

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

March 16, 2005

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:04 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 via Conference Call  
Councilwoman Stephanie S. Smith  
Councilman Shari Buck  
Councilman Robert L. Eliason

**STAFF PRESENT**

City Manager Gregory Rose	Parks & Recreation Director Mike Henley
Assistant City Manager Dan Tarwater	Planning and Development Director Jory Stewart
City Attorney Sean McGowan	Police Chief Mark Paresi
City Clerk Karen Storms	Public Works Director Jim Bell
Finance Director Phil Stoeckinger	Strategic Planning Director Eric Dabney
Fire Chief Al Gillespie	Utilities Director David Bereskin
Acting Human Resources Director Marqueta Welton	Deputy City Clerk Anita Sheldon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

Mayor Montandon welcomed former North Las Vegas Mayor William Taylor.

**INVOCATION**

Pastor Fouston Jordan, Sr.  
Rivers of Living Waters Ministries

**PLEDGE OF ALLEGIANCE**

Alex Cleveland  
Troop 356

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 16, 2005.**

ACTION: APPROVED AS AMENDED; ITEM NO. 38 CONTINUED TO APRIL 6, 2005

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**7. APPROVAL OF CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH REAL HOMES, A DIVISION OF CENTEX HOMES, TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION STREET NAME SIGNS AND TRAFFIC SIGNALS AT BELTWAY EB AND LAMB BOULEVARD IN THE AMOUNT OF 1.2% OF THE TOTAL COST OR \$8,674, BELTWAY WB AND LAMB BOULEVARD IN THE AMOUNT OF 2.4% OF THE TOTAL COST OR \$17,347, BELTWAY EB AND PECOS ROAD IN THE AMOUNT OF 1.1% OF THE TOTAL COST OR \$7,951, BELTWAY WB AND PECOS ROAD IN THE AMOUNT OF 2.2% OF THE TOTAL COST OR \$15,902, CENTENNIAL PARKWAY AND LAMB**

**BOULEVARD IN THE AMOUNT OF 1.1% OF THE TOTAL COST OR \$7,951, CENTENNIAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 2.6% OF THE TOTAL COST OR \$13,828, TROPICAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 4.3% OF THE TOTAL COST OR \$19,586, CENTENNIAL PARKWAY AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 8.9% OF THE TOTAL COST OR \$10,680, TROPICAL PARKWAY AND PECOS ROAD-NORTH LEG/DUAL LEFT IN THE AMOUNT OF 9.5% OF THE TOTAL COST OR \$11,400, TROPICAL PARKWAY AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 4.5% OF THE TOTAL COST OR \$5,400, AND BELTWAY EB AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 8.9% OF THE TOTAL COST OR \$10,680 FOR THE RUNVEE HOBART, 4B RESIDENTIAL SUBDIVISION LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND PECOS ROAD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

8. **APPROVAL OF CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH REAL HOMES, A DIVISION OF CENTEX HOMES, TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT BELTWAY EB AND LAMB BOULEVARD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$7,228, BELTWAY WB AND LAMB BOULEVARD IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$10,842, BELTWAY EB AND PECOS ROAD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$7,228, BELTWAY WB AND PECOS ROAD IN THE AMOUNT OF 1.3% OF THE TOTAL COST OR \$9,397, CENTENNIAL PARKWAY AND LAMB BOULEVARD IN THE AMOUNT OF 1.0% OR \$7,228, CENTENNIAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 1.5% OR \$7,978, TROPICAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 2.6% OF THE TOTAL COST OR \$11,843, CENTENNIAL PARKWAY AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 5.2% OF THE TOTAL COST OR \$6,240, TROPICAL PARKWAY AND PECOS ROAD - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 5.8% OR \$6,960, TROPICAL PARKWAY AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 2.6% OR \$3,120, AND BELTWAY**

**EB AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 5.2% OF THE TOTAL COST OR \$6,240 FOR THE RUNVEE HOBART, 4A RESIDENTIAL SUBDIVISION, LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND PECOS ROAD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

9. **APPROVAL OF CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH REAL HOMES, A DIVISION OF CENTEX HOMES, TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT BELTWAY EB AND LAMB BOULEVARD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$7,228, BELTWAY WB AND LAMB BOULEVARD IN THE AMOUNT OF 1.9% OF THE TOTAL COST OR \$13,733, BELTWAY EB AND PECOS ROAD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$7,228, BELTWAY WB AND PECOS ROAD IN THE AMOUNT OF 1.8% OF THE TOTAL COST OR \$13,011, CENTENNIAL PARKWAY AND LAMB BOULEVARD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$7,228, CENTENNIAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 2.1% OF THE TOTAL COST OR \$11,169, TROPICAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF 3.5% OF THE TOTAL COST OR \$15,942, CENTENNIAL PARKWAY AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 7.1% OF THE TOTAL COST OR \$8,520, TROPICAL PARKWAY AND PECOS ROAD - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 7.7% OF THE TOTAL COST OR \$9,240, TROPICAL PARKWAY AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 2.6% OF THE TOTAL COST OR \$4,320, AND BELTWAY EB AND PECOS ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 7.1% OF THE TOTAL COST OR \$8,520 FOR THE RUNVEE HOBART, 1D RESIDENTIAL SUBDIVISION LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND PECOS ROAD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

10. APPROVAL OF CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH KB HOME, TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT TROPICAL PARKWAY AND NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF \$16,140.85, CENTENNIAL PARKWAY AND NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF \$13,926.11, TROPICAL PARKWAY AND COMMERCE STREET IN THE AMOUNT OF \$36,249.67, CENTENNIAL PARKWAY AND COMMERCE STREET IN THE AMOUNT OF \$10,402.87, BELTWAY - EB AND NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF \$6,449.20, BELTWAY - WB AND NORTH 5<sup>TH</sup> STREET IN THE AMOUNT OF \$9,664.86, AND BELTWAY - EB AND REVERE STREET IN THE AMOUNT OF \$5,224.66 FOR VILLAGES AT SIERRA RANCH, VILLAGES 1, 2, AND 4, BOUNDED BY AZURE AVENUE, EL CAMPO GRANDE AVENUE, NORTH 5<sup>TH</sup> STREET, AND COMMERCE STREET.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

11. APPROVAL OF CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH M-3 DEVELOPMENT AND CONSTRUCTION, INC. TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LAKE MEAD BOULEVARD AND PECOS ROAD IN THE AMOUNT OF 1.8% OF THE TOTAL COST OR \$1,619, LAKE MEAD BOULEVARD AND BELMONT STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$900, CAREY AVENUE AND PECOS ROAD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$900 FOR THE FAMILY DOLLAR STORE COMPLEX, LOCATED ON THE SOUTH SIDE OF LAKE MEAD BOULEVARD, WEST OF PECOS ROAD.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

12. **APPROVAL OF CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH THE PACIFIC HOLT CORPORATION TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD AND ALLEN LANE IN THE AMOUNT OF 0.8% OF THE TOTAL COST OR \$3,374 FOR THE QUAIL RUN ESTATES PROJECT, LOCATED BETWEEN ALLEN LANE AND WILLIS STREET, NORTH OF LA MADRE WAY.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

13. **APPROVAL OF CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH ADAMS TILE AND PLASTER LAS VEGAS, INC. TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND WALNUT ROAD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$1,200 FOR THE ADAMS TILE AND PLASTER COMMERCIAL PROJECT, LOCATED APPROXIMATELY 200 FEET NORTH OF CRAIG ROAD ON THE WEST SIDE OF WALNUT ROAD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

14. **AMP-107-04 (CENTENNIAL ESTATES); AN APPLICATION SUBMITTED BY R. L. HOMES, LLC ON BEHALF OF DARK, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO HDR, HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND CENTENNIAL PARKWAY. (SET PUBLIC HEARING FOR APRIL 6, 2005) (ASSOCIATED ITEM NO. 35, ORDINANCE NO. 2119, ZN-124-04)**

ACTION: PUBLIC HEARING SET FOR APRIL 6, 2005  
MOTION: Councilman Eliason  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

15. **VAC-02-05 (RIVERWALK RANCH HIGH NOON); AN APPLICATION SUBMITTED BY D. R. HORTON, ON BEHALF OF THE LEAVITT C. FAMILY TRUST, JJMSLP AND D. R. HORTON, PROPERTY OWNERS, TO VACATE RICE AVENUE BETWEEN MONTGOMERY BOULEVARD AND SAN MATEO STREET; TO VACATE SAN MATEO STREET COMMENCING AT RANCH HOUSE ROAD AND PROCEEDING SOUTH APPROXIMATELY 466 FEET AND TO VACATE A PORTION OF SAN MATEO STREET APPROXIMATELY 300 FEET NORTH OF TROPICAL PARKWAY. (SET PUBLIC HEARING FOR APRIL 20, 2005)**

ACTION: PUBLIC HEARING SET FOR APRIL 20, 2005  
MOTION: Councilman Eliason  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

16. **VAC-04-05 (ALIANTE COMMONS); AN APPLICATION SUBMITTED BY LOCHSA ENGINEERING ON BEHALF OF ALIANTE COMMONS, LLC, PROPERTY OWNERS, TO VACATE APPROXIMATELY 10 FEET OF THE WESTERLY RIGHT-OF-WAY OF ALLEN LANE COMMENCING APPROXIMATELY 256 FEET NORTH OF ANN ROAD AND PROCEEDING NORTH 410 FEET. (SET PUBLIC HEARING FOR APRIL 20, 2005)**

ACTION: PUBLIC HEARING SET FOR APRIL 20, 2005  
MOTION: Councilman Eliason  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

## **BUSINESS**

**17. APPROVAL TO AMEND THE 2004 - 2005 STAFFING PATTERN AS FOLLOWS:  
(ALL STAFFING PATTERN CHANGES WILL BE PROCESSED WHEN ADMINISTRATIVELY  
FEASIBLE)**

### **PUBLIC WORKS**

Transfer from Traffic Division to Administration:

One (1) Transportation Planner TA25  
One (1) City Traffic Engineer TA25  
One (1) Management Analyst TA20  
One (1) Engineering Associate TA21  
One (1) Engineering Technician III TNS 18

Title change and change of bargaining unit and transfer from Construction Services Division to Engineering Division-Construction Management:

One (1) Senior Construction Project Inspector TS21 to One (1) Off-Site Construction Inspector TNS21

Transfer from Construction Services Division to Engineering Division-Construction Management:

Two (2) Offsite Construction Inspector TNS21

### **POLICE DEPARTMENT**

#### **Detention/Corrections Division**

Title change and change of bargaining unit:

One (1) Corrections Systems Coordinator TA18 to Systems Coordinator TNS18  
Delete One (1) Detention Training Manager TA21  
Add One (1) Training Coordinator TNS18  
Upgrade One (1) Training Coordinator TNS16 to Training Coordinator TNS18

#### **Northwest Command Division**

Title change only:

One (1) Crime Analyst TNS19 to GIS Analyst TNS 19

### **UTILITIES**

#### **Business Services**

Upgrade one (1) Manager, Business Services APT24 to APT25

Utilities Operations

Reclassify one (1) Utilities Field Service Technician TNS17 (vacant position) to Pretreatment Inspector 1-Pretreatment Inspector II TNS16 - TNS18

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

City Manager Rose requested Item 18 under Business be heard after the Public Hearings.

19. **APPROVAL TO RELOCATE THE ANIMAL CONTROL DIVISION OF THE POLICE DEPARTMENT TO THE LIED ANIMAL SHELTER EFFECTIVE APRIL 4, 2005 PER THE CONTRACT RATIFIED BY CITY COUNCIL MAY 19, 2004 AND TO AUGMENT THE POLICE DEPARTMENT'S FY 04-05 BUDGET BY \$62,500 FOR THE INCREASE IN FACILITY LEASE COST BY \$10,000 PER MONTH FOR APRIL, MAY AND JUNE, 2005 AND ONE TIME RELOCATION EXPENSES; \$10,000 NETWORK CONNECTIVITY, \$10,000 SOFTWARE INTERFACE WITH BUSINESS LICENSE AND \$12,500 FOR TELEPHONE SYSTEM AND OFFICE EQUIPMENT.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

20. **APPROVAL OF A REQUEST FOR AN ADDITIONAL THREE MONTH EXTENSION OF NON-OPERATIONAL STATUS, TO EXPIRE JUNE 30, 2005, FOR THE SPEEDWAY BAR AND GRILL, LOCATED AT 4224 NORTH PECOS ROAD, NORTH LAS VEGAS.**

ACTION: APPROVED  
MOTION: Councilman Buck  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**21. APPROVAL OF PAYMENT OF THE ORACLE LICENSE CONVERSION FEES, MAINTENANCE AND SUPPORT TO LASALLE BANK, IN THE AMOUNT OF \$150,401.99; \$80,466.07 LICENSE CONVERSION FEES AND \$69,935.81 MAINTENANCE AND SUPPORT, FOR THE PERIOD MARCH 1, 2005 THROUGH FEBRUARY 28, 2006.**

ACTION: APPROVED  
MOTION: Councilman Eliason  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**22. APPROVAL OF A LAND LEASE AGREEMENT WITH MOUNTAIN UNION TELECOM, LLC, TO CONSTRUCT A CELL FACILITY AT THE CHEYENNE SPORTS COMPLEX LOCATED AT CHEYENNE AVENUE AND PECOS ROAD, FOR A FIVE YEAR TERM WITH FOUR OPTIONAL TERMS OF FIVE YEARS EACH, AND AN ANNUAL INCOME OF \$12,000, WITH A TWO PERCENT INCREASE PER YEAR; ADDITIONAL CARRIERS ALLOWED ON THE FACILITY WILL INCREASE THE RENT BY AN ADDITIONAL \$150 PER MONTH, WITH THE SAME ANNUAL TWO PERCENT INCREASE. (CNLV CONTRACT NO. C-5912)**

Councilman Eliason suggested Staff consider including lighting poles as part of the cell towers and eliminating the stand-alone cell tower poles when designing future parks.

ACTION: APPROVED  
MOTION: Councilman Eliason  
SECOND: Councilwoman Smith  
AYES: Mayor Montandon, Council Members Smith, Buck and Eliason  
NAYS: None  
ABSTAIN: None

**23. APPROVAL OF A PRESENTATION ON THE PRELIMINARY DESIGN CONCEPT FOR THE CIVIC CENTER DRIVE MEDIAN XERISCAPE PROJECT, BETWEEN LAKE MEAD BOULEVARD AND LAS VEGAS BOULEVARD AND DIRECTION TO STAFF TO PROCEED WITH FINAL DESIGN.**

Public Works Director Jim Bell introduced Senior Engineer Bill Knight who stated a Project Team was created consisting of representatives of the Public Works, Planning and Development and Parks & Recreation Departments, along with the design consultant, Poggemeyer Design Group. Mr. Knight presented the proposed concept developed by the Project Team to replace the turf in the Civic Center median islands in front of the City Hall Campus between Lake Mead and Las Vegas Boulevards. He stated the plan was to replace the existing turf with tiered planters which would contain drought-tolerant landscaping consisting of trees, shrubs and ground cover. The existing olive trees would also be included in the planters, as well as halogen landscape lighting. Staff also proposed to replace existing street light conduit and add electrical outlets in the medians for possible holiday lighting in the future. The project would replace approximately 52,000 square feet of turf with xeriscaping which would reduce annual water consumption by approximately 1,000,000 gallons. As a result, the City would be eligible for a \$50,000 rebate from the Southern Nevada Water Authority. Mr. Knight also advised the consultant was requested to propose a design for the area directly in front of City Hall which would coordinate the landscaping with anticipated future traffic safety and roadway improvements. The project budget was \$1,000,000 and the entire amount would be consumed for the project. If approved, construction would commence November of 2005; completion was anticipated by the end of January 2006.

Mayor Montandon asked Mr. Knight to explain the reason the olive trees were being retained. Mr. Knight responded, at the outset of the project, Staff was directed to include the existing olive trees in the planters. In response to a question from Mayor Montandon, Mr. Knight explained the existing olive trees would be dug up and transplanted. Councilman Eliason expressed his concerns about the cost of relocating the olive trees. Mr. Knight stated if Council directed Staff to do so, the olive trees would be eliminated from the project. Councilman Buck asked Mr. Knight how many olive trees were present and he responded there were approximately 12-15.

**John Jones, Poggemeyer Design Group, 2601 North Tenaya Way, Las Vegas,** advised there would be no cost to relocate the olive trees. The plan was for the concrete wall around the trees to be demolished and rebuilt around them for an expanded root zone.

Councilman Eliason expressed his desire for palm trees to be planted in the median. Councilwoman Smith asked if it were possible to add palm trees at a later date. Mr. Jones responded the current plan would utilize all the existing space in the medians. However, sometime in the future, the olive trees could be removed and replaced with palm trees.

ACTION: APPROVED; STAFF DIRECTED TO PROCEED WITH FINAL DESIGN  
MOTION: Councilwoman Smith  
SECOND: Councilman Buck  
AYES: Mayor Montandon, Council Members Smith and Buck  
NAYS: Councilman Eliason  
ABSTAIN: None

**PUBLIC HEARINGS - 6:15 P.M.**

Mayor Pro Tempore Robinson joined the meeting via telephone at 6:25 P.M.

2. **AMP-108-04 (CAMINO AL NORTE/RANCHO DEL NORTE); AN APPLICATION SUBMITTED BY CAMINO AL NORTE PROPERTIES, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL TO MHDR MEDIUM-HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED EAST OF CAMINO AL NORTE APPROXIMATELY 110 FEET SOUTH OF RANCHO DEL NORTE DRIVE. (ASSOCIATED ITEM NO. 37, ORDINANCE NO. 2121, ZN-127-04)**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart stated this was a 13.7 acre site on which the applicant planned to develop 146 town homes at a density of 11.6 dwelling units per acre. The Planning Commission unanimously recommended approval.

**Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas**, appeared on behalf of the applicant and stated the property had previously been marked for commercial development but was found to be inappropriate for business purposes. He stated there were typographical errors in the ordinance associated with this item which needed to be corrected in items 3, 6, 13 and 15. All those references needed to be corrected to read Camino Al Norte, rather than Centennial or other streets that were not applicable. Mr. Curran requested Council approval and offered to respond to questions.

Councilman Buck inquired as to whether a traffic light would be installed at La Madre for access in and out of the proposed development. **Neil Dexter (not further identified)** stated there was no indication the City desired a signal at La Madre. Councilman Buck expressed her concern it would be hazardous for traffic coming out of the development at La Madre attempting to make a left-hand turn without a signal light. Director Stewart responded Staff would consider a final development plan as part of the Planned Unit Development (PUD) review at which time Public Works would review the ingress and egress as part of the traffic study. She stated the zoning was on the agenda for

introduction and would be discussed at the Council meeting on April 6, 2005.  
Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**3. AMP-02-05 (LONE MOUNTAIN & SIMMONS); AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF THE LIED FOUNDATION TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL TO MHDR MEDIUM-HIGH DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED EAST OF SIMMONS STREET AND APPROXIMATELY 370 FEET NORTH OF LONE MOUNTAIN ROAD. (ASSOCIATED ITEM NO. 39, ORDINANCE NO. 2106, ZN-03-05)**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart stated the applicant requested Medium High Density Residential on this parcel. The Planning Commission recommended approval of Medium Density Residential. The applicant proposed a residential development on the site with a detached product.

**Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas,** stated he and **George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson,** represented the applicant and stated the Planning Commission recommended the reduction from Medium High Density Residential to Medium Density Residential. Mr. Gronauer stated the applicant agreed to the change and he and Mr. Garcia offered to respond to questions.

Councilwoman Smith inquired about the remaining commercial parcel adjacent to the property in question. Mr. Gronauer responded the property was zoned for commercial use and he did not have authority to do anything to change it. Mr. Garcia stated the details of the property could possibly be addressed when they came back with the PUD for the residential. Mayor Pro Tempore Robinson expressed concern about a bar being built on the commercial parcel. Mr. Gronauer responded the property would be subject to a Special Use Permit and certain restrictions would be imposed. Mayor Pro Tempore Robinson

wanted to know if the City would have any control over what was built on the property if it were designated commercial. City Attorney Sean McGowan responded the property was already zoned for commercial so the issue would be what type of commercial would be built on the property. He stated the property in question was addressed in Item No. 39 and suggested both items be considered at the same time but Mayor Montandon stated the items should be discussed separately.

Councilman Eliason expressed his concerns about the adjacent commercial parcel and other commercial corners.

Mayor Montandon stated the proposal was for a project that could only be permitted as part of a larger 80-acre PUD. He was concerned as to whether or not this property could be zoned as part of a larger PUD and if it were approved for Medium Density and it was not applicable to the small lot ordinance, the only option would be for duplexes or attached product. Mayor Montandon asked if this issue had been discussed with the City Attorney's office. City Attorney McGowan replied this issue had not been brought to his department for discussion nor had it been resolved.

Mr. Garcia stated the intention of the applicant was to submit an application for the small lot PUD to assure the residents they would be going forward with the project.

Councilman Buck stated she was in favor of the project and wanted assurance that Staff would do everything possible to make it happen. She read an e-mail she received from a resident stating, although an agreement was made between developers and residents for single-family homes on small lots at Lone Mountain and Simmons, Staff had determined such a compromise would not be accepted by the City. Councilman Buck reiterated only the City Council could make those types of determinations and expressed her desire to do whatever was necessary to quickly resolve the issue.

**Monique Krystek, 5049 Cayman Beach Street, North Las Vegas,** expressed her concern that City services and resources were being diminished by overpopulation. She asked Council to consider the lowest density possible.

**Eric Young, 2531 Parasail Point Avenue, North Las Vegas,** thanked Council for their availability and accessibility to the residents. He stated he was opposed to multi-family structures being built in single-family complexes. Mr. Young presented a site plan given to the homeowners who attended the first meeting with the developers. He stated the plan was unacceptable in that it had no ingress and egress and the setbacks were not appropriate. Mr. Young requested a continuation of Item No. 3 and Item No. 39.

Councilman Eliason explained to Mr. Young the City was involved in updating the Comprehensive Plan and included in the update was discussion of an in-fill ordinance to address this type of issue. He encouraged citizens to become involved in the Comprehensive Plan update as the Public Hearings were scheduled.

**Michael Mallett, 5138 Marshall Island Court, North Las Vegas,** spoke in opposition to AMP-02-05.

**Charla Mallett, 5138 Marshall Island Court, North Las Vegas,** spoke in opposition to High Density and Medium High Density zoning. She questioned why the homes had to be built on small lots.

**Mary Savage, 2604 Bahama Point Avenue, North Las Vegas,** stated she could live with Medium High Density with 8-10 single-family homes or if the property were zoned all Commercial but was opposed to a mixture of Residential and Commercial.

Mayor Montandon stated there had been numerous meetings with homeowners and Council was aware the homeowners were not opposed to detached single-family homes on a density of less than eight units per acre. He stated the proposal was a two-part proposal, an Amendment to the Master Plan and PUD zoning that would go along with it. City Attorney Sean McGowan stated there was a debate as to whether this was an amendment or a new application. Mayor Montandon asked what the options would be if Council were to approve an Amendment to the Master Plan for Medium Density Residential for this project and detached single-family homes were required to be built on the site. Planning and Development Director Jory Stewart responded Staff had no authority to deny anything but could only evaluate a proposal as to compliance to the ordinance. She advised the ordinance pertaining to lots smaller than 4500 square feet was related to the small lot ordinance. Staff's responsibility was to evaluate developments with respect to the criteria established in the small lot ordinance. Director Stewart stated there were some issues with the small lot ordinance which would prevent this proposal as a detached product from being approved. The small lot ordinance required a gross acreage of 80 acres which raised a question as to whether an amendment to the existing PUD should be pursued and what the process would be. The second avenue would be to rescind the PUD vis-a-vis an Amendment to the Master Plan and zone to hard which would permit the density requested.

In addition to the 80-acre requirement, Director Stewart advised the applicant was not in compliance with other criteria outlined in the small lot ordinance. The density stipulated in the small lot ordinance was approximately 5.8 developed units per acre. A memo from Mr. Gronauer showed parcels at a density of approximately six developed units per acre or more. Council had directed Staff not to exceed a 30% maximum of 2700 square feet; the applicant exceeded that percentage. The landscape parkways were not included in the small lot subdivision nor was there any landscaping in the alley ways. Director Stewart emphasized it was Staff's responsibility to evaluate the proposed project for ordinance compliance which led to the determination this project would not be acceptable. She stated it was Staff's desire to assist the community and the developer in attaining their goal for detached single-family homes on the property.

ACTION: CONTINUED TO APRIL 6, 2005  
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

Councilwoman Smith commended Planning and Development Director Jory Stewart on her explanation of the issues and problems associated with the item and recommended an amendment to the existing PUD.

**39. ORDINANCE NO. 2106; 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 2.73 ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-03-05, LONE MOUNTAIN & SIMMONS), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND LONE MOUNTAIN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, AMP-02-05)**

Ordinance No. 2106 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 2.73 ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-03-05, LONE MOUNTAIN & SIMMONS), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND LONE MOUNTAIN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: CONTINUED TO APRIL 6, 2005  
MOTION: Mayor Pro Tempore Robinson  
SECOND: Mayor Montandon  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,  
Buck and Eliason  
NAYS: None

ABSTAIN: None

Mayor Pro Tempore Robinson terminated the teleconference at 7:12 P.M.

Former City of North Las Vegas Mayor William Taylor thanked Council for allowing him to speak.

4. **AMP-06-05 (NWC ALLEN LANE & LAKE MEAD BLVD.); AN APPLICATION SUBMITTED BY AMERICAN LAND HOLDINGS, LLC, ET AL, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE ALLEN LANE COMMENCING AT LAKE MEAD BOULEVARD AND PROCEEDING NORTH APPROXIMATELY 1,200 FEET; TO DELETE AN UNNAMED STREET COMMENCING AT ALLEN LANE AND PROCEEDING WEST APPROXIMATELY 1,390 FEET; AND TO DELETE WILLIS STREET COMMENCING AT AN UNNAMED STREET AND PROCEEDING NORTH APPROXIMATELY 500 FEET TO CAREY AVENUE.**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart explained this amendment was due to the Wal-Mart Super Center proposed for the site and the roadway was determined to be unnecessary for on-site traffic circulation. Staff and the Planning Commission recommended approval.

**John Field, Kummer, Kaempfer, Bonner, Renshaw, 3800 Howard Hughes Parkway, Las Vegas,** offered to answer any questions.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

5. **VAC-01-05 (RIVERWALK RANCH MANOR/ESTATES); AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, TO VACATE THE WESTERLY RIGHT-OF-WAY OF SAN MATEO STREET BETWEEN TROPICAL PARKWAY AND EL CAMPO GRANDE AVENUE; TO VACATE MONTGOMERY**

**STREET BETWEEN TROPICAL PARKWAY AND EL CAMPO GRANDE AVENUE;  
TO VACATE CORBETT AVENUE BETWEEN DECATUR BOULEVARD AND SAN  
MATEO STREET; AND TO VACATE THE SOUTHERLY RIGHT-OF-WAY OF  
TROPICAL PARKWAY COMMENCING AT SAN MATEO STREET AND  
PROCEEDING WEST APPROXIMATELY 460 FEET.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell presented a map which showed the realignment of Centennial and Tropical.

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: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

6. **VAC-40-04 (STORAGE WEST - CENTENNIAL); AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF C. ANN AND ROBERT MUELLER AND SIEMPRE, LLC, PROPERTY OWNERS, TO VACATE HOPE STREET BETWEEN CENTENNIAL PARKWAY AND REGENA AVENUE.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated the roadway in question was a portion of Hope Street that was not a constructed roadway and not on the Master Plan of Streets and Highways.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**BUSINESS (CONT'D)**

**18. APPROVAL OF THE LEGISLATIVE UPDATES ON THE 2005 NEVADA STATE LEGISLATURE AND DIRECTION TO THE CITY MANAGER ON HOW TO PROCEED WITH BILLS PROPOSED IN THE STATE LEGISLATURE.**

Special Projects Analyst Kimberly McDonald, City Lobbyist, provided an update on the four bills the City submitted to the Legislature:

Assembly Bill 144 addressed the Consolidated Tax Distribution Formula and was presented on February 24, 2005, by Mayor Montandon, City Manager Gregory Rose, Finance Director Phil Stoeckinger and the City's contract lobbyist.

Bill Draft Request S514, City Charter Change Flexibility for Ordinances, was still being drafted in the Legislative Counsel Bureau.

Assembly Bill 11 addressed the red light traffic cameras and was transferred from Transportation on the Assembly side to the Assembly Judiciary. Ms. McDonald stated the Chairman advised he would schedule a hearing on the bill if eight committee members could be assembled to hear the bill. She was able to secure five members and was still attempting to finalize this committee. Ms. McDonald stated the Senate Transportation and Homeland Security Committees produced a Bill Draft Request in the Senate for this bill. The last item was Bill Draft Request 516 which would decrease the time restriction in the police evidence vault. This BDR was being drafted in the Legislative Counsel Bureau at the time.

Ms. McDonald advised there were two bills being sponsored by the Nevada League of Cities: Assembly Bill 22 would authorize the Library District to swap, sell or transfer donated land and had already passed out of the Assembly. Assembly Bill 89 would allow an alternate municipal facility for voter registration and City Clerk Karen Storms provided an in-depth presentation to the Legislature in favor of the bill on March 8, 2005.

Ms. McDonald provided an overview of other bills that were being considered by the Legislature: Senate Bill 48 provided for an expansion of the City Council which would increase the City from four to six wards. Assembly Bill 197, sponsored by Assemblyman Kelvin Atkinson, proposed a Council member would have to be elected by the ward he or she represented. The hearing for AB 197 was scheduled for March 24, 2005.

In regard to the property tax issue, Ms. McDonald stated the Legislature proposed three different Bill Draft Requests (BDR's). BDR 840, proposed by Senator Dina Titus and Senator Joe Heck, would freeze the assessed values in 2005 for the first year and place

a temporary cap in the second year based on the Consumer Price Index. As a safety measure, the local government would be able to raise the ad valorem tax rate, if necessary. Bill Draft Request 1152 was a staff-generated formula designed to perform similar to a rate reduction that dealt with County-wide growth and would limit or cap the revenues from the ad valorem tax on properties in approximately 300 tax districts. BDR 1385 would provide a fixed cap on assessed values.

Ms. McDonald made a slide presentation on several other bills that would have an effect on the City of North Las Vegas.

Finance Director Phil Stoeckinger explained the composition of Assembly Bill 144 which addressed the Consolidated Tax Distribution Formula and provided a slide demonstration on the effects it had on Valley governments. He stated the City of North Las Vegas experienced a loss of approximately \$62 million since the inception of the Formula six years ago.

Director Stoeckinger also made a slide presentation on the property tax issue. He said property taxes and consolidated taxes were intertwined in that since North Las Vegas had not received a larger portion of the consolidated tax, the citizens of North Las Vegas paid higher property taxes than any other city in the Valley. He stated, based on preliminary data received from Clark County, property values in North Las Vegas would increase by more than 28% in the upcoming year. Based on the proposals presented to the Legislature, if a tax freeze were to occur on a County-wide basis, the City of North Las Vegas property tax would generate approximately a 3% increase in property tax revenues. If a 6% tax cap were adopted, the City would realize approximately a 7.5% increase in property tax revenues.

Director Stoeckinger explained the significantly higher tax structure borne by North Las Vegas residents was due to a significant increase in the price of land over the past few years. He stated the combined tax rate for North Las Vegas was \$1.20 which was more than any other city in the Valley. The higher ratio of residential to commercial zoning than any other city and the increase in population were all contributing factors to the higher tax rate.

City Manager Gregory Rose advised there were several issues to be considered by Council. He asked for direction to Staff on how to proceed with the Legislative issues and whether the platform previously adopted by the City Council as a guide should be utilized.

Councilwoman Smith commended Staff on their presentations and requested a copy of the slides used for the presentations.

**ACTION: STAFF DIRECTED TO MOVE FORWARD**

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

Mayor Montandon requested that each Council member be provided a copy of the Power Point presentation, as well as a copy of the electronic version.

24. **APPROVAL OF AN ADMINISTRATIVE SETTLEMENT FOR RIGHT-OF- WAY ACQUISITION FROM N.G.A. #2, LLC FOR THE CITY TO CONSTRUCT TWO CHANNEL CROSSINGS IN LIEU OF COMPENSATION FOR APN 124-23-101-001, IN THE APPROXIMATE AMOUNT OF \$189,000, FOR THE UPPER LAS VEGAS WASH CHANNEL PROJECT, AND AUTHORIZATION FOR THE CITY'S MANAGER OF REAL PROPERTY SERVICES TO NEGOTIATE AN AGREEMENT WITH THE N.G.A. #2 LLC, TO CONCLUDE NEGOTIATIONS WITH THE PROPERTY OWNERS.**

ACTION: APPROVED

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

25. **APPROVAL OF CONDEMNATION OF TEMPORARY CONSTRUCTION EASEMENTS FOR THE CLAYTON STREET WIDENING PROJECT, LONE MOUNTAIN ROAD TO CRAIG ROAD, MARILYN ROBINSON AND MARY KAY ROBINSON LIVING TRUST, APN 139-04-201-007 AND 139-04-101-001, AND AUTHORIZATION FOR THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN THE CLARK COUNTY DISTRICT COURT.**

ACTION: APPROVED

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

**26. RESOLUTION NO. 2298; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA REGARDING POLICIES AND PROCEDURES ON BUSINESS EXPENSE REPORTING AND REIMBURSEMENTS AND BUSINESS TRAVEL FOR ELECTED OFFICIALS AND EMPLOYEES OF THE CITY OF NORTH LAS VEGAS IN CARRYING ON THE NECESSARY AND LEGITIMATE BUSINESS OF SAID CITY; REPEALING RESOLUTION NO. 2189.**

Resolution No. 2298 as introduced by the City Manager:

A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA REGARDING POLICIES AND PROCEDURES ON BUSINESS EXPENSE REPORTING AND REIMBURSEMENTS AND BUSINESS TRAVEL FOR ELECTED OFFICIALS AND EMPLOYEES OF THE CITY OF NORTH LAS VEGAS IN CARRYING ON THE NECESSARY AND LEGITIMATE BUSINESS OF SAID CITY; REPEALING RESOLUTION NO. 2189.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**27. RESOLUTION NO. 2303; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, AUTHORIZING THE ASSIGNMENT OF ANNEXATION NO. 117 ACREAGE TO PARK DISTRICT IV.**

Resolution No. 2303 as introduced by the City Manager:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, AUTHORIZING THE ASSIGNMENT OF ANNEXATION NO. 117 ACREAGE TO PARK DISTRICT IV.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**28. RESOLUTION NO. 2308; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA TO AFFIRM PETTY CASH ACCOUNTS AND TO REPEAL RESOLUTION NO. 2300.**

Resolution No. 2308 as introduced by the City Manager:

A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA  
TO AFFIRM PETTY CASH ACCOUNTS AND TO REPEAL  
RESOLUTION NO. 2300.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**29. RESOLUTION NO. 2310; A RESOLUTION APPROVING A PROJECT FOR GOODWILL INDUSTRIES OF SOUTHERN NEVADA, INC. TO BE LOCATED IN THE CITY OF NORTH LAS VEGAS AND THE ISSUANCE BY THE CITY OF LAS VEGAS OF ECONOMIC DEVELOPMENT REVENUE BONDS TO FINANCE SUCH PROJECT.**

Resolution No. 2310 as introduced by the City Manager:

A RESOLUTION APPROVING A PROJECT FOR GOODWILL  
INDUSTRIES OF SOUTHERN NEVADA, INC. TO BE LOCATED IN  
THE CITY OF NORTH LAS VEGAS AND THE ISSUANCE BY THE  
CITY OF LAS VEGAS OF ECONOMIC DEVELOPMENT REVENUE  
BONDS TO FINANCE SUCH PROJECT.

Mayor Montandon stated the bond counsel recommended Council treat this item as a Public Hearing.

Mayor Montandon opened the Public Hearing.

Councilman Buck disclosed she was a member of the Goodwill Board of Directors but, after consulting with the City Attorney, felt there was no conflict and she would vote on the item.

Finance Director Phil Stoeckinger explained, although the Goodwill facilities were located

in North Las Vegas, the bonds for this item were issued by the City of Las Vegas. He offered to respond to questions.

Mayor Montandon closed the Public Hearing.

ACTION: PUBLIC HEARING HELD; PASSED AND ADOPTED

MOTION: Councilman Buck

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

### ORDINANCES INTRODUCTION ONLY

30. **ORDINANCE NO. 2113; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING TITLE 15 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY REPEALING THE EXISTING CHAPTER 15.32 OF THE MUNICIPAL CODE, BEING THE 1992 EDITION OF THE MODEL ENERGY CODE WITH AMENDMENTS AND ORDINANCE NO. 1259, AND BY ADOPTING THE INTERNATIONAL ENERGY CONSERVATION CODE, 2003 EDITION, WITH THE SOUTHERN NEVADA AMENDMENTS TO THE 2003 INTERNATIONAL ENERGY CONSERVATION CODE, PUBLISHED FEBRUARY 1, 2005, WHICH CONFORM SAID ENERGY CONSERVATION CODE TO SOUTHERN NEVADA PRACTICES; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR APRIL 6, 2005)**

Ordinance No. 2113 as introduced by the City Clerk:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING TITLE 15 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY REPEALING THE EXISTING CHAPTER 15.32 OF THE MUNICIPAL CODE, BEING THE 1992 EDITION OF THE MODEL ENERGY CODE WITH AMENDMENTS AND ORDINANCE NO. 1259, AND BY ADOPTING THE INTERNATIONAL ENERGY CONSERVATION CODE, 2003 EDITION, WITH THE SOUTHERN NEVADA AMENDMENTS TO THE 2003 INTERNATIONAL ENERGY CONSERVATION CODE, PUBLISHED FEBRUARY 1, 2005, WHICH CONFORM SAID ENERGY CONSERVATION CODE TO SOUTHERN NEVADA PRACTICES; PROVIDING PENALTIES FOR

THE VIOLATION THEREOF; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

31. **ORDINANCE NO. 2115; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1837 WHICH RECLASSIFIED PETRO TRUCK STOP (ZN-16-98) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A TAVERN, AND BY RENUMBERING, AMENDING AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 6, 2005)**

Ordinance No. 2115 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1837 WHICH RECLASSIFIED PETRO TRUCK STOP (ZN-16-98) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A TAVERN, AND BY RENUMBERING, AMENDING AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

32. **ORDINANCE NO. 2116; 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 24.3 ACRES FROM PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF OFFICE BUILDINGS AND RETAIL (ZN-12-05, CHEYENNE GATEWAY II), FOR PROPERTY GENERALLY LOCATED NORTH OF CHEYENNE AVENUE AND APPROXIMATELY 480 FEET WEST OF VALLEY DRIVE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 6, 2005)**

Ordinance No. 2116 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 24.3 ACRES FROM PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD PLANNED

UNIT DEVELOPMENT DISTRICT CONSISTING OF OFFICE BUILDINGS AND RETAIL (ZN-12-05, CHEYENNE GATEWAY II), FOR PROPERTY GENERALLY LOCATED NORTH OF CHEYENNE AVENUE AND APPROXIMATELY 480 FEET WEST OF VALLEY DRIVE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

33. **ORDINANCE NO. 2117; 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 20.02 ACRES THEREIN FROM A C-3, GENERAL SERVICE COMMERCIAL DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-13-05, WESTLAND CORPORATE CENTER), FOR PROPERTY LOCATED AT 4339 CORPORATE CENTER DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 6, 2005)**

Ordinance No. 2117 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 20.02 ACRES THEREIN FROM A C-3, GENERAL SERVICE COMMERCIAL DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-13-05, WESTLAND CORPORATE CENTER), FOR PROPERTY LOCATED AT 4339 CORPORATE CENTER DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

34. **ORDINANCE NO. 2118; 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 18.32± ACRES THEREIN FROM THE R-E, RANCH ESTATES DISTRICT TO THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-14-05, LONE MOUNTAIN ESTATES), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND NORTH FIFTH STREET. (SET FINAL ACTION FOR APRIL 6, 2005)**

Ordinance No. 2118 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 18.32± ACRES THEREIN FROM THE R-E, RANCH ESTATES DISTRICT TO THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-14-05, LONE MOUNTAIN ESTATES), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND NORTH FIFTH STREET.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

35. **ORDINANCE NO. 2119; 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 9.78± ACRES THEREIN FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-124-04, CENTENNIAL ESTATES), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 6, 2005) (ASSOCIATED ITEM NO. 14, AMP-107-04)**

Ordinance No. 2119 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 9.78± ACRES THEREIN FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-124-04, CENTENNIAL ESTATES), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

36. **ORDINANCE NO. 2120; 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 30.02± ACRES FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 159 SINGLE FAMILY DWELLINGS (ZN-04-05), FOR**

**PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SAN MATEO STREET AND TROPICAL PARKWAY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 6, 2005)**

Ordinance No. 2120 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 30.02± ACRES FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 159 SINGLE FAMILY DWELLINGS (ZN-04-05), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SAN MATEO STREET AND TROPICAL PARKWAY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

37. **ORDINANCE NO. 2121; 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 13.7± ACRES THEREIN FROM A (COMMERCIAL) PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A (MULTI-FAMILY - TOWN HOMES) PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-127-04, CAMINO AL NORTE/RANCHO DEL NORTE), FOR PROPERTY LOCATED EAST OF CAMINO AL NORTE APPROXIMATELY 110 FEET SOUTH OF RANCHO DEL NORTE DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 6, 2005) (ASSOCIATED ITEM NO. 2, AMP-108-04)**

Ordinance No. 2121 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 13.7± ACRES THEREIN FROM A (COMMERCIAL) PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A (MULTI-FAMILY - TOWN HOMES) PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-127-04, CAMINO AL NORTE/RANCHO DEL NORTE), FOR PROPERTY

LOCATED EAST OF CAMINO AL NORTE APPROXIMATELY 110 FEET SOUTH OF RANCHO DEL NORTE DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 6, 2005

**ORDINANCES**  
**FINAL ACTION**

38. **ORDINANCE NO. 2091; 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 4.14+ ACRES THEREIN FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-118-04, GOLDFIELD AND ROME), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DARLING ROAD AND GOLDFIELD STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

ACTION: CONTINUED TO APRIL 6, 2005

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

40. **ORDINANCE NO. 2107; 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 18.7 ACRES FROM PUD PLANNED UNIT DEVELOPMENT DISTRICT (NEIGHBORHOOD COMMERCIAL) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 111 SINGLE-FAMILY DWELLINGS (ZN-131-04, RAVENHILL II), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND SCOTT ROBINSON BOULEVARD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2107 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 18.7 ACRES FROM PUD PLANNED UNIT DEVELOPMENT DISTRICT (NEIGHBORHOOD COMMERCIAL) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 111 SINGLE-FAMILY DWELLINGS (ZN-131-04, RAVENHILL II), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND SCOTT ROBINSON BOULEVARD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Director Jory Stewart stated Staff recommended approval of the application. She said the applicant proposed 111 single-family detached homes with a minimum lot size of 4500 square feet.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**41. ORDINANCE NO. 2108; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1920 WHICH RECLASSIFIED GRAND TETON/VALLEY (ZN-108-03) TO A PUD PLANNED UNIT DEVELOPMENT TO ALLOW 278 SINGLE-FAMILY DWELLINGS, AND BY DELETING ONE CONDITION AND RENUMBERING AS NECESSARY THE REMAINING CONDITIONS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2108 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1920 WHICH RECLASSIFIED GRAND TETON/VALLEY (ZN-108-03) TO A PUD PLANNED UNIT DEVELOPMENT TO ALLOW 278 SINGLE-FAMILY DWELLINGS, AND BY DELETING ONE CONDITION AND RENUMBERING AS NECESSARY THE REMAINING CONDITIONS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Director Jory Stewart stated the applicant requested to amend

Condition No. 3 of Ordinance No. 1920 but it was determined at the Planning Commission meeting it would be more appropriate to delete the condition. It was the applicant's intent to allow for a three-foot parkway along San Mateo Street but the proposal would have left less than 4500 square-foot lots which was inconsistent with code requirements. It was agreed a five-foot sidewalk would be built within the right-of-way and along the back-of-curb in accordance with Clark County Standard Drawings. The Planning Commission recommended approval of the deletion.

ACTION: PASSED AND ADOPTED AS AMENDED; CONDITION NO. 3 DELETED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith and Buck

NAYS: Councilman Eliason

ABSTAIN: None

42. **ORDINANCE NO. 2109; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND PORTIONS OF TITLE 17 ADDING NEW DEFINITIONS FOR ESTABLISHMENTS PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES; ADDING SPECIFIC ESTABLISHMENTS PERMITTING THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES AS REQUIRING A SPECIAL USE PERMIT IN C-1, C-2, C-3 AND M-2 ZONING DISTRICTS; AMENDING AND ADDING NEW STANDARD CONDITIONS FOR SALOON AND TAVERN/RESTAURANT SPECIAL USE CLASSIFICATIONS SUCH AS EXTENDING THE EXPIRATION OF APPROVED SALOON AND TAVERN/RESTAURANT SPECIAL USE PERMITS FROM SIX MONTHS TO ONE YEAR AND ADDING SPECIFIC FLOOR PLAN REQUIREMENTS FOR TAVERN/RESTAURANTS; ADDING CERTAIN PROCEDURAL REQUIREMENTS WHEN APPLYING FOR A SALOON OR TAVERN SPECIAL USE PERMIT; AND TO ALLOW THE CITY TO APPROVE A WAIVER OF THE FIFTEEN HUNDRED FOOT PROXIMITY DISTANCE REQUIREMENT UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2109 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND PORTIONS OF TITLE 17 ADDING NEW DEFINITIONS FOR ESTABLISHMENTS PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES; ADDING SPECIFIC ESTABLISHMENTS PERMITTING THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES AS REQUIRING A SPECIAL USE

PERMIT IN C-1, C-2, C-3 AND M-2 ZONING DISTRICTS; AMENDING AND ADDING NEW STANDARD CONDITIONS FOR SALOON AND TAVERN/RESTAURANT SPECIAL USE CLASSIFICATIONS SUCH AS EXTENDING THE EXPIRATION OF APPROVED SALOON AND TAVERN/RESTAURANT SPECIAL USE PERMITS FROM SIX MONTHS TO ONE YEAR AND ADDING SPECIFIC FLOOR PLAN REQUIREMENTS FOR TAVERN/RESTAURANTS; ADDING CERTAIN PROCEDURAL REQUIREMENTS WHEN APPLYING FOR A SALOON OR TAVERN SPECIAL USE PERMIT; AND TO ALLOW THE CITY TO APPROVE A WAIVER OF THE FIFTEEN HUNDRED FOOT PROXIMITY DISTANCE REQUIREMENT UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

Mayor Montandon asked City Manager Rose to read Item No. 43 into the record so Item No. 42 and Item No. 43 could be discussed simultaneously.

ACTION: WITHDRAWN

MOTION: Councilman Smith

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Smith and Buck

NAYS: None

ABSTAIN: None

43. **ORDINANCE NO. 2110; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND PORTIONS OF TITLE 17 ADDING NEW DEFINITIONS FOR ESTABLISHMENTS PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES; AMENDING AND ADDING SPECIFIC ESTABLISHMENTS PERMITTING THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES TO THE LIST OF USES REQUIRING A SPECIAL USE PERMIT IN C-1, C-2, C-3 AND M-2 ZONING DISTRICTS; AMENDING AND ADDING NEW STANDARD CONDITIONS FOR SALOON AND TAVERN/RESTAURANT SPECIAL USE CLASSIFICATIONS SUCH AS EXTENDING THE EXPIRATION OF APPROVED SALOON AND TAVERN/RESTAURANT SPECIAL USE PERMITS FROM SIX MONTHS TO ONE YEAR AND ADDING SPECIFIC CONDITIONS FOR TAVERN/RESTAURANTS; ADDING CERTAIN PROCEDURAL REQUIREMENTS WHEN APPLYING FOR A SALOON OR TAVERN SPECIAL USE PERMIT; ADDING A PROVISION TO PERMIT THE CITY TO APPROVE A WAIVER OF THE FIFTEEN HUNDRED FOOT PROXIMITY DISTANCE REQUIREMENT UNDER CERTAIN CIRCUMSTANCES; AMENDING A PROVISION TO PROVIDE THAT**

**THE CITY COUNCIL HAS THE SOLE RESPONSIBILITY TO HEAR AND ACT ON SALOON AND TAVERN/RESTAURANT SPECIAL USE PERMIT APPLICATIONS; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2110 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND PORTIONS OF TITLE 17 ADDING NEW DEFINITIONS FOR ESTABLISHMENTS PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES; AMENDING AND ADDING SPECIFIC ESTABLISHMENTS PERMITTING THE ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES TO THE LIST OF USES REQUIRING A SPECIAL USE PERMIT IN C-1, C-2, C-3 AND M-2 ZONING DISTRICTS; AMENDING AND ADDING NEW STANDARD CONDITIONS FOR SALOON AND TAVERN/RESTAURANT SPECIAL USE CLASSIFICATIONS SUCH AS EXTENDING THE EXPIRATION OF APPROVED SALOON AND TAVERN/RESTAURANT SPECIAL USE PERMITS FROM SIX MONTHS TO ONE YEAR AND ADDING SPECIFIC CONDITIONS FOR TAVERN/RESTAURANTS; ADDING CERTAIN PROCEDURAL REQUIREMENTS WHEN APPLYING FOR A SALOON OR TAVERN SPECIAL USE PERMIT; ADDING A PROVISION TO PERMIT THE CITY TO APPROVE A WAIVER OF THE FIFTEEN HUNDRED FOOT PROXIMITY DISTANCE REQUIREMENT UNDER CERTAIN CIRCUMSTANCES; AMENDING A PROVISION TO PROVIDE THAT THE CITY COUNCIL HAS THE SOLE RESPONSIBILITY TO HEAR AND ACT ON SALOON AND TAVERN/RESTAURANT SPECIAL USE PERMIT APPLICATIONS; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

Senior Deputy City Attorney Jim Lewis explained amendments for taverns were brought before Council eight months ago at which time Staff was directed to further examine the tavern code and come back at a later date. He stated Ordinances 2109 and 2110 would further amend Title 17 with regard to the tavern Special Use Permits. Senior Deputy City Attorney Lewis told Council he would explain the differences between the ordinances so one could be withdrawn and one could be approved. Ordinance No. 2109 described what the Planning Commission recommended in order to move forward. Ordinance No. 2110 encompassed previous Council and Staff discussion at the City Council Workshop regarding taverns. Both items included new classifications for liquor uses in North Las Vegas. A saloon would be a bar only with no requirements for restaurants or bathrooms. Both items included a waiver of the 1500-foot tavern-to-tavern proximity distance requirement when the taverns were across from one another along I-215 or I-15 which would allow the taverns to be closer than the 1500 feet otherwise allowed. This provision

would also require the taverns to be 1500 feet from the freeway crossings so there would not be a tavern on each crossing corner.

The differences between the Planning Commission recommendation (Ordinance No. 2109) and the results of the City Council Workshop (Ordinance No. 2110) were Ordinance 2109 contained a justification requirement for saloon uses. Secondly, Ordinance No. 2109 would keep final action by the Planning Commission, appealable to the City Council by the applicant. Ordinance No. 2110 would give sole authority for saloon and tavern/restaurant Use Permits to the City Council only. The Planning Commission would not hear these requests at all.

Mayor Montandon commented he preferred Ordinance No. 2110 but asked if verbiage pertaining to saloon use justification from Ordinance No. 2109 could be incorporated into Ordinance No. 2110. Senior Deputy City Attorney Lewis responded, since both ordinances were on the same agenda, that request could be written into the record and Council would first vote on the amendment and then on Ordinance No. 2110.

**ACTION: AMENDMENT APPROVED AS FOLLOWS:**

Add to Ordinance No. 2110:

- e. Application for Saloon Special Use Permit.
  - (i) Justification For Saloon Use Required.

The City Council hereby declares that with regard to on-premises consumption of alcohol by the general public, the Tavern/Restaurant use is preferred to the Saloon use for two primary reasons. First, the Tavern/Restaurant use provides additional locations for the service of full-course meals to City residents, which is necessary to sustain the City's extremely fast-growing population. Second, the City Council believes that a Tavern/Restaurant use mitigates certain deleterious effects of a Saloon use only, as the Tavern/Restaurant use provides the patrons of such establishments an opportunity to consume food with alcoholic beverages, which may lessen the intoxicating effect of alcoholic beverage(s) on the patron, thereby reducing effects of that patron's intoxication on the residents of the City.

As such, in addition to the general application requirements for a special use permit as provided above, applicants for Saloon uses shall provide a letter justifying the need for the on-premises service of alcoholic beverages without the service of full-course meals. The City shall not accept any application for a Saloon use unless such letter is included with the application materials.

**MOTION: Mayor Montandon**

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

Councilman Eliason expressed his concern that nationally-known restaurants would feel they were in competition with bars that served food and would hesitate to locate in North Las Vegas. He questioned the separation between tavern and tavern/restaurant. Senior Deputy City Attorney Lewis responded the changes would codify the conditions that were imposed by the Planning Commission when an applicant requested a Special Use Permit for a tavern. Councilman Eliason questioned why the City would require a supper club license when the same conditions applied to a tavern/restaurant with the exception of the number of slot machines permitted. Senior Deputy City Attorney Lewis explained a supper club would be more readily accepted by the public and the 1500-foot distance did not apply to a supper club.

**George Garcia, 1711 Whitney Mesa Drive, Suite 110, Las Vegas,** stated the language in the application provided for multiple bar/taverns in a mixed-use district setting. Mayor Montandon suggested a commercial center exemption be utilized in this situation because there was no mixed-use district exception in place and he was not comfortable with amending the ordinance for a mixed-use district at the time.

**Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas,** added the applicant proposed a mall-type project with a variety of restaurants and tenants on 120 acres and wanted assurance that more than one restaurant/tavern would be permitted.

Councilman Buck agreed language should be included in the ordinance regarding mixed uses for commercial projects near residential districts. Councilman Eliason questioned what criteria would determine a mixed-use district. Mr. Gronauer stated his client planned a large project within the next four months and requested the definition of mixed-use district be finalized prior to that time to avoid any stalls to the project. Planning and Development Director Jory Stewart stated a consultant was contracted by the City to develop a mixed-use ordinance which should be completed by July 2005. Additionally, Mr. Garcia and Mr. Gronauer were commissioned by a client to propose an interim mixed-use ordinance which would address a project their client planned sometime before July 2005.

Mr. Garcia explained the current ordinance allowed a major barrier as a separation between taverns and cited North Fifth Street as an example. He suggested a 120-foot street could be an adequate barrier for tavern-to-tavern separation. Councilwoman Smith asked Public Works Director Jim Bell when North Fifth would be made into a major corridor and he responded it would be a long process, possibly years, before the project would be completed.

ACTION: ORDINANCE NO. 2110 PASSED AND ADOPTED AS AMENDED

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

**44. ORDINANCE NO. 2111; AN ORDINANCE PROVIDING FOR THE ISSUANCE OF REGISTERED, NEGOTIABLE, CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005A; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO.**

Ordinance No. 2111 as introduced by the City Manager:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF REGISTERED, NEGOTIABLE, CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005A; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

**45. ORDINANCE NO. 2112; AN ORDINANCE PROVIDING FOR THE ISSUANCE OF REGISTERED, NEGOTIABLE, CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF THE BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO.**

Ordinance No. 2112 as introduced by the City Manager:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF REGISTERED, NEGOTIABLE, CITY OF NORTH LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF THE BONDS; AND PROVIDING OTHER MATTERS RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

**46. ORDINANCE NO. 2114; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND PORTIONS OF TITLE 5 ADDING NEW DEFINITIONS FOR ESTABLISHMENTS PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES; AMENDING LANGUAGE CLARIFYING THE DISTANCE PROXIMITY REQUIREMENTS FOR SALOONS AND TAVERNS; ADDING A SALOON AND TAVERN/RESTAURANT DISTANCE PROXIMITY FREEWAY SEPARATION EXCEPTION; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2114 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL TO AMEND PORTIONS OF TITLE 5 ADDING NEW DEFINITIONS FOR ESTABLISHMENTS PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES; AMENDING LANGUAGE CLARIFYING THE DISTANCE PROXIMITY REQUIREMENTS FOR SALOONS AND TAVERNS; ADDING A SALOON AND TAVERN/RESTAURANT DISTANCE PROXIMITY FREEWAY SEPARATION EXCEPTION; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.

Senior Deputy City Attorney Jim Lewis explained this was a follow-up to Ordinance No. 2110 and would make changes to Title 5 that would permit the amendment to Title 17 and clarify the commercial center exception.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

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

### **APPOINTMENT**

**47. APPOINTMENT OF ONE CITIZEN MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD, WITH A TERM TO EXPIRE JUNE 30, 2006.**

Mayor Montandon nominated Jim Olive to serve on the Parks and Recreation Advisory Board.

ACTION: JIM OLIVE APPOINTED FOR A TERM TO EXPIRE JUNE 30, 2006

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

### **COUNCIL ITEMS**

Councilman Eliason asked to have the tavern ordinance brought back to Council for discussion on the distance separation requirement.

Councilman Buck extended a welcome to new Fire Chief Al Gillespie.

Councilman Buck stated she had received complaints about roads, potholes and traffic and directed Staff to make finishing the roads a priority. She directed Staff to look into having the developers put in the roads before they started building the development to mitigate traffic problems. Mayor Montandon suggested Staff have the developers build roads with everything but the last few inches of asphalt and complete them when the development was finished.

City Manager Rose advised on March 29<sup>th</sup> the tentative budget for 2005-2006 would be presented that included significant steps to improve the street-sweeping operation. He stated a survey conducted several months ago identified areas that were deficient and recommendations were made in the tentative budget to correct those deficiencies.

Councilman Buck directed Staff to begin developing an in-fill ordinance in conjunction with

the small lot ordinance.

Councilman Buck suggested the Public Forum be moved to the beginning of the Council meetings to avoid having citizens wait through the entire meeting.

Councilman Buck stated the City needed a recreation center in the Centennial/Losee or Centennial/North 5th area. She also expressed a concern for senior citizens who had problems with weeds in their yards. She inquired as to whether there were any City programs to assist the seniors in cleaning up their yards. City Manager Rose responded, as part of Code Enforcement, Staff attempted to connect the seniors with non-profit organizations that provided that type of support.

Councilman Buck expressed concern that the Community Development Block Grant (CDBG) money was being threatened and directed Staff to research what could be done to continue receiving CDBG funds.

Councilman Buck directed Staff to develop a formal policy concerning houses facing out of subdivisions onto surrounding streets. Public Works Director Jim Bell said the issue was before the Traffic and Parking Advisory Committee and they were discussing the complexities involved. Councilman Buck and Councilwoman Smith stated development of a policy was a high priority.

Councilwoman Smith directed Staff to prepare an ordinance requiring Council approval of proposed school sites.

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

City Manager Gregory Rose welcomed the new Fire Chief, Al Gillespie, and thanked Acting Fire Chief Terri Davis for an excellent job.

### **PUBLIC FORUM**

**Norman Simpson, 3011 Asher Lane, North Las Vegas** asked for a progress report on the Alexander Library. Mayor Montandon stated the Library District was funded entirely by property tax revenues so, although the City had acquired the land for the library, the building was pending because the Legislature would be determining the property tax structure for the upcoming years.

### **ADJOURNMENT**

**ACTION:** THE MEETING ADJOURNED AT 8:47 P.M.

**MOTION:** Mayor Montandon

**SECOND:** Councilman Eliason

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

**NAYS:** None

**ABSTAIN:** None

**APPROVED: June 1, 2005**

\_\_\_\_\_  
Mayor Michael L. Montandon

**ATTEST:**

\_\_\_\_\_  
Karen L. Storms, CMC  
City Clerk