

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

July 21, 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

WELCOME

Mayor Michael L. Montandon

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	Public Works Director Jim Bell
Assistant City Manager Dan Tarwater	Parks & Recreation Director Michael Henley
City Attorney Sean McGowan	Utilities Director David Bereskin
City Clerk Karen L. Storms	Fire Chief Jim Stubler
Finance Director Phil Stoeckinger	Assistant Detention Chief Dan Lake
Human Resources Director Vince Zamora	Special Projects Analyst Kimberly McDonald
Planning and Zoning Director Jory Stewart	Assistant to the City Manager Brenda Johnson
Police Captain Tony Scott	Johnson
Strategic Planning Director Eric Dabney	Deputy City Clerk Julie A. Shields

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Steve Thomas
Canyon Ridge Christian Church

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PROCLAMATION

- ★ **PROCLAMATION RECOGNIZING THE CANNERY HOTEL & CASINO FOR THEIR EFFORTS TO ASSIST THE COMMUNITY WITH THEIR FIRST ANNUAL BLOOD DRIVE.**

ACTION: PROCLAMATION MADE

PRESENTATION

- ★ **PRESENTATION TO THE CITY OF NORTH LAS VEGAS BY UNITED BLOOD SERVICES FOR THE CITY'S SUPPORT OF EMPLOYEE BLOOD DRIVES.**

ACTION: PRESENTATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JULY 21, 2004.**

ACTION: APPROVED AS AMENDED; ITEM NOS. 2 AND 3 CONTINUED TO SEPTEMBER 15, 2004; ITEM NOS. 7 AND 37 CONTINUED TO AUGUST 4, 2004

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

CONSENT AGENDA

13. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF MAY 18, 2004.

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 PRIVILEGED LICENSES (EXHIBIT A):

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
1. Ramzi Y Sulliman, Owner <u>Db</u> a: Super Azteca 2425 Las Vegas Blvd N North Las Vegas, Nevada	Liquor	Beer & Wine off Sale
	<u>Police Investigation Completed</u>	
2. Golden Gaming Brad R. Pederson, Pres. <u>Db</u> a: Golden Route Operations 5110 S Valley View Blvd Las Vegas, Nevada	Gaming Slot Route Operator	(7) Slot Machines Location: Finish Line Conv Store 4472 Donovan Way

PENDING FINAL GAMING COMMISSION APPROVAL SCHEDULED FOR 7/29/04

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. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE) APPORTIONMENT REPORT NOS. 28 THROUGH 30.

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

16. APPEAL, SUBMITTED BY EDWARD M. GARCIA ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-26-04 (REVERE POINT); AN APPLICATION SUBMITTED BY LUCCA REAL PROPERTY, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L/DA, OPEN-LAND DEVELOPMENT AGREEMENT DISTRICT FOR A TAVERN ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND REVERE STREET. (SET PUBLIC HEARING FOR AUGUST 4, 2004)

ACTION: PUBLIC HEARING SET FOR AUGUST 4, 2004

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-39-04 (CRAIG & KINGS HILL); AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC., ON BEHALF OF CRAIG COMMERCE PLAZA LP, #2, #3, #4, AND #5, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO M-HDR MEDIUM-HIGH DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED EAST OF

KINGS HILL AND APPROXIMATELY 260 FEET SOUTH OF CRAIG ROAD. (SET PUBLIC HEARING FOR AUGUST 4, 2004) (ASSOCIATED ITEM NO. 34, ORDINANCE NO. 2007, ZN-48-04)

ACTION: PUBLIC HEARING SET FOR AUGUST 4, 2004

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

18. APPROVAL OF THE FY2004-2005 STAFFING PATTERN.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

19. APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND HENDERSON & ASSOCIATES IN THE AMOUNT OF \$77,328 COMMENCING JULY 1, 2004 AND EXPIRING JULY 31, 2005 FOR LOCAL CONSULTANT LOBBYIST FOR THE 2004 INTERIM SESSION AND 2005 NEVADA STATE LEGISLATURE. (CNLV CONTRACT NO. C-5172)

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

20. **APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND REDROCK MEDICAL GROUP IN THE AMOUNT OF \$147,600 TO PROVIDE DESIGNATED EMPLOYMENT GROUPS MEDICAL PHYSICALS, FOR THE PERIOD AUGUST 1, 2004 THROUGH JUNE 30, 2006 WITH OPTIONS TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS. (CNLV CONTRACT NO. C-5720)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

21. **APPROVAL TO ACCEPT A DONATION OF TEN WIRELESS TELEPHONES AND ASSOCIATED AIR TIME PROVIDING VICTIMS OF DOMESTIC VIOLENCE WITH CELLULAR TELEPHONES FOR EMERGENCY SERVICES FROM THE WIRELESS FOUNDATION FOR THE "CALL TO PROTECT" PROGRAM TO BE MONITORED THROUGH THE CITY ATTORNEY'S VICTIM ADVOCATE PROGRAM. (CNLV CONTRACT NO. C-5721)**

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

22. **RATIFICATION OF AN APPLICATION IN THE AMOUNT OF \$50,000 FOR GRANT FUNDS FROM THE U.S. DEPARTMENT OF TRANSPORTATION, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, UNDER THE FY2004 DISCRETIONARY COOPERATIVE AGREEMENT PROGRAM TO SUPPORT IMPLEMENTATION OF THE NATIONAL STRATEGIES FOR ADVANCING BICYCLE SAFETY AGENDA AND PROVIDE**

BICYCLE SAFETY INSTRUCTION TO THIRD, FOURTH AND FIFTH GRADE STUDENTS.

ACTION: APPLICATION RATIFIED

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

- 23. RATIFICATION OF AN APPLICATION IN THE AMOUNT OF \$40,346 FOR GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS UNDER THE FY2004 GANG RESISTANCE EDUCATION AND TRAINING (G.R.E.A.T.) PROGRAM AND AUTHORIZATION TO THE CHIEF OF POLICE TO SUBMIT SUCH APPLICATION VIA THE FEDERAL ON-LINE GRANT MANAGEMENT SYSTEM (GMS).**

ACTION: 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

- 24. APPROVAL OF AN APPLICATION AND AWARD IN THE AMOUNT \$1,364,252 FOR OFFICE OF DOMESTIC PREPAREDNESS (ODP) FY2004 HOMELAND SECURITY GRANT PROGRAM (HSGP)/STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT FUNDS FOR SOUTHERN NEVADA AREA COMMUNICATIONS COUNCIL (SNACC) COMMUNICATION SYSTEM INTEROPERABILITY CONVERSION AND EQUIPMENT, NORTH LAS VEGAS PUBLIC SAFETY DISPATCH AND BACKBONE EQUIPMENT, AND FULL-SCALE CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR EXPLOSIVE (CBRNE) EXERCISE EXPENSES.**

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

25. APPROVAL OF AN APPLICATION AND AWARD IN THE AMOUNT OF \$242,200.87 FOR OFFICE OF DOMESTIC PREPAREDNESS (ODP) FY2004 HOMELAND SECURITY GRANT PROGRAM (HSGP)/LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (LETPP) FUNDS FOR NORTH LAS VEGAS DETENTION/CORRECTIONS AND WARRANT SERVICES RADIOS AND EQUIPMENT.

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

26. APPROVAL TO REIMBURSE CPS HUMAN RESOURCE SERVICES IN THE AMOUNT OF \$49,340.55 FOR DEVELOPING AND VALIDATING PROMOTIONAL ASSESSMENT AND EXAMINATION PROCESSES FOR THE POLICE AND DETENTION/CORRECTIONS DEPARTMENTS. (CNLV CONTRACT NO. C-5242)

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

PUBLIC HEARINGS - 6:15 P.M.

2. **AMP-13-04 (CENTENNIAL MARKETPLACE); AN APPLICATION SUBMITTED BY P. T. CORPORATION, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LAWRENCE STREET AND CENTENNIAL PARKWAY. (CONTINUED APRIL 7, 2004) (ASSOCIATED ITEM NO. 3, ZN-19-03)**

Mayor Montandon opened the Public Hearing.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, commented Council and Staff were helpful in his research on this issue. Mr. Ferber stated the area across from the subject property was zoned residential and his neighborhood was against any zoning change.

ACTION: CONTINUED TO SEPTEMBER 15, 2004

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

3. **APPEAL, SUBMITTED BY ROBERT J. GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-19-03 (PT CORP.); AN APPLICATION SUBMITTED BY P. T. CORPORATION, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LAWRENCE STREET AND CENTENNIAL PARKWAY. (CONTINUED JANUARY 7, MARCH 3, AND APRIL 7, 2004) (ASSOCIATED ITEM NO. 2, AMP-13-04)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO SEPTEMBER 15, 2004

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

4. **AMP-38-04 (DECATUR/HORSE); AN APPLICATION SUBMITTED BY GENEVIEVE RAMIREZ, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR, VERY LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT 8390 DECATUR BOULEVARD. (CONTINUED JULY 7, 2004) (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 1995, ZN-47-04)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated the applicant had originally requested Neighborhood-Commercial and was amenable to Convenience-Commercial because of the small size of the parcel. Staff and the Planning Commission recommended approval of either application.

Chris Wener, Spectrum Surveying and Engineering, 7351 West Charleston Boulevard, Las Vegas, represented the applicant and stated he believed the rezoning request complied with the intent of the North Las Vegas Land Use Guide to provide for neighborhood services used on a daily basis. The applicant intended to build either a convenience store, service station, non-fast food restaurant or other retail business. A regional park prevented a liquor license from being issued for the project. The applicant originally owned 20 acres and Southern Nevada Water Authority (SNWA) needed 17 ½ acres of the parcel, which left this 2 ½ acre remnant. SNWA owned the property directly east and a detention facility to the south. It was difficult to develop the subject parcel as anything other than Convenience-Commercial and the proposed zoning was the lowest possible non-residential use contained in the Land Use Guide. Mr. Wener concurred with Staff's and the Planning Commission's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED FOR CONVENIENCE-COMMERCIAL

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

36. ORDINANCE NO. 1995; 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 2.07 ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-47-04, DECATUR/HORSE), FOR PROPERTY LOCATED AT 8390 DECATUR BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JULY 7, 2004) (ASSOCIATED ITEM NO. 4, AMP-38-04)

Ordinance No. 1995 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 2.07 ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-47-04, DECATUR/HORSE), FOR PROPERTY LOCATED AT 8390 DECATUR BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

5. APPEAL, SUBMITTED BY HAROLD FOSTER ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-34-04; AN APPLICATION SUBMITTED BY ILIA BEZANSKI ON BEHALF OF JUSTIN BEZANSKI, PROPERTY OWNER, FOR AN AMENDMENT TO THE

COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY GENERALLY LOCATED WEST OF PECOS ROAD AND APPROXIMATELY 148 FEET NORTH OF LAKE MEAD BOULEVARD. (ASSOCIATED ITEM NO. 6, ZN-40-04)

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated Staff recommended denial of both applications because they were inconsistent with the Master Plan Guidelines for Neighborhood-Commercial. The Planning Commission denied the Amendment to the Master Plan on May 26, 2004.

Harold Foster, 3230 Polaris Avenue, Las Vegas, represented the applicants and stated the parcel was a remnant created by widening the Las Vegas Wash Flood Control Channel, Washington Avenue and Pecos Roads, and was situated approximately 150 feet from Lake Mead Boulevard. Mr. Foster believed a variance would be required to build a single-family residence. The applicant felt the requested zoning was compatible with the neighborhood and the residents north of the parcel signed a petition of approval.

Councilman Buck asked Staff for their recommendation if commercial was not an appropriate zoning. Director Stewart stated the parcel was a remnant piece and determining a viable land use was difficult. Staff's evaluation of the application was based on the current request for Neighborhood-Commercial and C-1 zoning. Office use was a viable option, but a number of uses in C-1 might not be compatible with residential in the area. The applicant had the option to build a single-family dwelling which complied with the current zoning. Director Stewart also suggested Convenience-Commercial rather than Neighborhood-Commercial because Staff would discourage drive-through businesses such as a car wash.

Councilwoman Smith stated it was possible to develop the site with its original zoning and as commercial was not permitted on sites less than one half acre, she would not support the requested use at this intersection.

Director Stewart stated amending the Master Plan to Office, rather than Commercial, and the zoning to C-P, Professional Office Commercial, would further restrict retail use on the site. There was a 20-foot setback to the north and Director Stewart cautioned the applicant they might be required to reduce the building size to meet landscape standards and separation requirements.

Mayor Montandon closed the Public Hearing.

ACTION: WITHDRAWN

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

6. **APPEAL, SUBMITTED BY HAROLD FOSTER ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-40-04; AN APPLICATION SUBMITTED BY ILIA BEZANSKI ON BEHALF OF JUSTIN BEZANSKI, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF R-1, SINGLE-FAMILY RESIDENTIAL TO C-1, NEIGHBORHOOD COMMERCIAL ON PROPERTY GENERALLY LOCATED WEST OF PECOS ROAD AND APPROXIMATELY 148 FEET NORTH OF LAKE MEAD BOULEVARD. (ASSOCIATED ITEM NO. 5, AMP-34-04)**

ACTION: WITHDRAWN

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

7. **AMP-44-04 (TROPICAL AND LAWRENCE); AN APPLICATION SUBMITTED BY R & S INVESTMENT GROUP ON BEHALF OF R & S TROPICAL, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OPEN SPACE AND LDR, LOW DENSITY RESIDENTIAL TO MDR, MEDIUM DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY. (ASSOCIATED ITEM NO. 8, AMP-47-04, ITEM NO. 37, ORDINANCE NO. 2000, ZN-52-04, AND ITEM NO. 38, ORDINANCE NO. 2001, ZN-55-04)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO AUGUST 4, 2004

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

37. ORDINANCE NO. 2000; 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 20 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT (ZN-52-04, TROPICAL AND LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 7, AMP-44-04, ITEM NO. 8, AMP-47-04, AND ITEM NO. 38, ORDINANCE NO. 2001, ZN-55-04)

Ordinance No. 2000 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 20 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT (ZN-52-04, TROPICAL AND LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: CONTINUED TO AUGUST 4, 2004

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

8. **AMP-47-04 (TROPICAL AND LAWRENCE); AN APPLICATION SUBMITTED BY R & S TROPICAL, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OPEN SPACE AND LDR, LOW DENSITY RESIDENTIAL TO MLDR, MEDIUM-LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LAWRENCE STREET AND TROPICAL PARKWAY. (ASSOCIATED ITEM NO. 7, AMP-44-04, ITEM NO. 37, ORDINANCE NO. 2000, ZN-52-04, AND ITEM NO. 38, ORDINANCE NO. 2001, ZN-55-04)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated Staff and the Planning Commission recommended approval based upon consistency with the Master Plan and the ability to access a pedestrian trail proposed as part of the dedication of a flood control channel located adjacent to the east side of the property.

Kathryn Grider, 3791 Prairie Falcon Road, Suite 150, Las Vegas, represented the applicant who disagreed with the verbiage relating to the trail access and requested accessibility to the trail if it were located outside of the flood control channel.

Director Stewart clarified Ms. Grider was referring to Agenda Item No. 38, Ordinance 2001, Condition No.11. Director Stewart stated Staff's preference was to locate pedestrian trails within the channels, away from street rights-of-way. Mayor Montandon stated if there were a possibility the trail would be relocated, the verbiage should be changed to allow flexibility and not specifically state the trail would be located within the flood control channel.

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, Eliason and Buck

NAYS: None

ABSTAIN: None

38. **ORDINANCE NO. 2001; 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 20 ACRES**

THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-55-04, TROPICAL AND LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 7, AMP-44-04, ITEM NO. 8, AMP-47-04 AND ITEM NO. 37, ORDINANCE NO. 2000, ZN-52-04)

Ordinance No. 2001 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 20 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-55-04, TROPICAL AND LAWRENCE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: AMENDMENT APPROVED AS FOLLOWS:

Condition No. 11: A pedestrian access way shall be provided from the development to the public trail; if the alignment of the trail is moved but remains adjacent to the subject property, access will still be provided to the trail

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

ACTION: ORDINANCE NO. 2001 PASSED AND ADOPTED AS AMENDED

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

9. VAC-15-04 (COMMERCE STREET); AN APPLICATION SUBMITTED BY TEMPLE DEVELOPMENT CORPORATION ON BEHALF OF CENTURY TWO, LLC AND CENTURY LAS VEGAS, LLC, PROPERTY OWNERS, TO VACATE A REMNANT PORTION OF COMMERCE STREET COMMENCING AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND COMMERCE STREET AND PROCEEDING SOUTH APPROXIMATELY 306 FEET.

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell explained the subject property was a remnant parcel at the corner of Rome Boulevard and Commerce Street resulting from the realignment of Commerce Street and was an unnecessary right-of-way. The Planning Commission approved the vacation and Staff had no objections.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. The vacation must 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.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

10. VAC-16-04 (ALIANTE PARCEL 69); AN APPLICATION SUBMITTED BY PULTE HOMES, PROPERTY OWNER, TO VACATE A PORTION OF DECATUR BOULEVARD RIGHT-OF-WAY COMMENCING APPROXIMATELY 625 FEET SOUTH OF DEER SPRINGS WAY AND PROCEEDING SOUTH APPROXIMATELY 91 FEET.

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated the large lot platting of the Aliante project provided for a driveway which was no longer needed. Staff and the Planning Commission supported the vacation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A public utility easement over the entire area to be vacated shall be retained.
2. 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.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

11. VAC-17-04 (ALIANTE PARCEL 19); AN APPLICATION SUBMITTED BY PBS&J ON BEHALF OF ACACIA CREDIT FUND 9-A-LLC, PROPERTY OWNER, TO VACATE A PORTION OF ELKHORN ROAD RIGHT-OF-WAY COMMENCING APPROXIMATELY 1,899 FEET EAST OF AVIARY WAY AND PROCEEDING EAST APPROXIMATELY 97 FEET AND TO VACATE ONE SPANDREL NEXT TO ELKHORN ROAD LOCATED APPROXIMATELY 2,662 FEET EAST OF AVIARY WAY.

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated the large lot platting of the Aliante project provided for a driveway which was no longer needed. Staff and the Planning Commission supported the vacation.

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, Eliason and Buck

NAYS: None

ABSTAIN: None

12. **VAC-18-04 (PICERNE AT ROME & VALLEY APTS.); AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF 215 PROPERTIES, LLC, PROPERTY OWNER, TO VACATE CENTENNIAL PARKWAY COMMENCING APPROXIMATELY 340 FEET EAST OF SAN MATEO STREET AND PROCEEDING EAST APPROXIMATELY 325 FEET AND TO VACATE TURKEY LANE COMMENCING APPROXIMATELY 330 FEET EAST OF SAN MATEO STREET AND PROCEEDING EAST APPROXIMATELY 330 FEET.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated the rights-of-way were no longer necessary and Staff and the Planning Commission supported the vacation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The vacation shall record concurrently with the final map and/or the dedication of that portion of Turkey Lane which provides access to the adjacent parcel (APN 124-19-401-012).
2. Turkey Lane shall terminate in a cul-de-sac.
3. The City shall retain the right-of-way within the Clark County I-215 Beltway right-of-way.
4. A letter from Kern River is required stating that they understand their gas line will be located within the proposed development and have no objection to the Centennial Parkway right-of-way being vacated.
5. The vacation of Turkey Lane shall be as depicted on the map submitted by the applicant and shall only be for the right-of-way between parcels APN 124-19-401-004 (to the north) and APN 124-19-401-007 and APN 124-19-401-008 (to the south).
6. The vacation of Centennial Parkway shall be as depicted on the map submitted by the applicant and shall only be for the right-of-way adjacent to the south of parcels APN 124-19-401-007 and APN 124-19-401-008.

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

BUSINESS (CONTINUED)

27. AMENDMENT TO THE FY2004-05 GENERAL FUND BUDGET IN THE AMOUNT OF \$46,000 FOR THE DETENTION/CORRECTIONS DEPARTMENT'S HOUSE ARREST PROGRAM; EXPENSES TO BE OFFSET BY PROJECTED REVENUES.

ACTION: APPROVED

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

28. AMENDMENT TO THE FY2003-04 GENERAL FUND BUDGET, REAL PROPERTY SERVICES DIVISION, IN THE AMOUNT OF \$56,000 FOR THE PURPOSE OF FUNDING THE APPRAISAL AND ENVIRONMENTAL STUDIES FOR THE CRAIG RANCH GOLF COURSE.

ACTION: APPROVED

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

29. APPROVAL OF ENCROACHMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND THE CITY OF LAS VEGAS FOR INSTALLATION OF A 42-INCH WATER LINE IN THE WEST HALF OF DECATUR BOULEVARD WITHIN CITY OF LAS VEGAS' RIGHT-OF-WAY. (CNLV CONTRACT NO. C-5722)

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

30. INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) FOR THE NORTH LAS VEGAS SIGNAL PROGRAM FOR SIGNALS AT THE FOLLOWING INTERSECTIONS: ALEXANDER ROAD AND LOSEE ROAD; NORTH 5TH STREET AND COLTON AVENUE; NORTH 5TH STREET AND ALEXANDER ROAD; CRAIG ROAD AND REVERE STREET; LONE MOUNTAIN ROAD AND ALLEN LANE; CENTENNIAL BOULEVARD AND CAMINO ELDORADO; TROPICAL PARKWAY AND CAMINO ELDORADO; LONE MOUNTAIN ROAD AND VALLEY DRIVE; CLAYTON STREET AND WASHBURN ROAD; GOWAN ROAD AND ALLEN LANE; CIVIC CENTER DRIVE AND MCDANIEL STREET; LAMB BOULEVARD AND LONE MOUNTAIN ROAD; WASHBURN ROAD AND ALLEN LANE; NORTH 5TH STREET AND WASHBURN ROAD; SIMMONS STREET AND ALEXANDER ROAD; COMMERCE STREET AND WASHBURN ROAD; DECATUR BOULEVARD AND WASHBURN ROAD; AND LOSEE ROAD AND LONE MOUNTAIN ROAD. (CNLV CONTRACT NO. C-5723)

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

31. RESOLUTION NO. 2296; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS SUPPORTING THE NEVADA LEAGUE OF CITIES & MUNICIPALITIES' PROPOSED 2005 LEGISLATIVE COMPACT AND 2005 LEGISLATIVE PACKAGE (EXHIBIT B).

Special Projects Analyst Kimberly McDonald introduced David Fraser, the Executive Director of the Nevada League of Cities and Municipalities, who presented Resolution No. 2296 consisting of the League's proposed Legislative Compact and Legislative Package for the 2005 Nevada State Legislature. Mr. Fraser explained the Legislative Compact was the guiding principle for the League's daily activity at Legislature. During the Legislative Session, the League was in contact with the City's legislative staff. The League did not take a position on a bill if it did not affect the members and posted the tracked legislation on-line for submission of comments. The League's proposed Legislative Package consisted of seven items. Senate Bill No. 195, 2003 Carryover, enabled cities and counties with under 100,000 in population to make public works projects more affordable. The State mandated a second universal energy fee which caused some municipalities to be charged twice if they had electric utilities. Senate Bill No. 126 provided for removal of the second charge. Nevada Revised Statute Nos. 268 and 482 enabled cities to create designated all-terrain vehicle routes by ordinance. Nevada Revised Statute No. 266 governed statutory cities and clarified language regarding the length of time from election to incorporation, and replacement of council members. Nevada Revised Statute No. 379 was proposed by the City of North Las Vegas and improved the ability of library districts to dispose of public property by swap, trade, sell or transfer. The City of North Las Vegas also proposed a bill to allow voter registration at a location other than the City Clerk's office. Smaller cities proposed legislation to adjust their election dates to coincide with County elections. Mr. Fraser thanked Council for their support.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**ORDINANCES
INTRODUCTION ONLY**

32. ORDINANCE NO. 2005; 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 ACRES

THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-61-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF WIDEWING DRIVE AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 4, 2004) (ASSOCIATED ITEM NO. 33, ORDINANCE NO. 2006, ZN-62-04)

Ordinance No. 2005 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 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-61-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF WIDEWING DRIVE AND ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR AUGUST 4, 2004

33. **ORDINANCE NO. 2006; 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 40 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-62-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED NORTH OF ELKHORN ROAD AND EAST OF WIDEWING DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 4, 2004) (ASSOCIATED ITEM NO. 32, ORDINANCE NO. 2005, ZN-61-04)**

Ordinance No. 2006 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 40 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-62-04,

ALIANTE), FOR PROPERTY GENERALLY LOCATED NORTH OF ELKHORN ROAD AND EAST OF WIDEWING DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR AUGUST 4, 2004

34. **ORDINANCE NO. 2007; 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 13.6 ACRES FROM C-1, NEIGHBORHOOD COMMERCIAL TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-48-04, CRAIG & KINGS HILL), FOR PROPERTY GENERALLY LOCATED EAST OF KINGS HILL ROAD APPROXIMATELY 260 FEET SOUTH OF CRAIG ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 4, 2004) (ASSOCIATED ITEM NO. 17, AMP-39-04)**

Ordinance No. 2007 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 13.6 ACRES FROM C-1, NEIGHBORHOOD COMMERCIAL TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-48-04, CRAIG & KINGS HILL), FOR PROPERTY GENERALLY LOCATED EAST OF KINGS HILL ROAD APPROXIMATELY 260 FEET SOUTH OF CRAIG ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR AUGUST 4, 2004

ORDINANCES
FINAL ACTION

35. **ORDINANCE NO. 1990; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, AMENDING ORDINANCE NO. 1731 BEING CHAPTER 2.44.020 OF THE NORTH LAS VEGAS MUNICIPAL CODE; CITY DOCUMENT INSPECTION AND REPRODUCTION FEE SCHEDULE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1990 as introduced by the City Manager:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, AMENDING ORDINANCE NO. 1731 BEING CHAPTER 2.44.020 OF THE NORTH LAS VEGAS MUNICIPAL CODE; CITY DOCUMENT INSPECTION AND REPRODUCTION FEE SCHEDULE; 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, Eliason and Buck

NAYS: None

ABSTAIN: None

39. ORDINANCE NO. 2002; 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 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-54-04, ALLEN MANOR II), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RANCH HOUSE ROAD AND FERRELL STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2002 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 15 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-54-04, ALLEN MANOR II), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RANCH HOUSE ROAD AND FERRELL STREET 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,
Eliason and Buck
NAYS: None
ABSTAIN: None

40. ORDINANCE NO. 2003; 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 4.07 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-56-04, SIMMONS-RED COACH PLAZA), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE GOWAN DRAINAGE CHANNEL AND SIMMONS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2003 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 4.07 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-56-04, SIMMONS-RED COACH PLAZA), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE GOWAN DRAINAGE CHANNEL AND SIMMONS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Jory Stewart stated Staff and the Planning Commission recommended approval of this application as it was consistent with the Comprehensive Plan for commercial zoning.

Mark Sabra, 2756 Green Valley Parkway, Henderson, represented the applicant. Mayor Montandon questioned why the applicant requested commercial as opposed to residential zoning, since residential properties had become more valuable. Mr. Sabra stated the owner had specific plans for the property and was aware of the difference in value. The parcels on the north and south were commercial and the applicant believed the property would be detrimentally impacted if it remained zoned for residential and was working on a contingency plan with the property owners to the north.

Councilman Buck received several phone calls from residents to the north of the subject property who were opposed to the project and she preferred to see this area remain

residential. Councilwoman Smith agreed with Councilman Buck and stated the parcel did not meet the minimum of ten acres required for C-1 Commercial.

Mr. Sabra stated the properties directly to the south and north were commercial and opined putting a residential property in the middle of two commercial parcels would condemn the property.

Councilman Buck recommended Mr. Sabra advise the applicants to contact their Council members to express their concerns in the future. Councilman Buck stated residential zoning for this site was appropriate due to the level of commercial being developed in the area to the north and the south.

Mr. Sabra requested the item be continued for one month to confer with Council and Staff. Councilman Buck added Council's recommendation was not for the property to remain Ranch Estates, but there were uses other than commercial zoning to consider.

ACTION: CONTINUED TO AUGUST 18, 2004

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Buck

ABSTAIN: None

41. ORDINANCE NO. 2004; 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 .44 ACRE THEREIN FROM C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-57-04, CORTONA), FOR PROPERTY LOCATED APPROXIMATELY 278 FEET WEST OF SIMMONS STREET AND APPROXIMATELY 375 FEET NORTH OF RANCH HOUSE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2004 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 .44 ACRE THEREIN FROM C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-

57-04, CORTONA), FOR PROPERTY LOCATED APPROXIMATELY 278 FEET WEST OF SIMMONS STREET AND APPROXIMATELY 375 FEET NORTH OF RANCH HOUSE ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Jory Stewart stated this parcel was part of a larger site which the applicant wanted to develop in several different land uses including single-family residential, multi-family residential, and commercial. This site was originally part of the commercial designation and the applicants requested a change to Single-Family Residential.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: Councilman Buck

ABSTAIN: None

42. ADOPTION OF THE BUSINESS IMPACT STATEMENT CONCERNING ORDINANCE NO. 2008 REGARDING THE REPEAL AND REPLACEMENT OF ORDINANCE NOS. 1175 AND 1349 OF THE NORTH LAS VEGAS MUNICIPAL CODE, CHAPTER 2.36 OF TITLE 2.

Public Works Director Jim Bell stated Staff worked with the Homebuilders Association to evaluate the impact of this ordinance including an independent review of fee comparisons.

ACTION: BUSINESS IMPACT STATEMENT ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

43. ORDINANCE NO. 2008; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO REPEAL ORDINANCE NOS. 1175 AND 1349, BEING CHAPTER 2.36, ENTITLED ADMINISTRATIVE FEES, OF TITLE 2

OF THE NORTH LAS VEGAS MUNICIPAL CODE, AND TO ADD A NEW CHAPTER 2.36 ENTITLED ADMINISTRATIVE FEES, TO TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Ordinance No. 2008 as introduced by the City Manager:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO REPEAL ORDINANCE NOS. 1175 AND 1349, BEING CHAPTER 2.36, ENTITLED ADMINISTRATIVE FEES, OF TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE, AND TO ADD A NEW CHAPTER 2.36 ENTITLED ADMINISTRATIVE FEES, TO TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

APPOINTMENTS

44. APPOINTMENT BY COUNCILWOMAN SMITH OF ONE MEMBER TO THE 15-MEMBER VISIONING COMMITTEE TO REPRESENT THE COMMUNITY'S INTEREST AND GENERATE THE COMMUNITY'S PARTICIPATION IN CREATING A 20-YEAR VISIONING PLAN FOR NORTH LAS VEGAS, FOR AN INDEFINITE TERM.

ACTION: MARLENE PALMATARY APPOINTED FOR AN INDEFINITE TERM.

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

45. APPOINTMENTS OF NORTH LAS VEGAS CITIZEN REPRESENTATIVE AND CITIZEN ALTERNATE TO CLARK COUNTY COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR ONE YEAR TERMS, EXPIRING SEPTEMBER 6, 2005.

ACTION: DEE NEWELL APPOINTED NORTH LAS VEGAS CITIZEN REPRESENTATIVE; DOLPHINE BURT APPOINTED CITIZEN ALTERNATE FOR ONE YEAR TERMS, EXPIRING SEPTEMBER 6, 2005.

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

46. APPOINTMENT OF ONE MEMBER TO THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT CITIZENS ADVISORY COMMITTEE FOR A TWO YEAR TERM ENDING AUGUST 1, 2006.

ACTION: KELLY WITTEW APPOINTED FOR A TWO-YEAR TERM ENDING AUGUST 1, 2006.

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

Mayor Montandon adjourned to the Closed Personnel Session at 7:34 P.M.

CLOSED PERSONNEL SESSION

47. NON-ACTION ITEM: CLOSED PERSONNEL SESSION REGARDING THE CITY ATTORNEY'S BI-ANNUAL PERFORMANCE EVALUATION.

ACTION: CLOSED PERSONNEL SESSION HELD

The meeting was reconvened at 8:00 P.M.

48. ACTION ITEM: ACTION PERTAINING TO THE CLOSED PERSONNEL SESSION REGARDING THE CITY ATTORNEY'S BI-ANNUAL PERFORMANCE EVALUATION. (CNLV CONTRACT NO. C-4565)

Mayor Montandon commented the Council had reviewed City Attorney Sean McGowan's performance and were pleased with his and his staff's performance.

ACTION: APPROVED AMENDMENT TO EMPLOYMENT CONTRACT TO CHANGE SALARY STRUCTURE TO REDUCE SEVERANCE TO FOUR MONTHS; SALARY INCREASE OF \$5,000 EFFECTIVE AUGUST 1, 2004 AND \$4,500 EFFECTIVE JANUARY 1, 2005, AND CONSUMER PRICE INDEX ADJUSTMENTS THEREAFTER

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Smith directed Staff to review ordinances and maps concerning houses that face streets within developments, as the potential for zoning changes existed for vacant lots located across the street from them. City Manager Gregory Rose responded it was the City's intention to discourage homes facing major streets that were 60 or more feet wide. Mayor Montandon requested a study session be held.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

Dorothy R. Barnes, General Delivery, Las Vegas, spoke of civil rights violations and stated she had also reported allegations of discrimination to the Police Department and

Federal Bureau of Investigation. Councilwoman Smith requested Ms. Barnes provide her with additional information in an attempt to assist her.

William Parker, 2208 Matheson Street, North Las Vegas, stated debris had accumulated in his neighborhood and requested assistance in moving cars when streets were swept. Public Works Director Jim Bell responded streets were swept every two weeks. City Manager Gregory Rose requested assistance from residents of the neighborhood who could coordinate scheduling in an effort to bring the streets to standard.

City Manager Rose recommended Code Enforcement be contacted to assist in the removal of abandoned vehicles and furniture.

Mr. Parker also requested assistance as empty garbage cans were placed in driveways by Republic Services after trash was removed and Mayor Montandon stated Staff would contact them regarding this issue.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:15 P.M.

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

APPROVED: OCTOBER 20, 2004

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

Attest:

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