

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

June 15, 2005

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

CITY COUNCIL MEETING

CALL TO ORDER

6:02 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

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	Parks & Recreation Director Mike Henley
City Attorney Sean McGowan	Planning and Development Director Jory Stewart
City Clerk Karen Storms	Police Chief Mark Paresi
Finance Director Phil Stoeckinger	Public Works Director Jim Bell
Fire Chief Al Gillespie	Utilities Director David Bereskin
Human Resources Director Ali Freeman	Deputy City Clerk Anita Sheldon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Niles Strohl
Community Lutheran Church

PLEDGE OF ALLEGIANCE

Councilman Shari Buck

PROCLAMATIONS

★ **PROCLAIMING THE MONTH OF JULY AS NATIONAL PARKS AND RECREATION MONTH**

ACTION: JULY 2005 PROCLAIMED AS NATIONAL PARKS AND RECREATION MONTH

★ **PROCLAIMING JULY 18-24 AS NATIONAL AQUATICS WEEK**

ACTION: JULY 18-24 PROCLAIMED NATIONAL AQUATICS WEEK

★ **PROCLAIMING THE MONTH OF JULY AS FLASH FLOOD AWARENESS MONTH**

ACTION: JULY 2005 PROCLAIMED AS FLASH FLOOD AWARENESS MONTH

PRESENTATION

★ **PRESENTATION OF AWARDS TO SPONSORS AND CERTIFICATES OF APPRECIATION TO COMMITTEE MEMBERS FOR THE TASTES AND TUNES EVENT.**

ACTION: AWARDS AND CERTIFICATES PRESENTED

PUBLIC FORUM

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas, suggested the City could save money by not including return envelopes in the bills of people who opt for paying their bills on line.

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JUNE 15, 2005.**

ACTION: APPROVED, AS AMENDED: ITEM NO. 3 CONTINUED TO JULY 6; ITEM NO. 7 CONTINUED TO JULY 20; ITEM NO. 8 CONTINUED TO JULY 20; ITEM NO. 9 CONTINUED TO JULY 6; ITEM NO. 10 CONTINUED TO JULY 6; ITEM NO. 31 AMENDED TO DELETE "ON BEHALF OF FRED KAVLI"

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. **AN APPEAL SUBMITTED BY GEORGE GARCIA, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-17-05 (I-15/215 @ LINN & TROPICAL); AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS ON BEHALF OF JOHN F. AND SUSAN D. LARIK, PROPERTY OWNERS, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT (PROPOSED —2 GENERAL INDUSTRIAL DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A BAR/TAVERN ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF LINN LANE AND TROPICAL PARKWAY. (CONTINUED APRIL 20, 2005)**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart stated the applicant submitted a revised site plan which indicated a 6700 square-foot tavern with a 1000 square-foot outdoor patio. The development was in compliance with parking requirements, commercial development standards and design guidelines. The conditions were amended due to changes in the code and site plan. Staff recommended denial.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, spoke on behalf of the applicant and advised the proposed site was located near the junction of I-15 and I-215 which was primarily an industrial area. He requested Council approval.

Councilwoman Smith reminded Mr. Garcia that he previously appeared before Council and

requested a commercial use permit for the property across the street from the property in question and asked why the applicant chose not to build at that site. Mr. Garcia responded the site in question was designed for an industrial area and the other site was compatible with commercial and they would serve different types of clientele.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION UPHeld; UN-17-05 DENIED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Council Members Smith and Buck

NAYS: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Eliason

ABSTAIN: None

ACTION: PLANNING COMMISSION DECISION OVERTURNED; UN-17-05 APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The development shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. Subsequent expansions or additions to the use shall be subject to Planning Commission review and approval.
4. That UN-17-05 shall become null and void if ZN-19-05 is not approved by the City Council.
5. The installation of sprinklers for fire suppression is required per Fire Code.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
8. A revocable encroachment permit for landscaping within the public right of way is required.
9. The property owner is required to grant a pedestrian access easement for sidewalk

located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.

10. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
11. The property owner is required to grant a roadway easement for commercial driveway(s).
12. The property owner is required to sign a restrictive covenant for utilities.
13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* Section 16.24.100.B:
 - a. Linn Road
 - b. Tropical Parkway
14. Approval of a traffic study is required prior to submittal of the civil improvement plans.
15. As suggested in the Las Vegas Speedway Connector Study prepared by Kimley-Horn and Associates, Inc., for the Regional Transportation Commission of Southern Nevada, and as required by the City Traffic Engineer, parcels in this vicinity, from the I-15/I-215 interchange east to the speedway, along Tropical Parkway, shall incorporate shared access driveways with access easements along development property lines.
16. Commercial driveways will not be permitted on Tropical Parkway within two hundred fifty (250) feet of an intersection, as measured from the back of curb of the intersecting street.

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

43. **ORDINANCE NO. 2124; 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 2.0 ACRES FROM O-L OPEN LAND DISTRICT TO —2**

GENERAL INDUSTRIAL DISTRICT (ZN-19-05, I-15/I-215 @ LINN & TROPICAL), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND LINN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED FROM APRIL 20, 2005)

Ordinance No. 2124 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 2.0 ACRES FROM O-L OPEN LAND DISTRICT TO—2 GENERAL INDUSTRIAL DISTRICT (ZN-19-05, I-15/I-215 @ LINN & TROPICAL), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND LINN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Eliason

NAYS: Council Members Smith and Buck

ABSTAIN: None

3. **AN APPEAL SUBMITTED BY GEORGE GEKAKIS, PROPERTY OWNER WITHIN 300 FEET, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-03-04; AN APPLICATION SUBMITTED BY SIMMONS ASSOCIATES, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY GENERALLY LOCATED SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 225 FEET EAST OF SIMMONS STREET. (CONTINUED MAY 4, 2005)**

Mayor Montandon opened the Public Hearing:

ACTION: CONTINUED TO JULY 6, 2005

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

4. AN APPEAL, SUBMITTED BY SCOTT ACTON ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-10-05 (TREVI BUSINESS PARK); AN APPLICATION SUBMITTED BY NAVAJO WHITE, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN —2 GENERAL INDUSTRIAL DISTRICT TO REDUCE THE PARKING LOT SETBACK TO 5 FEET WHERE 20 FEET IS REQUIRED ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF BAY LAKE TRAIL AND RINGSTAR ROAD. (CONTINUED MAY 18, 2005 AND JUNE 1, 2005)

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart advised the applicant originally requested a waiver for parking lot landscaping but it was no longer necessary due to the proposed revisions of the new site plan. The conditions on the foundation landscaping were remedied and the applicant submitted a revised site plan that conformed with Staff's recommendations. Staff amended their recommendation to approval subject to the conditions contained in the revised memorandum.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and thanked Staff for their assistance.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; SPR-10-05 APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines except that the required foundation landscaping shall be replaced with an alternative to include the following:
 - a. Landscaping areas shall be required as shown on the submitted revised site plan.
 - b. Decorative awnings shall be required over each window on the front building

elevation subject to Planning and Development Department staff approval.

3. Approval of a technical drainage study update is required prior to submittal of the civil improvement plans.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code Section 17.24.130. Conformance may require modifications to the site.
6. Commercial driveways are to be constructed in accordance with Clark County Area Uniform Standard Drawing Numbers 222A and 225, with minimum widths of thirty-two (32) feet as measured from lip of gutter to lip of gutter.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

5. **AMP-18-05 (CRAIG ROAD CONDOMINIUMS); AN APPLICATION SUBMITTED BY CRAIG ROAD, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO HDR HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG LANE AND CRAIG ROAD. (ASSOCIATED ITEM NO. 6, ZN-35-05) (CONTINUED JUNE 1, 2005)**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart stated Staff recommended denial of the application based on the original recommendation that multi-family structures were not appropriate in an industrial area. However, the property to the east had transitioned into multi-family and the Planning Commission recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, represented the applicant and stated he has had meetings with the residents in the area and they were in favor of the zoning change. He requested Council approval.

Bill Robertson, 3900 East Craig Road, North Las Vegas, agreed to withdraw his

objection to the application based upon an easement agreement that was being negotiated with the developer. Mr. Robertson requested Council approve the application with the condition a signed copy of the completed easement agreement was provided before the issuance of any permits.

Peter Herchik, 4106 Pistachio Nut Avenue, Las Vegas, stated he was opposed to re-zoning the property to High Density Residential and did not feel multi-family residences should be that close to an industrial area. He suggested either single-family homes or commercial uses be built on the property.

Zuzana Herchik, 4106 Pistachio Nut Avenue, Las Vegas, spoke in opposition to the re-zoning and felt High Density Residential would bring more crime to the area and reduce property values.

Renee Albert, 4111 Pistachio Nut Avenue, Las Vegas, stated she was in favor of the project.

Robert Hill, 4117 Pistachio Nut Avenue, Las Vegas, was not present at the meeting but Mayor Montandon read a letter from Mr. Hill which stated he was opposed to further construction of the existing road in the community. He was concerned about the increase in traffic an extension of the road would generate.

Ruben Pulido, 4119 Macadamia Drive, Las Vegas, stated he was not in favor of condominiums being built in the area.

Councilman Buck inquired about the vacation of Vandenberg Lane and Director Stewart responded a petition for vacation had not been received by the Planning Department. Mr. Garcia advised the petition was submitted on June 15th, along with the revised site plan, after meeting with the residents on June 14th.

In response to a question by Mayor Montandon, Public Works Director Jim Bell stated he would review the revised site plan with his staff to determine the impact the vacation of Vandenberg Lane would have on the area.

Councilwoman Smith expressed her concern about excess traffic in the area if it were re-zoned to High Density Residential. She felt Council required additional time to render a decision on the item. Mayor Montandon suggested the item be continued for further review by Staff. Mr. Garcia agreed to the continuance.

ACTION: CONTINUED TO JULY 20, 2005

MOTION: Mayor Montandon

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

6. **APPEAL, BY THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-35-05 (CRAIG ROAD CONDOMINIUMS); AN APPLICATION SUBMITTED BY CRAIG ROAD, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN —2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG LANE AND CRAIG ROAD. (ASSOCIATED ITEM NO. 5, AMP-18-05)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO JULY 20, 2005

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

7. **UN-76-03 (DECATUR AND TROPICAL); AN APPLICATION SUBMITTED BY DECATUR TROPICS, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY (CENTENNIAL PARKWAY) AND DECATUR BOULEVARD. (CONTINUED JUNE 1, 2005)**

Mayor Montandon opened the Public Hearing.

In response to an inquiry by Mayor Montandon, Planning and Development Director Jory Stewart stated the original use permit expired on April 8, 2005.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, advised the item was originally continued to work with Public Works staff and D. R. Horton on the alignment of the streets. He stated the issues still were not resolved and he requested the item be continued.

ACTION: CONTINUED TO JULY 20, 2005
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

8. **UN-131-04 (LOSEE & LONE MOUNTAIN 2 ACRES); AN APPLICATION SUBMITTED BY MENDENHALL FAMILY TRUST, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN AN —2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE “ON-SALE” OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LOSEE ROAD AND LONE MOUNTAIN ROAD. (CONTINUED JUNE 1, 2005)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO JULY 20, 2005

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

9. **APPEAL, BY THE APPLICANT, OF THE PLANNING COMMISSION’S DECISION TO APPROVE FDP-07-04; AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC., ON BEHALF OF CARMEL MOUNTAIN RANCH II - SAN DIEGO LP, PROPERTY OWNER, TO AMEND CONDITION NO. 33 IN A PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 967 SINGLE-FAMILY DWELLINGS ON PROPERTY LOCATED ON THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND GOLDFIELD STREET.**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO JULY 6, 2005

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

10. APPEAL, BY KIMBERLY DAVIS, A PROPERTY OWNER WITHIN 300 FEET, OF THE PLANNING COMMISSION'S DECISION TO APPROVE UN-28-05; AN APPLICATION SUBMITTED BY CHECK CITY ON BEHALF OF MESA INVESTMENTS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (PAYDAY LOAN) ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND REVERE STREET.

Mayor Montandon opened the Public Hearing.

A continuance was requested by the applicant; however, the appellant was not present at the meeting and, therefore, it was not possible to secure her concurrence to continue the item.

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, spoke on behalf of the appellant and advised she spoke to Kimberly Davis who stated if the item were continued, she could possibly attend the next meeting. In response to a question by Mayor Montandon, Ms. Lewis replied she was willing to continue the item to July 6, 2005.

ACTION: CONTINUED TO JULY 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

11. VAC-07-05 (DONOVAN WAY & FREIGHTLINER); AN APPLICATION SUBMITTED BY BOULDER PLACEMENT ON BEHALF OF JERRY APPELHANS, DEBRA TENNARIELLO, PROPERTY OWNERS, TO VACATE THE SOUTHERLY 18 FEET OF LONE MOUNTAIN ROAD COMMENCING AT DONOVAN WAY AND PROCEEDING EAST APPROXIMATELY 230 FEET.

Mayor Montandon opened the Public Hearing.
Public Works Director Jim Bell presented two maps which showed the requested vacation

consisted of a remnant piece of Lone Mountain Road east of Donovan Way. Director Bell advised a water line was discovered in the area and requested a 50-foot public utilities easement over the water line. He read the following condition into the record:

“A 50-foot public utilities easement in favor of the City of North Las Vegas shall be reserved over the entire area. Conditions for use of the vacated area shall be negotiated between the property owner and the Utilities Department prior to recordation of the order of vacation. Said conditions shall be included in the order of vacation”.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. As requested by the applicant/property owner, the southerly eighteen (18) feet will be vacated to APN #139-01-502-001 and the northerly thirty-two (32) feet and associated spandrel(s) will be vacated to the property to the east, APN #140-06-110-017.
2. A 50-foot public utilities easement in favor of the City of North Las Vegas shall be reserved over the entire area. Conditions for use of the vacated area shall be negotiated between the property owner and the Utilities Department prior to recordation of the order of vacation. Said conditions shall be included in the order of vacation.

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

12. **VAC-10-05 (FIRST SPANISH BAPTIST CHURCH); AN APPLICATION SUBMITTED BY LOCHSA ENGINEERING ON BEHALF OF THE FIRST SPANISH BAPTIST CHURCH, PROPERTY OWNER, TO VACATE THE NORTHERLY FIVE (5) FEET OF WASHBURN ROAD COMMENCING AT ALLEN LANE AND PROCEEDING WEST APPROXIMATELY 482 FEET; AND TO VACATE THE WESTERLY FIFTEEN (15) FEET OF ALLEN LANE COMMENCING AT WASHBURN ROAD AND PROCEEDING NORTH APPROXIMATELY 292 FEET.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell explained the area to be vacated was the spandrel area turn lane. He stated Staff had no objection to this vacation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. The City shall reserve an easement for any existing utilities.

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

13. PUBLIC HEARING TO CONSIDER AN INTERFUND LOAN FROM THE GENERAL FUND TO FUND 631, CRAIG RANCH GOLF COURSE, IN THE AMOUNT OF \$150,000 FOR REPAIRS TO WELL #2 AND THE BOOSTER PUMP STATION AT CRAIG RANCH GOLF COURSE.

Mayor Montandon opened the Public Hearing.

Parks and Recreation Director Mike Henley explained when the City purchased the Craig Ranch Golf Course, the purchase included five wells and a booster pump station to irrigate the golf course. He requested Council approve the request for the loan to make repairs on the wells and the booster pump.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: Councilman Eliason

ABSTAIN: None

14. PUBLIC HEARING REGARDING RESOLUTION NO. 2316; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA TO AUGMENT THE FISCAL 2004-05 BUDGET.

Mayor Montandon opened the Public Hearing.

Finance Director Phil Stoeckinger explained the budget augmentation process was a requirement by the NRS and was necessary to appropriate funds for expenditures that

were not anticipated at the time the fiscal year 2005 budget was adopted. The majority of the requested funds were for capital improvement projects in the amount of approximately \$32.6 million. Of that amount, approximately \$3.7 million would increase the 2005-06 budget. Additional items in the augmentation included grants and other special revenue funds during the current fiscal year in the amount of approximately \$4 million. The utility fund would also be augmented due to the increase in wastewater rates and the payment in lieu of tax.

Mayor Montandon closed the Public Hearing.

ACTION: PASSED AND ADOPTED

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

CONSENT AGENDA

At the request of Councilman Eliason, Item No. 15 was pulled from the Consent Agenda for discussion.

16. CANVASS OF THE JUNE 7, 2005 MUNICIPAL GENERAL ELECTION RESULTS.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

17. APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH AERO SRD, LLC, TO PROVIDE FOR THEIR SHARE OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD & LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$1,800 OR 1.5% OF THE TOTAL COST; AEROJET WAY & LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$20,961 OR 2.9% OF THE TOTAL COST; CRAIG ROAD & ARCATA WAY IN THE APPROXIMATE

AMOUNT OF \$1,800 OR 1.5% OF THE TOTAL COST; AND AEROJET WAY & ARCATA WAY IN THE APPROXIMATE AMOUNT OF \$11,565 OR 1.6% OF THE TOTAL COST FOR THE AERO SRD II WAREHOUSE COMMERCIAL PROJECT LOCATED ON THE SOUTHWEST CORNER OF AEROJET WAY AND LOSEE ROAD. (CNLV CONTRACT NO. C-6040)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

18. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH LOSEE ROAD INVESTORS, LLC, TO PROVIDE FOR THEIR SHARE OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD & LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$10,331 OR 2.1% OF THE TOTAL COST; WASHBURN ROAD & LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$24,105 OR 4.9% OF THE TOTAL COST; AND LONE MOUNTAIN ROAD & LOSEE ROAD IN THE APPROXIMATE AMOUNT OF \$15,492 OR 2.7% OF THE TOTAL COST FOR THE PANATTONI CREEKSIDE PHASE I DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF WASHBURN ROAD AND LOSEE ROAD. (CNLV CONTRACT NO. C-6041)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

19. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH VALLEY ASCENT, LLC, TO PROVIDE FOR THEIR SHARE OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD & VALLEY DRIVE IN THE APPROXIMATE AMOUNT OF \$7,560 OR 6.3% OF THE TOTAL COST; CRAIG ROAD & ALLEN LANE IN THE APPROXIMATE AMOUNT OF \$850 OR**

1.0% OF THE TOTAL COST; AND LONE MOUNTAIN ROAD & VALLEY DRIVE IN THE APPROXIMATE AMOUNT OF \$6,197 OR 1.0% OF THE TOTAL COST FOR FABULOUS FREDDY'S CAR WASH LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD AND VALLEY DRIVE. (CNLV CONTRACT NO. C-6038)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

20. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH SMITH'S FOOD AND DRUG CENTERS, INC., FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CENTENNIAL PARKWAY & LOSEE ROAD IN THE AMOUNT OF \$29,516 OR 6.0% OF THE TOTAL COST; CENTENNIAL PARKWAY & PECOS ROAD IN THE AMOUNT OF \$5,319 OR 1.0% OF THE TOTAL COST; AND ANN ROAD & LOSEE ROAD IN THE AMOUNT OF \$5,903 OR 1.2% OF THE TOTAL COST FOR THE CENTENNIAL MARKETPLACE DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY & LOSEE ROAD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

21. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH RICHMOND AMERICAN HOMES, NEVADA, FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT AZURE AVENUE & LAMB BOULEVARD IN THE AMOUNT OF \$22,407 OR 3.1% OF THE TOTAL COST; BELTWAY - EB & LAMB BOULEVARD IN THE AMOUNT OF \$15,902 OR 2.2% OF THE TOTAL COST; BELTWAY - WB & LAMB**

BOULEVARD IN THE AMOUNT OF \$7,228 OR 1.0% OF THE TOTAL COST; AND CENTENNIAL PARKWAY & LAMB BOULEVARD IN THE AMOUNT OF \$19,516 OR 2.7% OF THE TOTAL COST FOR THE CENTENNIAL/NOVAK RESIDENTIAL DEVELOPMENT, GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

22. ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH MTH-HOMES NEVADA, INC., FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT WASHBURN ROAD & NORTH 5TH STREET IN THE AMOUNT OF \$4,555 OR 1.0% OF THE TOTAL COST; AND WASHBURN ROAD & COMMERCE STREET IN THE AMOUNT OF \$7,969 OR 1.5% OF THE TOTAL COST FOR THE GEYSER PEAK, UNIT 3 RESIDENTIAL DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF HAMMER LANE AND NORTH 5TH STREET.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

23. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE) APPORTIONMENT REPORT NO. 45 BASED UPON THE SUBDIVISION OF LAND INTO NUMEROUS NEW PARCELS NECESSITATING THE APPORTIONMENT OF THE ASSESSMENT ON WHICH AN IMPROVEMENT DISTRICT IS LEVIED.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

24. **AMP-07-05 (THE GATEWAY); AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO DELETE DORRELL LANE BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO DELETE DEER SPRINGS WAY BETWEEN LAWRENCE STREET AND LOSEE ROAD; AND TO DELETE ROME BOULEVARD BETWEEN LAWRENCE STREET AND LOSEE ROAD. (SET PUBLIC HEARING FOR JULY 6, 2005) (ASSOCIATED ITEM NO. 30, VAC-05-05)**

ACTION: PUBLIC HEARING SET FOR JULY 6, 2005

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

25. **AMP-20-05 (DECATUR/GRAND TETON); AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC., ON BEHALF OF KB HOME NEVADA, INC., AND LONE MOUNTAIN EL CAMINO, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR VERY LOW DENSITY RESIDENTIAL TO LDR LOW DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED EAST OF DECATUR BOULEVARD AND APPROXIMATELY 632 FEET NORTH OF GRAND TETON DRIVE. (SET PUBLIC HEARING FOR JULY 6, 2005) (ASSOCIATED ITEM NO. 42, ORDINANCE NO. 2159, ZN-41-05)**

ACTION: PUBLIC HEARING SET FOR JULY 6, 2005

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

26. **APPEAL BY ROBERT CUNNINGHAM, REPRESENTING THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY T-1176 (CRAIG &**

ALLEN); AN APPLICATION SUBMITTED BY TOUSA HOMES, INC., ON BEHALF OF ALLEN VILLAGE, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 75 SINGLE-FAMILY DWELLINGS FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. (SET PUBLIC HEARING FOR JULY 6, 2005) (ASSOCIATED ITEM NO. 27, ZN-39-05 AND ITEM NO. 28, AMP-19-05)

ACTION: PUBLIC HEARING SET FOR JULY 6, 2005

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

27. APPEAL BY ROBERT CUNNINGHAM, REPRESENTING THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-39-05 (CRAIG & ALLEN); AN APPLICATION SUBMITTED BY TOUSA HOMES, INC., ON BEHALF OF ALLEN VILLAGE, LLC, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. (SET PUBLIC HEARING FOR JULY 6, 2005) (ASSOCIATED ITEM NO. 26, T-1176 AND ITEM NO. 28, AMP-19-05)

ACTION: PUBLIC HEARING SET FOR JULY 6, 2005

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

28. APPEAL BY ROBERT CUNNINGHAM, REPRESENTING THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-19-05 (CRAIG & ALLEN); AN APPLICATION SUBMITTED BY TOUSA HOMES, INC., ON BEHALF OF ALLEN VILLAGE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO

CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO LDR LOW DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. (SET PUBLIC HEARING FOR JULY 6, 2005) (ASSOCIATED ITEM NO. 26, T-1176 AND ITEM NO. 27, ZN-39-05)

ACTION: PUBLIC HEARING SET FOR JULY 6, 2005

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

29. **APPEAL, BY ROBERT C. BARBER, A PROPERTY OWNER WITHIN 300 FEET, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-21-05 (CHRISTOFFERSON PIG); AN APPLICATION SUBMITTED BY CONNIE CHRISTOFFERSON, PROPERTY OWNER, FOR A USE PERMIT IN AN OL/DA OPEN LAND/DEVELOPMENT AGREEMENT®-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A POT-BELLIED PIG AT A RESIDENCE LOCATED AT 6624 NIGHT OWL BLUFF AVENUE. (SET PUBLIC HEARING FOR JULY 6, 2005)**

ACTION: PUBLIC HEARING SET FOR JULY 6, 2005

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

30. **VAC-05-05 (THE GATEWAY); AN APPLICATION SUBMITTED BY PJ & CB, LLC, TO VACATE LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO VACATE COLLETTE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO VACATE DORRELL LANE BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO VACATE AN UNNAMED STREET BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO VACATE DEER SPRINGS WAY BETWEEN LAWRENCE STREET AND LOSEE ROAD AND TO VACATE ROME BOULEVARD BETWEEN LAWRENCE STREET AND LOSEE**

He stated the applicant was available for questions.

Dave Etter, Nevada Gaming Applicant Consultants, Las Vegas, represented the applicants, Victor and Alma Corona, and offered to respond to questions.

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

32. APPROVAL TO AMEND THE 2004 - 2005 STAFFING PATTERN AS FOLLOWS:

(All employment changes will be processed when administratively feasible)

UTILITIES DEPARTMENT

Upgrade one (1) Utilities Director DD32 to DD34

CITY ADMINISTRATION

Upgrade two (2) Executive Assistant APT19 to APT21

MUNICIPAL COURT

Upgrade one (1) Executive Assistant APT19 to APT 21

Councilman Eliason expressed concern that the need for corrections officers was critical and the funds should be spent for that purpose. City Manager Rose replied that Council approved approximately 12 corrections officers in the 2005-06 budget and agreed relief was needed at the Detention Center in the form of personnel. He stated he and Chief Paresi established a program to provide the required personnel.

Human Resources Director Ali Freeman explained a survey was conducted of the salary for the position of Utilities Director in other municipalities in the Valley, as well as cities in other states. He discovered the salary for that position was lower in North Las Vegas than in other cities of similar size and population.

ACTION: APPROVED

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

33. DISCUSSION AND DIRECTION TO STAFF ON THE COMPREHENSIVE PLAN UPDATE PRESENTED BY CLARION AND ASSOCIATES.

Ben Herman, Clarion and Associates, 5725 Dragon Way, Suite 220, Cincinnati, Ohio, advised the foundation document on the Comprehensive Plan Update was a result of the work done by the Visioning 2025 Committee. The purpose was to define and focus on the issues the Plan needed to address to meet the needs of the community. There were six areas of focus: *Growth and Development, Housing and Neighborhoods, Employment and Economic Development, Community Image, Transportation and Services and City Facilities*. Mr. Herman stated his staff would be working with City staff to organize a focus group to define areas for the Plan, refine the work plan, develop policies and an approach to the separate issues. He offered to respond to questions.

ACTION: DISCUSSION HELD

34. APPROVAL OF THE FRANCHISE EXTENSION AGREEMENT WITH NEVADA POWER COMPANY FOR THE RIGHT TO CONSTRUCT, OPERATE, AND MAINTAIN AN ELECTRICAL POWER PRODUCTION, SUPPLY, TRANSMISSION AND DISTRIBUTION SYSTEM FOR A TERM TO EXPIRE APRIL 5, 2006. (CNLV CONTRACT NO. C-6037)

ACTION: APPROVED

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

35. APPROVAL OF FUNDING FOR THE PURCHASE OF HANSEN CASHIERING LICENSES IN THE AMOUNT OF \$25,500 AND ANNUAL MAINTENANCE FEES IN THE AMOUNT OF \$6,000 FROM HANSEN SOFTWARE FOR THE BUSINESS LICENSE DIVISION.

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

36. FINAL ACCEPTANCE OF THE IMPROVEMENTS FOR MAINTENANCE OF THE TRIBUTARY TO THE WESTERN TRIBUTARY AT THE ALEXANDER ROAD PROJECT, BID NO. 1155, AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION FOR CAPRIATI CONSTRUCTION CORPORATION.

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

37. SETTLEMENT OF THE PENDING CHARGE BEFORE THE EMPLOYEE MANAGEMENT RELATIONS BOARD AND APPROVAL TO RECOGNIZE THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL #1607, AS THE EXCLUSIVE BARGAINING REPRESENTATIVE FOR THE BATTALION CHIEFS AS A SUPERVISOR UNIT.

ACTION: APPROVED

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

38. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MOTOROLA, INC., IN AN AMOUNT NOT TO EXCEED \$600,000 FOR THE ACQUISITION OF RADIO EQUIPMENT AND A PURCHASE ORDER TO SOUTHERN NEVADA AREA COMMUNICATIONS COUNCIL (SNACC) IN AN AMOUNT NOT TO EXCEED \$200,000 FOR THE BUY-IN FEE FOR THE SNACC RADIO SYSTEM USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT ACT.

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

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

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

ORDINANCES
INTRODUCTION ONLY

40. ORDINANCE NO. 2157; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2041 WHICH AMENDED ORDINANCE 1942 WHICH RECLASSIFIED LA MADRE SQUARE (ZN-49-03) FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AMEND CONDITION NO. 12 TO ALLOW 38% OF THE DEVELOPMENT TO BE COMPRISED OF 1,000 SQUARE FOOT HOMES, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LA MADRE WAY AND CAMINO AL NORTE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 6, 2005)

Ordinance No. 2157 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2041 WHICH AMENDED ORDINANCE 1942 WHICH RECLASSIFIED LA MADRE SQUARE (ZN-49-03) FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AMEND CONDITION NO. 12 TO ALLOW 38% OF THE DEVELOPMENT TO BE COMPRISED OF 1,000 SQUARE FOOT HOMES, FOR PROPERTY GENERALLY

LOCATED AT THE NORTHWEST CORNER OF LA MADRE WAY AND CAMINO AL NORTE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR JULY 6, 2005

41. **ORDINANCE NO. 2158; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1322 WHICH RECLASSIFIED THE PROPERTY (ZN-25-93) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW 2.7 ACRES OF COMMERCIAL AND 12.7 ACRES OF RESIDENTIAL CONTAINING 86 SMALL LOT SINGLE-FAMILY DWELLINGS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET AND BY ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 6, 2005)**

Ordinance No. 2158 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1322 WHICH RECLASSIFIED THE PROPERTY (ZN-25-93) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, TO ALLOW 2.7 ACRES OF COMMERCIAL AND 12.7 ACRES OF RESIDENTIAL CONTAINING 86 SMALL LOT SINGLE-FAMILY DWELLINGS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET AND BY ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Eric Young, 2531 Parasail Point Avenue, North Las Vegas, opposed setting a Public Hearing for Ordinance No. 2158.

ACTION: FINAL ACTION SET FOR JULY 6, 2005

42. **ORDINANCE NO. 2159; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10 ACRES THEREIN FROM AN O-L OPEN LAND DISTRICT TO AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT (ZN-41-05, DECATUR/GRAND TETON), FOR PROPERTY GENERALLY LOCATED EAST OF DECATUR BOULEVARD AND APPROXIMATELY 632 FEET NORTH OF GRAND TETON DRIVE AND**

PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 6, 2005) (ASSOCIATED ITEM NO. 25, AMP-20-05)

Ordinance No. 2159 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10 ACRES THEREIN FROM AN O-L OPEN LAND DISTRICT TO AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT (ZN-41-05, DECATUR/GRAND TETON), FOR PROPERTY GENERALLY LOCATED EAST OF DECATUR BOULEVARD AND APPROXIMATELY 632 FEET NORTH OF GRAND TETON DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR JULY 6, 2005

ORDINANCES
FINAL ACTION

44. **ORDINANCE NO. 2146; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 16.9 ACRES THEREIN FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-23-05, RIVERWALK RANCH HIGH NOON 1), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF RANCH HOUSE ROAD AND MONTGOMERY STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED MAY 18, 2005 AND JUNE 1, 2005)**

Ordinance No. 2146 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 16.9 ACRES THEREIN FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-23-05, RIVERWALK RANCH HIGH NOON 1), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF RANCH HOUSE ROAD AND MONTGOMERY STREET AND PROVIDING FOR

OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Director Jory Stewart advised the applicant requested a reduction in the required parking and building separation. The spaces required for parking was 521 and what the applicant proposed would amount to 500 spaces and building separation would vary from 14 feet to 20 feet. Staff did not support the request; however, the Planning Commission recommended approval.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, who represented the applicant, was unable to respond to a question from Councilman Eliason regarding how many buildings were involved in the building separation waiver. She offered to return with the information. Mayor Montandon advised Ms. Lazovich Council was provided several different scenarios with and without Montgomery Street. He stated no application for the vacation of Montgomery Street had been brought before Council. Ms. Lazovich explained it had been decided the vacation of Montgomery Street was no longer an option and requested the application be approved with the two waivers regarding parking and building separation.

ACTION: CONTINUED TO JULY 6, 2005

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

45. ORDINANCE NO. 2153; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1671 MEADOWS HOSPITAL (ZN-34-97); A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW PERMITTING OF A MEDICAL OFFICE BUILDING PRIOR TO THE ISSUANCE OF A PERMIT FOR THE HOSPITAL, AND BY RENUMBERING, AND AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2153 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1671 MEADOWS HOSPITAL (ZN-34-97); A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW PERMITTING OF A MEDICAL OFFICE BUILDING PRIOR TO THE ISSUANCE OF A PERMIT FOR THE HOSPITAL, AND BY RENUMBERING, AND AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY

RELATING THERETO.

Planning and Development Director Jory Stewart advised a condition was set in 1997 which stated a hospital must be built prior to any offices or retail establishments on the site. The applicant requested to amend the previously approved PUD by striking the language that would require the issuance of a permit for a hospital prior to other improvements.

In response to concerns expressed by Mayor Pro Tempore Robinson and Councilwoman Smith, Director Stewart reiterated the Planned Unit Development district was designed for a hospital and medical buildings. Condition 13 of the original ordinance stated the first building permit issued had to be for the hospital. However, it did not stipulate construction of the hospital had to be completed prior to other building permits being issued. Mayor Montandon suggested Condition 13 be amended to say "phasing shall be subject to review of Staff". Councilwoman Smith suggested changing the word "hospital" to "medical building".

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated she understood the hospital would be built approximately six months after construction of the medical building.

Councilwoman Smith suggested the condition be amended to say the first building permit pulled would be for the medical building, rather than the hospital.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

46. ORDINANCE NO. 2154; 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 73.5 ACRES THEREIN FROM AN O-L OPEN LAND DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-38-05, MILLER FAMILY TRUST), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND SLOAN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2154 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 73.5 ACRES THEREIN FROM AN O-L OPEN LAND DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-38-05, MILLER FAMILY TRUST), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND SLOAN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Director Jory Stewart advised Staff and the Planning Commission recommended.

ACTION: PASSED AND ADOPTED

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

- 47. ORDINANCE NO. 2155; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5.82 ACRES THEREIN FROM C-2 GENERAL COMMERCIAL DISTRICT TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-09-05, ANN & ALLEN), FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 370 FEET NORTH OF ANN ROAD AND APPROXIMATELY 150 FEET EAST OF WILLIS STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 48, ORDINANCE NO. 2156, ZN-10-05)**

Ordinance No. 2155 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5.82 ACRES THEREIN FROM C-2 GENERAL COMMERCIAL DISTRICT TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-09-05, ANN & ALLEN), FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 370 FEET NORTH OF ANN ROAD AND APPROXIMATELY 150 FEET EAST OF WILLIS STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

48. **ORDINANCE NO. 2156; 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 2.29 ACRES THEREIN FROM C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-10-05, ANN & ALLEN), FOR PROPERTY GENERALLY LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 370 FEET NORTH OF ANN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 47, ORDINANCE NO. 2155, ZN-09-05)**

Ordinance No. 2156 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 2.29 ACRES THEREIN FROM C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-10-05, ANN & ALLEN), FOR PROPERTY GENERALLY LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 370 FEET NORTH OF ANN ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPOINTMENT

49. **RATIFICATION OF APPOINTMENT OF SERGEANT DAVID SMITH TO THE**

**NORTH LAS VEGAS DEFERRED COMPENSATION PLAN ADVISORY
COMMITTEE FOR AN INDEFINITE TERM.**

ACTION: APPOINTMENT 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

COUNCIL ITEMS

Councilman Eliason requested a study session to discuss placing a moratorium on payday loan and check cashing facilities. He also requested a discussion on the Civic Center landscaping project between Lake Mead and Las Vegas Boulevard.

Councilman Buck requested a study session to discuss the separation between taverns and suggested possibly limiting the number of taverns based on population or number of licenses per year. City Manager Gregory Rose stated a work session had been scheduled for the second meeting in August. Councilman Buck and Mayor Montandon requested maps be included in the backup for all Special Use Permit approvals.

Councilwoman Smith asked for a progress report on the show cause hearing for the Palomino Club. City Attorney Sean McGowan stated Staff had begun meeting and evaluating the evidence. Councilwoman Smith directed Staff to look into the creation of bike paths and bike lanes throughout North Las Vegas. She also expressed concern about allowing other uses, such as taverns and commercial, in industrial zones. She requested a discussion on that subject be added to the August meeting on taverns.

CITY MANAGER'S REPORT

City Manager Gregory Rose thanked Staff for their work on the North Las Vegas Emergency Plan brochure. Assistant to the City Manager Brenda Johnson stated the brochure was completely funded by a grant from the Office of Domestic Preparedness and was also translated into Spanish by an employee in the City Clerk's Office. Ms. Johnson stated all North Las Vegas residents would be receiving the brochures over the next few weeks.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:58 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: September 7, 2005

Mayor Michael L. Montandon

ATTEST:

Karen L. Storms, CMC
City Clerk