

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

October 18, 2006

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

CITY COUNCIL MEETING

CALL TO ORDER

6:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Councilwoman Stephanie S. Smith
Councilman Shari Buck
Councilman Robert L. Eliason

EXCUSED

Mayor Pro Tempore Robinson

STAFF PRESENT

City Manager Gregory Rose	Information Technology Director Steve Chapin
Assistant City Manager Sam Chambers	Library Assistant Director Kathy Pennell
Assistant City Manager Maryann Ustick	Park and Recreation Director Mike Henley
City Attorney Sean McGowan	Acting Public Works Director Qiong Liu
City Clerk Karen Storms	Utilities Director David Bereskin
Communications Director Brenda Johnson	Planning and Zoning Manager Marc Jordan
Economic Development Director Mike Majewski	Assistant Chief of Detention Services Joseph Forti
Finance Director Philip Stoeckinger	Redevelopment Manager Larry Bender
Fire Chief Al Gillespie	Executive Assistant to the City Manager Kenny Young
General Services Director Eric Dabney	State Legislative Affairs Officer Kimberly McDonald
Acting Human Resources Director Mike Scalzi	Chief Deputy City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Suzanne Schleifman
Baha'i Faith

PLEDGE OF ALLEGIANCE

Mayor Michael L. Montandon

PUBLIC FORUM

There was no public participation.

PROCLAMATION

- ★ Proclamation recognizing October 19, 2006 as "Dr. Neha Harish Mehta Day" for her commitment to the medical profession and assistance to the City of North Las Vegas Police Department.

ACTION: PROCLAMATION MADE

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF OCTOBER 18, 2006.

ACTION: APPROVED AS AMENDED: ITEM NOS. 2, 34, 35 AND 36 CONTINUED TO FEBRUARY 21, 2007; ITEM NO. 4 CONTINUED TO NOVEMBER 1, 2006; ITEM NO. 15 TABLED TO NOVEMBER 1, 2006

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

7. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF AUGUST 16, 2006.

ACTION: APPROVED

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

8. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF AUGUST 16, 2006.

ACTION: APPROVED

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

(City Manager Rose requested Item No. 9 be removed for discussion.)

10. AMP-39-06 (NORTHGATE PHASE II); AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, ET AL, PROPERTY OWNER FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND MARION DRIVE. (SET PUBLIC HEARING FOR NOVEMBER 1, 2006)

ACTION: PUBLIC HEARING SET FOR NOVEMBER 1, 2006

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

11. AMP-40-06; AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS TO ADOPT THE SEPTEMBER 27, 2006 CITY OF NORTH LAS VEGAS COMPREHENSIVE MASTER PLAN. (SET PUBLIC HEARING FOR NOVEMBER 1, 2006)

ACTION: PUBLIC HEARING SET FOR NOVEMBER 1, 2006

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

12. VAC-23-05 (CRAIG ROAD CONDOS); AN APPLICATION SUBMITTED BY PUEBLOS PARTNERS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO CONDITION #2 OF THE PREVIOUSLY APPROVED VACATION REQUEST LOCATED WITHIN THE VANDENBERG DRIVE RIGHT-OF-WAY FROM CRAIG ROAD AND PROCEEDING SOUTH APPROXIMATELY 572 LINEAL FEET. (SET PUBLIC HEARING FOR NOVEMBER 15, 2006)

ACTION: PUBLIC HEARING SET FOR NOVEMBER 15, 2006

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

BUSINESS

9. APPROVAL OF PRIVILEGED LICENSES:

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<u>NEW LIQUOR/GAMING</u>		
1. Crescent Moon Entertainment Inc DBA: Juke Joint 4230 E Craig Rd North Las Vegas, Nevada 89030	LIQUOR/GAMING	General On Sale/Tavern 15 multi slot machines

ACTION: APPROVED

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

Councilman Eliason asked City Manager Rose how a customer study would tie in with the Comprehensive Plan, since the Comprehensive Plan already contained an area for commercial development. City Manager Rose explained the customer study would provide guidance as to what type of commercial development would be best suited for an area based on the spending habits of the residents.

Councilman Eliason asked City Manager Rose how the City would benefit from a customer study when it was the developers who had the land available. City Manager Rose responded the City would work as a facilitator between the developers and the retailers. He explained the City would be able to target a particular type of retail based upon the buying habits of the residents.

David Glover, Chief Financial Officer, Buxton Company, 2651 South Polaris Drive, Forth Worth, TX, stated retailers would be offered information on the potential for business in various locations of North Las Vegas.

Councilman Eliason asked Mr. Glover how often the customer study needed to be updated, and he responded it should be evaluated in 12-18 months to determine if an update was needed.

Councilman Eliason stated large corporations have a marketing staff for obtaining data on current market conditions for a potential retail area. City Manager Rose stated the City would augment the data of large corporations and would also be able to provide small businesses with data.

Mayor Montandon stated data regarding market conditions would enable the City to counter negative statements intelligently. Councilwoman Smith agreed that statistical evidence of the City's retail potential would be a valuable tool.

Bob Borgersen, 7617 Island Rail, North Las Vegas, expressed disapproval since the City was growing so fast he felt a customer study was not needed. Councilwoman Smith stated data would be the link between the City's dream and reality.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

- 2. AMP-18-06 (ALEXANDER & MLK); AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN, ON BEHALF OF ZUHAIR ZORA AND GHASSAN SHAMOUN,**

PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT 4009 NORTH MARTIN LUTHER KING BOULEVARD. (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 2277) (CONTINUED JUNE 7, 2006)

ACTION: CONTINUED TO FEBRUARY 21, 2007

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

3. **UN-96-06 (DECATUR & CENTENNIAL TAVERN/RESTAURANT); AN APPLICATION SUBMITTED BY DECATUR & CENTENNIAL, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND ROME BOULEVARD.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Manager Marc Jordan stated the application was a proposed use permit for a 4,611 square foot tavern/restaurant located at Decatur Boulevard and the 215 Beltway. He stated a survey submitted by the applicant showed all distance separation requirements had been met. He advised Staff recommended approval.

Edward M. Garcia, 3773 Howard Hughes Parkway, 3rd Floor, Las Vegas, appeared on behalf of the applicant and stated the tavern/restaurant would be located in an approved large commercial center and was well-buffered from residential areas.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith and Eliason

NAYS: Councilman Buck

ABSTAIN: None

4. **UN-97-06 (DECATUR & TROPICAL TAVERN/RESTAURANT); AN APPLICATION SUBMITTED BY DECATUR TROPICS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE.**

ACTION: CONTINUED TO NOVEMBER 1, 2006

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

5. **VAC-17-06 (NELLIS BOULEVARD); AN APPLICATION SUBMITTED BY JAMES B. ALDERMAN, ON BEHALF OF BMC REALTY, INC., ET AL, PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PORTION (EASTERLY) OF NELLIS BOULEVARD COMMENCING AT RANGE ROAD AND EXTENDING SOUTH TO THE ALIGNMENT OF AZURE AVENUE (APPROXIMATELY 780 LINEAL FEET).**

Mayor Montandon opened the Public Hearing.

Tony Celeste, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, appeared on behalf of the applicant and requested approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITION:

1. A PARCEL MAP IS REQUIRED TO BE FILED TO CONSOLIDATE ALL PARCELS OWNED BY BMC REALTY INC., ET AL

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

6. **PUBLIC HEARING REGARDING SPECIAL IMPROVEMENT DISTRICT NO. 62, CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD. (CONTINUED OCTOBER 4, 2006)**

Mayor Montandon opened the Public Hearing.

Acting Public Works Director Qiong Liu stated the construction was located on the east side

of Clayton Street between Craig Road and Lone Mountain Road.

Mayor Montandon closed the Public Hearing.

ACTION: PUBLIC HEARING HELD

BUSINESS (CONTINUED)

14. **APPROVAL OF THE SECOND INTERLOCAL CONTRACT WITH THE REGIONAL TRANSPORTATION COMMISSION FOR THE ANN ROAD - DECATUR BOULEVARD TO CAMINO AL NORTE PROJECT, WHICH REQUIRES THE ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED A TOTAL OF \$9,272,000, TO BE REIMBURSED BY THE REGIONAL TRANSPORTATION COMMISSION; PROJECT TO BE COMPLETED PRIOR TO DECEMBER 30, 2007. CNLV CONTRACT NO. C-6027)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

15. **APPROVAL OF THE CONDEMNATION OF REAL PROPERTY, AND THE ASSOCIATED TEMPORARY CONSTRUCTION EASEMENT NEEDED FOR THE CRAIG ROAD PHASE 3 PROJECT AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT FOR REAL PROPERTY OWNED BY J.R.T.L. LTD., APNS 139-01-303-001, 139-01-304-001, 139-01-701-001 AND 139-01-702-001 LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND DONOVAN WAY.**

ACTION: TABLED TO NOVEMBER 1, 2006

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

16. **AUGMENT THE FY06-07 GENERAL FUND BUDGET FOR HUMAN RESOURCES AND INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED \$600,000 AND APPROVE AN AMENDMENT TO THE CITY CENTER PLAZA LEASE AGREEMENT FOR LEASE EXPENSES AND TENANT**

IMPROVEMENTS/FURNITURE, FIXTURES AND EQUIPMENT FOR PROPERTY LOCATED AT 2225 CIVIC CENTER DRIVE, SUITE 150 AND 2290 MCDANIEL STREET, SUITE 2B.

ACTION: APPROVED

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

17. **APPROVAL OF A PURCHASE FROM CCG SYSTEMS, INC., IN THE AMOUNT OF \$126,645 USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR FLEET MANAGEMENT SOFTWARE; AND ENTER INTO A RENEWABLE ANNUAL SOFTWARE MAINTENANCE AGREEMENT FOR THE FLEET SERVICES DIVISION. (CNLV CONTRACT NO. C-6423)**

ACTION: APPROVED

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

18. **RATIFICATION OF EMERGENCY PURCHASE OF A BOILER AND AUGMENTATION OF THE BUILDING MAINTENANCE BUDGET IN THE AMOUNT OF \$16,400 FROM THE GENERAL FUND CONTINGENCY ACCOUNT, FOR THE DETENTION CENTER MALE CLOSE CUSTODY FACILITY.**

ACTION: PURCHASE RATIFIED; BUDGET AUGMENTED

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

19. **AMENDMENT TO THE FY06-07 PARK DISTRICT III BUDGET FOR THE PARKS**

AND RECREATION DEPARTMENT IN THE AMOUNT OF \$53,000 FOR THE PURPOSE OF SOIL STABILIZATION AND SITE IMPROVEMENTS TO THE FUTURE PARK SITE LOCATED AT TROPICAL PARKWAY AND BRUCE STREET.

ACTION: BUDGET AMENDED

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

20. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ORACLE USA, INC., IN AN AMOUNT NOT TO EXCEED \$1,049,051, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT FOR THE PURCHASE OF SOFTWARE LICENSE AND SUPPORT SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT.

Mayor Montandon expressed approval for the purchase of the software license and support services. He stated implementation of the software would enable the City to have a technological advantage for present and future growth.

ACTION: AUTHORIZED

MOTION: Mayor Montandon

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

21. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO INTEGRITY NETWORKING SYSTEMS, INC., IN THE AMOUNT OF \$99,906, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT FOR REPLACEMENT OF THE ORACLE 11I APPLICATION SERVER, REQUIRED LICENSING AND RENEWAL OF SUPPORT SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT.

ACTION: AUTHORIZED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

22. AWARD OF REQUEST FOR PROPOSAL NO. 005-006, ORACLE 11I MIGRATION IMPLEMENTATION SERVICES TO SOLBOURNE COMPUTER, INC., IN THE AMOUNT OF \$3,460,308 TO PROVIDE SOFTWARE APPLICATION MIGRATION SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT.

ACTION: REQUEST FOR PROPOSAL AWARDED

MOTION: Mayor Montandon

SECOND: Councilman Buck

AYES: Mayor Montandon, Council Members Smith and Buck

NAYS: Councilman Eliason

ABSTAIN: None

23. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO NOETIX CORPORATION, IN AN AMOUNT NOT TO EXCEED \$103,400 FOR THE PURCHASE OF SOFTWARE LICENSE AND SUPPORT SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT.

ACTION: AUTHORIZED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Montandon, Council Members Smith and Buck

NAYS: Councilman Eliason

ABSTAIN: None

24. AMENDMENT TO THE FY06-07 CITY MANAGER'S OFFICE GENERAL FUND OPERATING BUDGET IN THE AMOUNT OF \$15,000 FOR EXPENSES RELATED TO IMPROVEMENTS AT THE POLICE NORTHWEST AREA COMMAND FACILITY FOR THE EMERGENCY OPERATIONS COORDINATOR; AND AUTHORIZE ISSUANCE OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$15,000 FOR CONSTRUCTION OF THE IMPROVEMENTS.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

25. ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA OFFICE OF ATTORNEY GENERAL UNDER THE VIOLENCE AGAINST WOMEN ACT GRANT PROGRAM IN THE AMOUNT OF \$51,300 WITH A LOCAL MATCH OF \$57,000, TO SUPPORT THE CONTINUATION OF THE EXISTING BILINGUAL VICTIM ADVOCACY PROGRAM IN THE POLICE DEPARTMENT.

Councilman Eliason asked Assistant Chief of Detention Services Joseph Forti what the first grant awarded from the State of Nevada this year was for, and he responded the first grant had been for a Victim/Witness Advocate.

ACTION: GRANT AWARD ACCEPTED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

26. AWARD OF BID NUMBER B-1247 TO HAAKER EQUIPMENT COMPANY IN THE AMOUNT OF \$295,931 FOR LOT 2; AND REJECT THE BIDS OF AZ WASTEWATER FOR NOT MEETING SPECIFICATIONS FOR THE PURCHASE OF A SEWER VACUUM TRUCK.

ACTION: BID AWARDED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

27. AWARD OF BID NUMBER B-1252 TO ADAMS POOLS SOLUTIONS IN THE AMOUNT OF \$52,425 TO RE-PLASTER THE WALKER SWIMMING POOL. (CNLV CONTRACT NO. C-6420)

ACTION: BID AWARDED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

28. **AWARD OF BID NUMBER B-1253 TO TIBERTI COMPANY IN THE AMOUNT OF \$29,495 FOR LOT 1; AND TO VEGAS FENCING IN THE AMOUNT OF \$44,820 FOR LOT 2 AND \$34,120 FOR LOT 3 TO PROVIDE WROUGHT IRON FENCES FOR HARTKE, PETITTI AND WALKER POOLS. (CNLV CONTRACT NO. C-6421 AND C-6435)**

ACTION: BID AWARDED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

29. **RESOLUTION NO. 2358; A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD); MAKING DETERMINATION ON HARDSHIP APPLICATIONS FILED; AND DIRECTING THAT THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT.**

Resolution No. 2358 as introduced by the City Manager:

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD); MAKING DETERMINATION ON HARDSHIP APPLICATIONS FILED; AND DIRECTING THAT THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

30. RESOLUTION NO. 2361; A RESOLUTION OPPOSING THE STATE BALLOT QUESTION 2 AND RECOMMENDING AN ALTERNATIVE PROCESS.

Resolution No. 2361 as introduced by the City Manager:

A RESOLUTION OPPOSING THE STATE BALLOT QUESTION 2 AND
RECOMMENDING AN ALTERNATIVE PROCESS

ACTION: PASSED AND ADOPTED

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

ORDINANCES
INTRODUCTION ONLY

31. ORDINANCE NO. 2310; AN ORDINANCE CREATING CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD). (SET FINAL ACTION FOR NOVEMBER 1, 2006)

Ordinance No. 2310 as introduced by the City Clerk:

AN ORDINANCE CREATING CITY OF NORTH LAS VEGAS, NEVADA,
SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET -
CRAIG ROAD TO LONE MOUNTAIN ROAD).

ACTION: FINAL ACTION SET FOR NOVEMBER 1, 2006

32. ORDINANCE NO. 2285; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE 2246 AND CHAPTER 16.08 ENTITLED "GENERAL PROVISIONS AND ENFORCEMENT", OF TITLE 16 OF THE NORTH LAS VEGAS MUNICIPAL CODE, TO CORRECT AND CLARIFY THE CHAPTER BY ALLOWING FOR THE ADMINISTRATIVE ACCEPTANCE OF DEDICATIONS AND RELEASE OF SURETIES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 1, 2006)

Ordinance No. 2285 as introduced by the City Clerk:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE 2246 AND CHAPTER 16.08 ENTITLED "GENERAL PROVISIONS AND ENFORCEMENT", OF TITLE 16 OF THE NORTH LAS VEGAS MUNICIPAL CODE, TO CORRECT AND CLARIFY THE CHAPTER BY ALLOWING FOR THE ADMINISTRATIVE ACCEPTANCE OF DEDICATIONS AND RELEASE OF SURETIES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 1, 2006

33. **ORDINANCE NO. 2313; 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 37.44 + ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-50-06, SLOAN & ANN), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF EL CAMPO GRANDE AVENUE & SLOAN AVENUE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 1, 2006)**

Ordinance No. 2313 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 37.44 + ACRES THEREIN FROM AN O-L, OPEN LAND DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-50-06, SLOAN & ANN), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF EL CAMPO GRANDE AVENUE & SLOAN AVENUE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 1, 2006

ORDINANCES
FINAL ACTION

34. **ORDINANCE NO. 2275; 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 30.79± ACRES THEREIN FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-3 MULTI-**

FAMILY RESIDENTIAL DISTRICT (ZN-27-06, CELEBRATE VILLAGE), FOR PROPERTY LOCATED WEST OF MARTIN L. KING BOULEVARD AND APPROXIMATELY 800 FEET SOUTH OF CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 7 AND JULY 5, 2006)

ACTION: CONTINUED TO FEBRUARY 21, 2007

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

35. **ORDINANCE NO. 2276; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 6.15± ACRES THEREIN FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-28-06, CELEBRATE VILLAGE), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND CORALIE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 7 AND JULY 5, 2006)**

ACTION: CONTINUED TO FEBRUARY 21, 2007

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

36. **ORDINANCE NO. 2277; 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± ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-26-06, ALEXANDER & MARTIN L. KING), FOR PROPERTY LOCATED AT 4009 NORTH MARTIN L. KING BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 2, AMP-18-06) (CONTINUED JUNE 7, 2006)**

ACTION: CONTINUED TO FEBRUARY 21, 2007

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

- 37. ORDINANCE NO. 2255; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS AS FOLLOWS: (1) REPEALING SECTIONS 6.24.010 THROUGH 6.24.050 REGULATING THE OWNING OF VICIOUS AND/OR DANGEROUS ANIMALS AND REPLACING THOSE SECTIONS WITH NEW SECTIONS REGULATING THE SAME, (2) ADOPTING NEW REGULATIONS CONCERNING DANGEROUS AND VICIOUS ANIMALS WHICH ARE THE SAME OR SIMILAR TO REGULATIONS ADOPTED BY OTHER LOCAL GOVERNMENT ENTITIES IN THE LAS VEGAS VALLEY IN ORDER TO MAKE UNIFORM THE LAW PERTAINING TO DANGEROUS AND VICIOUS ANIMALS, (3) REPLACING SECTION 6.24.050 GOVERNING THE EXHIBITION OF DANGEROUS ANIMALS WITH SECTION 6.24.055, (4) AMENDING SECTION 6.24.060, (5) REPEALING ORDINANCE NOS. 206, 474 AND 862, (6) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2255 as introduced by the City Manager:

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS AS FOLLOWS: (1) REPEALING SECTIONS 6.24.010 THROUGH 6.24.050 REGULATING THE OWNING OF VICIOUS AND/OR DANGEROUS ANIMALS AND REPLACING THOSE SECTIONS WITH NEW SECTIONS REGULATING THE SAME, (2) ADOPTING NEW REGULATIONS CONCERNING DANGEROUS AND VICIOUS ANIMALS WHICH ARE THE SAME OR SIMILAR TO REGULATIONS ADOPTED BY OTHER LOCAL GOVERNMENT ENTITIES IN THE LAS VEGAS VALLEY IN ORDER TO MAKE UNIFORM THE LAW PERTAINING TO DANGEROUS AND VICIOUS ANIMALS, (3) REPLACING SECTION 6.24.050 GOVERNING THE EXHIBITION OF DANGEROUS ANIMALS WITH SECTION 6.24.055, (4) AMENDING SECTION 6.24.060, (5) REPEALING ORDINANCE NOS. 206, 474 AND 862, (6) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED, AS AMENDED: ADD SECTION 6.24.010 (A) TO READ AS FOLLOWS:

AN ANIMAL MAY BE DECLARED "VICIOUS" BY AN ANIMAL CONTROL OFFICER IF IT CONSTITUTES A PHYSICAL THREAT TO HUMAN BEINGS OR TO OTHER ANIMALS AND:

- A. IT HAS KILLED OR INFLICTED A SUBSTANTIAL HARM UPON A HUMAN BEING OR ANIMAL; OR
- B. AFTER HAVING PREVIOUSLY BEEN DECLARED DANGEROUS, WITH NOTICE OF THE DECLARATION HAVING BEEN PROVIDED TO THE OWNER OR KEEPER, CONTINUES TO EXHIBIT THE SAME TYPE OF BEHAVIOR WHICH RESULTED IN THE DECLARATION OR OTHER DANGEROUS OR VICIOUS BEHAVIOR AS DEFINED BY THIS SECTION.

AMEND SECTION 6.24.050(A) BY CHANGING "OWNER OF KEEPER" TO "OWNER OR KEEPER"

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

38. ORDINANCE NO. 2311; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2187 WHICH AMENDED ORDINANCE NUMBER 2043 WHICH RECLASSIFIED RUNVEE HOBART (ZN-06-04) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, SPECIFICALLY ADDING CONDITION #51 - #54 TO ALLOW MODEL 3860 TO EXCEED THE HEIGHT OF 28 FEET WITHIN THE DESIGNATED AREA OF RUNVEE HOBART 3B AND BY AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2311 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 2187 WHICH AMENDED ORDINANCE NUMBER 2043 WHICH RECLASSIFIED RUNVEE HOBART (ZN-06-04) TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, SPECIFICALLY ADDING CONDITION #51 - #54 TO ALLOW MODEL 3860 TO EXCEED THE HEIGHT OF 28 FEET WITHIN THE DESIGNATED AREA OF RUNVEE HOBART 3B AND BY AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Manager Marc Jordan stated the amendment would allow construction of Model 3860 at the maximum height of 35 feet where 28 feet was allowed. He stated Staff and the Planning Commission recommended approval.

Kris Givant, Triton Engineering, 6757 W. Charleston Boulevard, Suite B, Las Vegas, appeared on behalf of the applicant. Councilman Eliason asked Ms. Givant if she knew the square footage of Model 3860 and she responded she did not. Mayor Montandon stated Model 3860 was 3,860 square feet.

Councilman Buck asked Manager Jordan if 20% of the lots designated for Model 3860 was a conservative allowance. He responded an ordinance required developments over 50 lots to have at least three models, with three elevations for each model, and the elevations could not be located on consecutive blocks; therefore, the 20% allowance for Model 3860 would help ensure the variation required.

Councilman Buck asked Manager Jordan if variation requirements could be met if the designated lot allowance for Model 3860 was raised to 40%, and he responded the number of dwellings would need to be removed from the condition in order to raise the percentage. Councilman Buck stated she would be in favor of increasing the allowance to 40%.

Councilwoman Smith opposed the percentage increase because she felt too many homes would be built on too few lots.

Councilman Buck made a motion to increase the allowance to 30%, with deletion of the number of units.

ACTION: PASSED AND ADOPTED AS AMENDED: CONDITION #54 AMENDED TO READ AS FOLLOWS:

MODEL 3860 SHALL NOT EXCEED 30% OF THE DESIGNATED LOTS ALLOWED IN THE RUNVEE HOBART 3B AREA AND SHALL NOT BE PLACED ON CONSECUTIVE LOTS.

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

39. **ORDINANCE NO. 2312; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-14-06); AMENDING SECTION 17.24.050(1)(2), TO ALLOW THE BUILDING OFFICIAL OF THE CITY OF NORTH LAS VEGAS TO ALLOW SOUND-PROOF POOL EQUIPMENT, HOUSING & PUMPS WITHIN THE REQUIRED MINIMUM SETBACK OF 10 FEET AS AN EXCEPTION, WITHOUT A NEED FOR VARIANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2312 as introduced by the City Manager:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-14-06); AMENDING SECTION 17.24.050(I)(2), TO ALLOW THE BUILDING OFFICIAL OF THE CITY OF NORTH LAS VEGAS TO ALLOW SOUND-PROOF POOL EQUIPMENT, HOUSING & PUMPS WITHIN THE REQUIRED MINIMUM SETBACK OF 10 FEET AS AN EXCEPTION, WITHOUT A NEED FOR VARIANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planning and Zoning Manager Marc Jordan stated the proposed amendment allowed flexibility in the location of pool equipment. He stated more frequently pool equipment had sound-proof housings and pumps; therefore, it was no longer necessary to install pool equipment 10 feet away from the nearest dwelling.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Smith was concerned about the number of shopping carts left in parking lots and surrounding areas. Kenny Young, Senior Assistant to the City Manager, explained a report would be provided on Staff progress. Councilwoman Smith reiterated Staff explore upgrading the audio equipment for Council Chambers.

CITY MANAGER'S REPORT

There was no report.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:13 P.M.

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

APPROVED: December 20, 2006

Mayor Michael L. Montandon

ATTEST:

Karen L. Storms, CMC
City Clerk