDE HOME INVESTMENT PARTNERSHIP ACT (HOME) AND/OR LOW INCOME HOUSING TRUST FUND (LIHTF) PROGRAM FUNDS TO THE CITY OF NORTH LAS VEGAS. (CNLV CONTRACT NO. C-5683)

Resolution No. 2292 as introduced by the City Manager:

A RESOLUTION ADOPTING AN INTERLOCAL AGREEMENT TO PROVIDE HOME INVESTMENT PARTNERSHIP ACT (HOME) AND/OR LOW INCOME HOUSING TRUST FUND (LIHTF) PROGRAM FUNDS TO THE CITY OF NORTH LAS VEGAS.

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

ORDINANCES
INTRODUCTION ONLY

40. ORDINANCE NO. 1984; 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 18.13± ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-35-04, CENTENNIAL LAMB CENTER) FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LAMB BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 2, 2004) (ASSOCIATED ITEM NO. 16, AMP-30-04 AND ITEM NO. 17, AMP-31-04)

Ordinance No. 1984 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 18.13± ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-35-04, CENTENNIAL LAMB CENTER) FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LAMB BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR JUNE 2, 2004

41. **ORDINANCE NO. 1985; 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 42.68± ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-37-04, SLOAN AND CENTENNIAL) FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND SLOAN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 2, 2004)**

Ordinance No. 1985 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 42.68± ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-37-04, SLOAN AND CENTENNIAL) FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND SLOAN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR JUNE 2, 2004

42. **ORDINANCE NO. 1986; 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 MPC, MASTER PLANNED COMMUNITY DISTRICT TO MPC/R-1, MASTER PLANNED COMMUNITY DISTRICT/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-38-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF BROADWING STREET AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 2, 2004)**

Ordinance No. 1986 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 25 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY DISTRICT TO MPC/R-1, MASTER PLANNED COMMUNITY DISTRICT/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-38-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF BROADWING STREET AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR JUNE 2, 2004

43. **ORDINANCE NO. 1988; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL AMENDING ORDINANCE NOS. 206 AND 542 BEING TITLE 6 CHAPTERS 12 AND 16 - ANIMALS; SPECIFICALLY, RAISING LICENSING, IMPOUND AND MAINTENANCE FEES FOR DOGS; CHANGING RESPONSIBILITY FOR LICENSING FUNCTIONS FROM THE POLICE CHIEF TO THE FINANCE DIRECTOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 2, 2004) (ASSOCIATED ITEM NO. 29, AND ITEM NO. 30)**

Ordinance No. 1988 as introduced by the City Clerk:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL AMENDING ORDINANCE NOS. 206 AND 542 BEING TITLE 6 CHAPTERS 12 AND 16 - ANIMALS; SPECIFICALLY, RAISING LICENSING, IMPOUND AND MAINTENANCE FEES FOR DOGS; CHANGING RESPONSIBILITY FOR LICENSING FUNCTIONS FROM THE POLICE CHIEF TO THE FINANCE DIRECTOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR JUNE 2, 2004

ORDINANCES
FINAL ACTION

44. **ORDINANCE NO. 1922; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 22.19± ACRES FROM AN R-E RANCH ESTATES DISTRICT TO A PLANNED UNIT DEVELOPMENT DISTRICT (ZN-115-03, LONE MOUNTAIN & LOSEE II), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LOSEE ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 2, AMP-66-03) (CONTINUED FROM MARCH 17, 2004)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

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

47. **ORDINANCE NO. 1971; 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 6 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/C-1, MASTER PLANNED COMMUNITY/NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-31-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ALIANTE PARKWAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1971 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 6 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/C-1, MASTER PLANNED COMMUNITY/NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-31-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ALIANTE PARKWAY AND ELKHORN 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

48. **ORDINANCE NO. 1972; 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 14 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/C-2, MASTER PLANNED COMMUNITY/GENERAL COMMERCIAL DISTRICT (ZN-32-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ALIANTE PARKWAY AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1972 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 14 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/C-2, MASTER PLANNED COMMUNITY/GENERAL COMMERCIAL DISTRICT (ZN-32-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ALIANTE PARKWAY AND ELKHORN 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

49. **ORDINANCE NO. 1977; 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 0.61 ACRES THEREIN FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-34-04, NEVADA LAND), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND SIMMONS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1977 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 0.61 ACRES THEREIN FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-34-04, NEVADA LAND), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND SIMMONS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated the land was a single parcel and zoning the parcel C1 would be consistent with the area.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: Councilman Eliason

ABSTAIN: None

50. ORDINANCE NO. 1978; 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 DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH 5TH STREET AND CENTENNIAL PARKWAY (ZN-109-03, PT MINING COMPANY LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1978 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 DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH 5TH STREET AND CENTENNIAL PARKWAY (ZN-109-03, PT MINING COMPANY LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

51. ADOPTION OF BUSINESS IMPACT STATEMENT REGARDING ORDINANCE AMENDMENTS TO THE NORTH LAS VEGAS MUNICIPAL CODE, TITLE 5 AND TITLE 17. (ASSOCIATED ITEM NO. 52, ORDINANCE NO. 1979, ITEM NO. 53, ORDINANCE NO. 1980, ITEM NO. 54, ORDINANCE NO. 1981 AND ITEM NO. 55, ORDINANCE NO. 1982)

ACTION: BUSINESS IMPACT STATEMENT 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

52. ORDINANCE NO. 1979; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND NORTH LAS VEGAS MUNICIPAL CODE TITLE 17; TO ADD CERTAIN PROXIMITY DISTANCE REQUIREMENTS AND A WAIVER PROCEDURE IN TITLE 17; AN AMENDMENT OF THE HEARING PROCEDURE FOR TAVERN SPECIAL USE PERMITS IN TITLE 17. (ASSOCIATED ITEM NO. 51, ITEM NO. 53, ORDINANCE NO. 1980, ITEM NO. 54, ORDINANCE NO. 1981 AND ITEM NO. 55, ORDINANCE NO. 1982)

Ordinance No. 1979 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND NORTH LAS VEGAS MUNICIPAL CODE TITLE 17; TO ADD CERTAIN PROXIMITY DISTANCE REQUIREMENTS AND A WAIVER PROCEDURE IN TITLE 17; AN AMENDMENT OF THE HEARING PROCEDURE FOR TAVERN SPECIAL USE PERMITS IN TITLE 17.

Acting Planning Manager Marc Jordan stated the Planning Commission recommended Ordinance No. 1979 for adoption. The decision for future Use Permits would remain with the Planning Commission and must be adopted by a two-thirds majority vote. The Planning Commission would also consider proximity distance requirements if an adequate barrier existed between the proposed use and a school, church or park. Staff recommended waiver provisions be approved by Council, however, if the item was approved in that manner, applicants would be required to appear before Council with regards to the waiver and then before the Planning Commission with regards to the Use Permit. Planning Manager Jordan felt the procedure would remain less cumbersome if the word "Council" was changed to "Planning Commission" in the paragraph pertaining to waivers. Mayor Montandon questioned Senior Deputy City Attorney Jim Lewis with regards to the proper order of voting on the amendment and the ordinance. Senior Deputy City Attorney Lewis replied the amendment should be voted on first and the amended ordinance second.

ACTION: AMENDMENT APPROVED; THE WORD CITY COUNCIL CHANGED TO PLANNING COMMISSION IN SECTION 2, NO. 3, LETTER C OF ORDINANCE NO. 1979

MOTION: Councilman Buck

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

Councilman Eliason questioned how the libraries would be effected by the ordinance and also what the status was with regard to the Mixed Use Commercial issue. He felt the time the applicant had to build the tavern should be increased to one year from six months. Senior Deputy City Attorney Lewis stated libraries had not been included in Ordinance No. 1979 but the ordinance could be reexamined in the future and brought before Council if they so desired. A Mixed Use ordinance did not exist but Planning and Zoning Director Jory Stewart could address the issue. Senior Deputy City Attorney Lewis stated if a developer desired to construct a project with mixed uses, a Planned Unit Development could be utilized. The construction of taverns fell under a Special Use Permit and alcohol related Special Use Permits expired after six months. An applicant would be required to request an extension if he failed to construct the project within the six months. Senior Deputy City Attorney Lewis stated the issue could be addressed in the future.

ACTION: PASSED AND ADOPTED AS AMENDED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

53. ORDINANCE NO. 1980; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND NORTH LAS VEGAS MUNICIPAL CODE TITLE 17; TO ADD CERTAIN PROXIMITY DISTANCE REQUIREMENTS IN TITLE 17; AN AMENDMENT OF THE HEARING PROCEDURE FOR TAVERN SPECIAL USE PERMITS IN TITLE 17. (ASSOCIATED ITEM NO. 51, ITEM NO. 52, ORDINANCE NO. 1979, ITEM NO. 54, ORDINANCE NO. 1981 AND ITEM NO. 55, ORDINANCE NO. 1982)

ACTION: WITHDRAWN

54. ORDINANCE NO. 1981; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND NORTH LAS VEGAS MUNICIPAL CODE TITLE 2 AND NORTH LAS VEGAS MUNICIPAL CODE TITLE 17; TO RAISE THE FEES REQUIRED FOR TAVERN SPECIAL USE PERMIT APPLICATIONS IN TITLE 2; TO ADD CERTAIN PROXIMITY DISTANCE REQUIREMENTS AND A WAIVER PROCEDURE IN TITLE 17; AN AMENDMENT OF THE HEARING PROCEDURE FOR TAVERN SPECIAL USE PERMITS IN TITLE 17. (ASSOCIATED ITEM NO. 51, ITEM NO. 52, ORDINANCE NO. 1979, ITEM NO. 53, ORDINANCE NO. 1980, AND ITEM NO. 55, ORDINANCE NO. 1982)

ACTION: WITHDRAWN

55. **ORDINANCE NO. 1982; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND NORTH LAS VEGAS MUNICIPAL CODE TITLE 2 AND NORTH LAS VEGAS MUNICIPAL CODE TITLE 17; TO RAISE THE FEES REQUIRED FOR TAVERN SPECIAL USE PERMIT APPLICATIONS IN TITLE 2; TO ADD CERTAIN PROXIMITY DISTANCE REQUIREMENTS IN TITLE 17; AN AMENDMENT OF THE HEARING PROCEDURE FOR TAVERN SPECIAL USE PERMITS IN TITLE 17. (ASSOCIATED ITEM NO. 51, ITEM NO. 52, ORDINANCE NO. 1979, ITEM NO. 53, ORDINANCE NO. 1980, AND ITEM NO. 54, ORDINANCE NO. 1981)**

ACTION: WITHDRAWN

56. **ORDINANCE NO. 1983; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND A PORTION OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE; TO ADD A DEFINITION OF RELIGIOUS INSTITUTION; TO INCLUDE CITY-OWNED PARKS AND CITY CHILD CARE FACILITIES TO NLVMC 5.26.350.**

Ordinance No. 1983 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND A PORTION OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE; TO ADD A DEFINITION OF RELIGIOUS INSTITUTION; TO INCLUDE CITY-OWNED PARKS AND CITY CHILD CARE FACILITIES TO NLVMC 5.26.350.

Acting Planning Manager Marc Jordan stated the ordinance would add the definition of a religious institution because the definition did not currently exist within the ordinance. It would also clarify the 400 foot separation between establishments which sold alcoholic beverages and add a grand fathering clause for existing businesses or businesses which had already been granted a Land Use Permit.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

APPOINTMENTS

57. **APPOINTMENT BY MAYOR MONTANDON OF ONE PERSON TO SERVE ON THE CIVIL SERVICE BOARD OF TRUSTEES WITH A FIVE-YEAR TERM EXPIRING JUNE 30, 2009, TO FILL THE POSITION BEING VACATED BY EVA G. SIMMONS WHOSE TERM EXPIRES JUNE 30, 2004 AND IS NOT ELIGIBLE FOR REAPPOINTMENT.**

Mayor Montandon appointed Mark Olsen to the Civil Service Board of Trustees.

ACTION: MARK OLSEN APPOINTED FOR A FIVE YEAR TERM EXPIRING JUNE 30, 2009

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

58. **APPOINTMENT BY COUNCILMAN ELIASON AND MAYOR PRO TEMPORE ROBINSON OF TWO MEMBERS TO THE CITIZENS ADVISORY COMMITTEE WITH THREE YEAR TERMS EXPIRING JUNE 30, 2007, TO FILL VACANCIES CREATED BY JOYCE THOMAS AND ROSEMARY DAVIS WHOSE TERMS EXPIRE JUNE 30, 2004 AND WHO ARE BOTH ELIGIBLE FOR REAPPOINTMENT.**

ACTION: CONTINUED TO JUNE 2, 2004

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 adjourned to the Closed Personnel Session at 8:05 P.M.

CLOSED PERSONNEL SESSION

59. NON ACTION ITEM: CLOSED PERSONNEL SESSION REGARDING THE CITY MANAGER'S ANNUAL PERFORMANCE AND SALARY REVIEW.

ACTION: CLOSED PERSONNEL SESSION HELD

The meeting was reconvened at 8:33 P.M.

60. ACTION ITEM: ACTION PERTAINING TO THE CLOSED PERSONNEL SESSION REGARDING THE CITY MANAGER'S ANNUAL PERFORMANCE AND SALARY REVIEW.

ACTION: COUNCIL DISPLAYED A UNANIMOUS VOTE OF CONFIDENCE TO GREGORY E. ROSE AS CITY MANAGER

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilman Buck stated she was grateful for the leadership demonstrated by City Manager Rose and conveyed City matters had changed for the better.

Councilman Buck stated discussions with Planning and Zoning Director Jory Stewart were held concerning the return of affordable housing development to the City. Councilman Buck recommended related ordinances be reviewed.

Mayor Pro Tempore Robinson acknowledged City Manager Rose for a job well done.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

Lanny Prigge, 3217 Orr Avenue, North Las Vegas, requested the North Las Vegas Municipal Code be amended to prevent citizens from feeding pigeons. Mr. Prigge provided Council with pictures of the damage from pigeons' excrement. Mayor Montandon referred this matter to the City Manager for further investigation.

William Parker, 2208 Matheson Street, North Las Vegas, stated disabled vehicles were located in yards and on the streets throughout Lake Mead Boulevard, Englestad Street, Van Ert Ave, Hause Avenue, Marcella Avenue, Wayne Way, Revere Street, Miller Avenue, Matheson Street and Gilday Avenue, which prevented the streets from being properly maintained. Mr. Parker stated trees existed on Hause Avenue that were not properly maintained, creating a fire hazard from the shedding bark. Undesirable tenants were not maintaining properties, which decreased property values. Mayor Montandon stated discussions were held between Council and the City Manager concerning Housing Authority Enforcement, and the possibility of creating a department to ensure compliance. Mayor Montandon referred Mr. Parker to the Police Chief Mark Paresi to assist him in this matter. City Manager Rose stated a policy would be implemented July 1, 2004 to streamline the code enforcement process and Mr. Parker would receive a response to each of his concerns.

Planning Commission Chairman Dean Leavitt, 918 Dawn Valley Drive, North Las Vegas, stated it was a pleasure working with City Manager Gregory Rose. Commissioner Leavitt appreciated Council's assistance in working with them on the tavern ordinances and the Commission would follow Council's direction in refining this ordinance.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:50 P.M.

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

APPROVED: August 4, 2004

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

Attest:

/s/ Karen L. Storms
Karen L. Storms CMC, City Clerk