

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

November 1, 2006

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:16 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**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	Human Resources Director Joyce Lira
Assistant City Manager Sam Chambers	Information Technology Director Steven Chapin
Assistant City Manager Maryann Ustick	Assistant Library Director Kathy Pennell
City Attorney Sean McGowan	Parks and Recreation Director Mike Henley
City Clerk Karen L. Storms	Planning and Zoning Director Jory Stewart
Communications Director Brenda Johnson	Planning and Zoning Manager Misty Haehn
Economic Development Director Mike Majewski	Police Chief Mark Paresi
Finance Director Phil Stoeckinger	Acting Public Works Director Qiong Liu
Fire Chief Al Gillespie	Executive Assistant to the City Manager Kenny Young
General Services Director Eric Dabney	Chief Deputy City Clerk Anita Sheldon

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Seminarian John Assalone  
St. Christopher Catholic Church

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tempore William E. Robinson

**PUBLIC FORUM**

**Jim Sala, Southwest Regional Council of Carpenters, 501 North Lamb Boulevard, Las Vegas**, expressed concerns over the performance of Meadow Valley Contractors.

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF NOVEMBER 1, 2006.**

ACTION: APPROVED AS AMENDED; ITEM NO. 16 WITHDRAWN

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. CONSIDERATION OF A REQUEST, SUBMITTED BY GEORGE GARCIA, FOR WITHDRAWAL OF AN APPEAL SUBMITTED BY CASEY MCGUIRE, A PERSON WHOSE PROPERTY RIGHTS ARE OR MAY BE AFFECTED, BY THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-101-05 (CENTENNIAL PLAZA); AN APPLICATION SUBMITTED BY CASH AMERICA, INC. OF NEVADA ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A PAWN SHOP ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF**

**CENTENNIAL PARKWAY AND SIMMONS STREET. (CONTINUED DECEMBER 21, 2005, JANUARY 18 AND MAY 3, 2006).**

Mayor Montandon opened the Public Hearing.

Mayor Montandon stated the applicant requested withdrawal of the application.

Mayor Montandon closed the Public Hearing.

ACTION: WITHDRAWN

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

3. **AMP-32-06 (MARBELLA); AN APPLICATION SUBMITTED BY MM GROUP, LLC, ON BEHALF OF RICHARD & FELICIA POWELL AND EAGLE 7 PROPERTIES, LLC, PROPERTY OWNERS, 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 AZURE AVENUE. (CONTINUED AUGUST 2, AUGUST 16, SEPTEMBER 6 AND OCTOBER 4, 2006) (ASSOCIATED ITEM NO. 31, ORDINANCE NO. 2300)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated Staff had originally recommended denial because of the previously approved multi-family developments to the south and west which could possibly increase the traffic congestion along Azure Avenue. Staff also had a concern with the proximity to the existing single family residential homes to the east.

Director Stewart advised Staff preferred a transition from High Density Residential to a Medium Density Residential; however, the Planning Commission unanimously recommended approval for High Density Residential.

**Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas**, appeared on behalf of the applicant and stated the five acre parcel was located directly south of Regena Avenue, west of Donna Street, north of Azure Avenue and within the eastern 660 feet of the North 5<sup>th</sup> Corridor. Mr. Gronauer explained the property was located in the City's planned area for High Density Residential and Commercial uses, and currently was Master Plan Commercial.

Mr. Gronauer stated amendments to the Master Plan over the past two years have changed the area significantly. He explained there have been discussions and plans for a station located on Azure Avenue for a future bus rapid transit system or a light rail transit system.

Mr. Gronauer stated commercial development for this five acre parcel would not be appropriate because North 5<sup>th</sup> Street traffic would be restricted for right turn, right out access.

Mr. Gronauer explained the application for High Density Residential would be appropriate for the five acres and he had worked with neighbors to address their concerns. He stated letters of support for the project would be submitted for the record.

Mr. Gronauer stated the neighbors in the area received a letter from the applicant that confirmed the five acres would be designated for an approximate 77 unit townhome or condominium development.

Mr. Gronauer requested the Council follow the Planning Commission's recommendation of unanimous approval.

**Bob Mersereau, 4836 Crystal Sword, North Las Vegas,** expressed trust in the developer and the Council to comply with the agreement; however, he was concerned about having enough internal parking so the street parking would not be adversely impacted. Mayor Montandon stated the City had specific parking ordinances and would ensure there was enough parking.

Mayor Montandon closed the Public Hearing.

Councilman Buck asked Mr. Gronauer if the application was for R-3 and he responded because the development was 14.9 units per acre it was just above the R-3 land use category. Councilwoman Smith asked Mr. Gronauer to explain what assurances the City would have and he responded he had the letter of commitment from the owner for the record.

**Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas,** asked Mr. Gronauer if the property was currently in negotiations to be purchased by the developer and he responded it was and assured Mr. Ferber the current owner would continue to work with the neighbors as they followed the Site Plan Review. He also assured Mr. Ferber there was a letter of support from the developer for the record.

**Kevin Jacobsen, MM Group LLC,** stated there was a written agreement and it would be honored.

**Bill Farnsworth, MM Group LLC**, ensured the agreement would be honored.

Mayor Montandon called for a motion and Councilman Buck moved for approval.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Eliason

ABSTAIN: None

31. **ORDINANCE NO. 2300; 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+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT AND A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-42-06, MARBELLA), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED AUGUST 2, AUGUST 16, SEPTEMBER 6 AND OCTOBER 4, 2006) (ASSOCIATED ITEM NO. 3, AMP-32-06)**

Ordinance No. 2300 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+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT AND A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-42-06, MARBELLA), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: Councilman Eliason

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. (CONTINUED OCTOBER 18, 2006)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated Staff recommended denial because the distance separation requirements between new and existing taverns must be 2,500 feet. The nearest tavern was 2,700 feet south of the proposed location; however, another application for a tavern/restaurant had been submitted by a different applicant prior to the time when this application was accepted and that site would be within 2,500 feet of this location.

**Bill Curran, 300 S. 4<sup>th</sup> Street, #1201, Las Vegas,** appeared on behalf of the applicant and requested the complete record of all previous proceedings in regard to this property be considered part of the record.

**George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson,** appeared on behalf of the applicant and stated on October 8, 2003, the Planning Commission had approved a special use permit which allowed the "on-sale" of alcoholic beverages in conjunction with a tavern. There had been four extensions recommended since that time; however, the City Council denied a fifth extension on July 19, 2006.

Mr. Garcia explained use permits for commercial development had been applied for in the previous approvals before the residential development; thereby, potential home buyers could determine before buying whether or not they wanted to live by a commercial area.

Mr. Garcia stated the proposed use request would not be a conflict with the distance separation requirements between the existing and recently approved tavern/restaurant because Interstate 215 provided a barrier between them. He also explained it would not be in conflict with residential areas because the proposed tavern/restaurant would not be directly across the street from single family homes nor back up to single family homes; therefore, the proposed tavern/restaurant would not be detrimental to public health, safety or welfare.

Mr. Garcia stated the proposed use request complied with regulations and conditions, and no waivers would be requested.

**Amy Sanchez - Golden Gaming Group,** presented the proposed use request would be for an ultra lounge tavern/restaurant. She explained the lounge would have a western feel with a VIP room and a bar area with lowered pony walls to separate it from the restaurant. The second floor would have a private dining area with a stage and an additional bar. Mr.

Garcia stated the tavern/restaurant would have high quality dining and offer a banquet hall for meetings, parties and other various functions.

Mr. Curran stated the application fully complied with the spirit, the policy and the letter of the law and fully warranted favorable consideration.

Councilwoman Smith stated she would not support the proposal because the location was not appropriate for another tavern/restaurant since there were two taverns there now and residential homes directly across the street.

Mayor Montandon stated a banquet hall was needed in North Las Vegas for a meeting room.

Councilman Buck stated the proposed site was no longer appropriate for a tavern/restaurant because the residential neighborhood had grown around the area since the use permit had been originally approved in 2003.

Director Stewart stated if approved, conditions would need to be added and verified by the applicant, since the size of the tavern might be changed. Director Stewart stated there was an additional condition requested by Public Works regarding the right-of-way on Decatur Boulevard.

Mayor Montandon stated a Traffic Study was being conducted to determine if a traffic signal would be needed. Mr. Garcia stated they would agree to a traffic signal condition if one was approved.

Director Stewart asked the applicant to state the square footage for the revised condition and the applicant stated 10,000 square feet.

Mayor Montandon stated there were no foregone conclusions on the application just because there was discussion on conditions being negotiated on a potential approval. Mayor Montandon requested Director Stewart read the condition into the record.

Director Stewart read Condition Number 26 for the record: "Should the intersection of Decatur Boulevard and Rice Avenue warrant a traffic signal, an additional right-of-way with approximately five feet may be required on Rice Avenue."

Mr. Garcia stated Condition Number 26 and the revision on the condition for the square footage were acceptable.

Mayor Montandon closed the public hearing.

ACTION: DENIED

MOTION: Mayor Pro Tempore Robinson

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

5. **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.**

Mayor Montandon opened the Public Hearing.

Director Stewart stated Staff recommended denial because the amendment would further deplete a valuable industrial parcel with direct access to the Union Pacific Railroad system and to the interstate highway network; as well as the close proximity to possible residential in the vicinity. She stated the Planning Commission recommended approval.

**Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas,** appeared on behalf of the applicant and stated the Council had approved Phase I of the Northgate project which was 117 acres to the west of the proposed site. He explained the application for Phase II was a request to develop the last 20 acres of approximately 137 acres.

Mr. Gronauer requested the Council follow the Planning Commission's recommendation for approval.

Mayor Montandon asked Mr. Gronauer to explain why there was a separation between the 117 acres and the 20 acres that was not included in the development. Mr. Gronauer stated the owner of the property between the two areas had been offered three options: sell the property to us; become our partner and integrate the parcel with our development; or swap the land for another piece of property in which we would help in the relocation. Mr. Gronauer stated the owner had not committed to any option, and the applicant would need to proceed with development around the property if a solution was not met.

**Bill Curran, 300 S. 4<sup>th</sup> Street, #1201, Las Vegas,** advised he represented the owners of the previously approved casino across the street from the property and stated the application was clearly headed for a planned casino. He stated he took no position on the request; however, he felt it would not be in the City's best interests to have two casinos across the street from each other.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED  
MOTION: Councilwoman Smith

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

Mayor Montandon called a recess at 7:30 P.M.

Mayor Montandon reconvened the meeting at 7:42 P.M.

6. **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.**

Mayor Montandon opened the Public Hearing.

**Ben Herman, McBride Dale Clarion and Associates, 5725 Dragon Way, Suite 220, Cincinnati, OH,** presented an update on the Draft Comprehensive Master Plan. He stated over the last 18 months there had been nine public meetings, five Focus Group meetings, three Planning Commission meetings, and five joint meetings with the Council and Planning Commission.

Mr. Herman explained the Plan was based on ten guiding principles and those were strongly drawn from the Vision 2025 document. The land use plan consolidated some of the land use categories which allowed more flexibility and was more design based than the current Plan. The Plan contained design principle guidelines for mixed use neighborhoods, master planned community design concepts and transit oriented development. The Plan included residential density criteria based on building and site design and implementation would require code amendments. He stated the process had begun at the Staff level and should be before Council in the next few months.

Mr. Herman stated an Annual Plan Review had been incorporated into the Plan to determine if objectives were being met. The Plan also incorporated a series of development review checklists to be used as a gauge to measure that each proposed project met specific development standards and policy based aspects of the goals.

Mr. Herman stated on September 27, 2006, the Planning Commission had unanimously recommended adoption of the Plan; however, there were two specific directions with the recommendation. The first direction regarded six parcels of land where the property owners had requested changes to the land use plan, and the Planning Commission had directed the parcels be handled on their own merits as amendments. He stated Planning and Zoning

Manager Misty Haehn would present on the six parcels. The second direction was to ensure the consolidated land use categories meshed accurately with the zoning district categories. He stated they had met with property owner representatives to ensure there were no conflicts between the planned categories and the zoning categories.

Planning and Zoning Manager Misty Haehn presented an outlined summary on the six requests for changes to the land use plan.

The first requested change to the land use map was a parcel located at the northwest corner of Centennial Parkway and Valley Drive, currently it was master planned as Commercial. The old Plan identified the parcel as low density; however, the applicant requested the parcel be rezoned to multi-family development which would contain up to 25 units per acre. The application for High Density Residential had been continued and withdrawn due to neighborhood concerns.

The second requested change to the land use map was for property designated as Medium Density which allowed up to 13 units per acre, and adjacent to the property was a subdivision with single-family homes zoned R-1. The applicant requested the property be rezoned to multi-family development.

The third requested change to the land use map was a parcel located at the southeast corner of Lone Mountain Road and Losee Road. The parcel was zoned Heavy Industrial in the old Plan and Heavy Industrial in the new Plan as well. A mini-storage facility on the parcel had been previously approved M-2. The applicant requested the property be rezoned Neighborhood Commercial.

The fourth requested change to the land use map was a parcel located at the southeast corner of Smiley Road and Lamb Boulevard. The applicant requested Resort Commercial, which would allow a casino. The parcel had been designated Industrial in the old Plan and remained Industrial in the new Plan. Staff recommended the parcel remain Industrial to preserve the industrial land within the area.

The fifth requested change to the land use map was a parcel located at the northwest corner of Azure Avenue and North 5<sup>th</sup> Street. The parcel was currently designated Mixed Use Commercial under the new Plan; however, the owner requested it be rezoned to Neighborhood Commercial. Staff had worked with the applicant, and since the site was only one acre, it had been agreed the requested change to Neighborhood Commercial would be compatible to Mixed Use Commercial; thus, the change request was no longer needed.

The sixth requested change to the land use map was from one applicant regarding two parcels located in the vicinity of Lone Mountain Road and North 5<sup>th</sup> Street. The 14.5 acre area was currently master planned Single Family Low Density which allowed six dwelling units per acre; however, the applicant requested Multi-Family which allowed 20 to 25 units

per acre. The property under the old Plan was designated Low Density which allowed 2 to 4.5 units per acre and contained in-fill parcels and single family homes. Staff had received a letter from the Homeowners' Association in the vicinity requesting the area remain single family dwellings.

**Tony Celeste, Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas,** discussed three of the parcels previously outlined by Manager Haehn.

Mr. Celeste stated the 1.5 acre parcel at the northwest corner of Azure Avenue and North 5<sup>th</sup> Street was currently designated Mixed Use Commercial which would require vertical construction that was not in the best interest of the neighborhood.

He stated the parcel located at the southeast corner of Lone Mountain Road and Losee Road was currently designated Heavy Industrial; however, it was requested to be designated Neighborhood Commercial. He pointed out there was a trend already created for commercial in the area and felt Neighborhood Commercial would be appropriate.

He stated the third parcel located at the southeast corner of Interstate 215 and Valley Drive was currently designated as Community Commercial; however, it was requested to be designated Mixed Use Commercial. He pointed out Valley Drive dead-ended at Interstate 215; therefore, commercial would not be viable as there was no access from the interstate.

**Jennifer Lazovich, Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas,** appeared on behalf of Focus Property Group for property located at North 5<sup>th</sup> Street and Deer Springs Way, and Jack Binion's property located on Losee Road and Centennial Parkway. She stated there were presently amendments to the old Plan for these areas for Regional Commercial. Ms Lazovich requested confirmation, and received from Director Stewart, that they could proceed as planned.

**Joe Dabrowski, 616 Barite Canyon Road, North Las Vegas,** stated he represented the Homeowners' Association Board of Directors for the property located on the northeast corner of Lone Mountain Road and North 5<sup>th</sup> Street. He stated if the property on the southeast was changed to allow 25 units per acre, and with implementation of the planned North 5<sup>th</sup> Street Transit Corridor, one entrance to their development would become a right turn in and right turn out only.

**Fred Waid, 6370 West Flamingo Road #40, Las Vegas,** stated only high quality compatibly designed multi-family buildings would be offered in the vicinity of Lone Mountain Road and North 5<sup>th</sup> Street, and the buildings would blend well with the surrounding single family homes.

**Jason Thriot, 708 Barite Canyon Drive, North Las Vegas,** stated he did not support high density development in the vicinity of Lone Mountain Road and North 5<sup>th</sup> Street.

**Trent Taylor, 4827 White Jade Street, North Las Vegas,** stated he did not support high density housing in the vicinity of Lone Mountain Road and North 5<sup>th</sup> Street because the area was surrounded by single family dwellings.

**Ned Thomas, 4828 White Jade Street, North Las Vegas,** stated higher density areas should be consistent with the development around them. Therefore, he did not support high density housing in the vicinity around Lone Mountain Road and North 5<sup>th</sup> Street.

Councilwoman Smith expressed appreciation to the citizens who came forward to make their requests; however, she would not support any changes tonight. She preferred for each application to be reviewed by Council.

Manager Haehn stated the fifth requested change to the land use map would not require an amendment to the Plan because the language allowed a commercial development.

Manager Haehn stated the first requested change to the land use map needed a full process review because Staff needed to know what kind of mixed use product had been requested.

Mr. Herman stated he wanted to clarify there were three mixed use categories in the new Plan: Mixed Use Residential, Mixed Use Commercial and Mixed Use Employment. He stated there was flexibility in each category; however, the intent was for each category to reflect its primary use.

Manager Haehn stated the third requested change was zoned Heavy Industrial in the new Plan, and had been Heavy Industrial in the old Plan. The parcel was approximately four acres and contained an approved mini-warehouse. The applicant requested the parcel be rezoned to Neighborhood Commercial.

Councilman Eliason asked Manager Haehn if the new Plan allowed for more intensity than Neighborhood Commercial, and she responded Community Commercial would be more intense.

Director Stewart stated the applicant had M-2 zoning on this parcel and currently the code allowed limited commercial uses through use permit considerations; however, it was unknown to Staff what kind of commercial the applicant had considered.

Mayor Montandon closed the Public Hearing.

Mayor Montandon stated the first consideration was the proposed amendment number one to the Comprehensive Master Plan for the parcel located at Valley Drive and 215 Interstate (Centennial Parkway) to change the designation from Community Commercial to Mixed Use Commercial.

ACTION: DENIED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilman Buck

ABSTAIN: None

Mayor Montandon stated the second consideration was the proposed amendment number three to the Comprehensive Master Plan for the parcel located at the southeast corner of Lone Mountain Road and Losee Road to change the designation from Industrial to Community Commercial.

ACTION: SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND LOSEE ROAD APPROVED FOR COMMUNITY COMMERCIAL

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Mayor Montandon and Council Member Smith

ABSTAIN: None

Mayor Montandon called for a vote on the Comprehensive Plan with the above amendment.

ACTION: APPROVED AS AMENDED

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

**7. UN-83-05 (PARK CENTRAL PLAZA); AN APPLICATION SUBMITTED BY TODD KESSLER, ON BEHALF OF PARK CENTRAL PLAZA 32, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY LOCATED AT 5860 LOSEE ROAD.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated this was the applicant's first request for an extension. She stated a building permit had been requested for five buildings on the site; however, the pad for the tavern had not been included in the request.

**George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson,** appeared on behalf of the developer. He stated the proposed 7,200 square foot tavern/restaurant would be located within a proposed 26.67 acre shopping center at the southeast corner of Losee Road and Tropical Parkway.

Mr. Garcia presented an update on the special use permit for this tavern since it had been approved by Council on November 16, 2005. He stated the sidewalks, the light poles, and the curb gutter for the entire project had been installed; and an extensive amount of time and money had been expended on studies for traffic, drainage and engineering.

Mr. Garcia explained, historically, the Council had not wanted taverns built first. The bid process for the anchor of the shopping center, a grocery store, would close today. He requested Council's consideration for this first extension request.

Councilwoman Smith asked City Attorney McGowan if partial work completed on a project constituted a vested consideration. He responded a project with some work completed showed significant effort and would be persuasive in court.

Councilman Buck stated she was satisfied the applicant had moved forward with the project.

Councilman Eliason suggested a longer extension may be needed since once an approval was granted it took eighteen months to begin construction.

Mayor Pro Tempore Robinson asked the developer if the second phase had started. He responded the anchor tenant's plans were currently in Development Services and a permit was anticipated this month. He added that in December all phases of the proposed site plan would begin.

**Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas,** stated he was opposed to a tavern because the neighborhoods surrounding the area had single family homes and schools.

**Dawn Barlow, 5634 Wedgefield, North Las Vegas,** stated she was opposed to a tavern at this location because drunk drivers may be a possible danger to children, as there were several school bus stops located nearby.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED FOR ONE-YEAR EXTENSION

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

**8. VAC-18-06 (ELDORADO R1-60 NO. 16 TM NO. 22); AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, TO VACATE A 3-FOOT-WIDE PORTION OF FORT WILLIAM AVENUE AT THE END OF THE CUL-DE-SAC.**

Mayor Montandon opened the Public Hearing.

Acting Public Works Director Qiong Liu stated Staff recommended approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE VACATION MUST RECORD CONCURRENTLY WITH THE FINAL MAP. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS FROM THE APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.

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

**CONSENT AGENDA**

Item No. 13 was pulled from the Consent Agenda and placed as the first item under Business.

**9. APPROVAL OF PRIVILEGED LICENSES: (EXHIBIT "A")**

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<b><u>NEW LIQUOR</u></b>		
1. Kaizen Fusion Roll & Sushi #3 Inc. <b>DBA:</b> Kaizen Fusion Roll & Sushi 2760 Deer Springs Way #101 North Las Vegas, Nevada 89084  <u>Inspections</u>	LIQUOR	Beer & Wine On Sale  <u>Police Investigations Completed</u> <u>Pending Health approvals</u> <u>Pending Final Building &amp; Fire</u>
2. The Bella Vino Wine Company LLC <b>DBA:</b> Bella Vino 2745 W Centennial Pkwy North Las Vegas, Nevada 89084  <u>Inspections</u>		General Off Sale-Wine Store  <u>Police Investigations Completed</u> <u>Pending Health approvals</u> <u>Pending Final Building &amp; Fire</u>

**OWNERSHIP CHANGE LIQUOR & GAMING**

3. Rebel Oil Company, Inc. <b>DBA:</b> Rebel #37 2810 Rancho Dr Las Vegas, Nevada 89030	LIQUOR/GAMING	Beer & Wine Off Sale 7 slot machines <u>Police Investigation Completed</u> <u>Pending Fire &amp; Building Inspections</u> <u>Pending Health approval</u>
4. Rebel Oil Company, Inc. <b>DBA:</b> Rebel #38 4020 E Craig Rd North Las Vegas, Nevada 89031	LIQUOR/GAMING	Beer & Wine Off Sale 7 slot machines <u>Pending Fire &amp; Building Inspections</u> <u>Pending Health approval</u>

**OWNERSHIP CHANGE LIQUOR**

5. Ignacio B Nunez, Owner <b>DBA:</b> Mariscos Playa De Oro 3210 E Lake Mead Blvd #4 North Las Vegas, Nevada 89030	LIQUOR	Beer & Wine On Sale  <u>Police Investigation Completed</u> <u>Former Owner: Abel Delgado</u>
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**NEW LIQUOR & GAMING**

6. Wal-Mart Stores, Inc. <b>DBA:</b> Wal-Mart Supercenter #3351 6464 N Decatur Blvd North Las Vegas, Nevada 89084	LIQUOR	Packaged Liquor  <u>Police Investigations Completed</u> <u>Pending Final Building &amp; Fire</u> <u>Inspections</u> <u>Pending Health approval</u>
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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

10. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM CENTEX HOMES, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ALEXANDER ROAD & SIMMONS STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$4,218; AND GOWAN ROAD & SIMMONS STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$4,919 FOR THE ALEXANDER/COLEMAN RESIDENTIAL SUBDIVISION, UNIT 6, LOCATED ON THE WEST SIDE OF COLEMAN STREET, 300 FEET NORTH OF GILMORE AVENUE.**

ACTION: PAYMENT ACCEPTED

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

11. **AMP-21-06 (NORTH FIFTH & DEER SPRINGS); AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC, ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL AND MDR MEDIUM DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. (SET PUBLIC HEARING FOR NOVEMBER 15, 2006)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 15, 2006

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

12. **AMP-22-06 (DORRELL LANE); AN APPLICATION SUBMITTED BY ACACIA**

**PROPERTIES, LLC AND NGA #2, LLC, ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO REMOVE DORRELL LANE BETWEEN NORTH FIFTH STREET AND DONNA STREET. (SET PUBLIC HEARING FOR NOVEMBER 15, 2006)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 15, 2006

MOTION: Councilman Buck

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**14. VAC-19-06 (GUSTAVO DELEON); AN APPLICATION SUBMITTED BY GUSTAVO DELEON, PROPERTY OWNER, TO VACATE THE WESTERLY EIGHT (8) FOOT PORTION OF COMMERCE STREET COMMENCING AT WINDSOR AVENUE AND PROCEEDING SOUTH ALONG COMMERCE STREET APPROXIMATELY 90 FEET. (SET PUBLIC HEARING FOR DECEMBER 6, 2006)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 6, 2006

MOTION: Councilman Buck

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**BUSINESS**

**13. UN-92-06 (PROJECT #1552); AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT, ON BEHALF OF THE SCHOOL BOARD OF TRUSTEES, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW AN ELEMENTARY SCHOOL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND BRUCE STREET. (SET PUBLIC HEARING FOR NOVEMBER 15, 2006)**

**Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas,** requested the Public Hearing be set for 30 days to allow time for the neighbors to meet with the Clark County School District about their concerns.

**Steve Shoaff, 5622 Midnight Breeze Street, North Las Vegas,** requested the Public

Hearing be set for 30 days to allow time for the neighbors to meet with the Clark County School District about their concerns.

Councilman Buck moved to set the Public Hearing for December 6, 2006.

ACTION: PUBLIC HEARING SET FOR DECEMBER 6, 2006

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**15. APPROVAL OF PRIVILEGED LICENSE: (EXHIBIT "B")**  
**(Tabled October 18, 2006)**

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<b><u>NAME CHANGE LIQUOR &amp; GAMING</u></b>		
1. Goldfield 1, LLC <b>DBA:</b> Bob's Market 70 E Centennial Parkway North Las Vegas, Nevada 89084	BEER & WINE OFF SALE RESTRICTED GAMING	7 multi denominational slots <u>Pending required department inspections</u> <u>Pending State Gaming Control Board approval</u> <u>Pending Southern Nevada Health</u> <u>Department approval</u>

Finance Director Phil Stoeckinger stated at the previous Council meeting a representative had contested the business license claiming legal right to the premises. The City Attorney and Finance staff had since been in contact with the representative and requested sufficient evidential matter to support the claim; however, the representative had not complied. Director Stoeckinger stated Staff recommended approval.

Councilman Buck asked Mayor Montandon how the Council could prevent granting a continuation to a representative who had no right to request one. Mayor Montandon responded the Council always had the option to approve or deny an extension request.

**Richard Young, 4001 Meadows Lane, Las Vegas,** stated he was the representative who had requested the continuance at the Council meeting two weeks prior because he needed time to review the documents. At the meeting he had stated he represented 3-B Express,

the proposed tenant; however, he had not stated he represented the owner. He also stated nobody had requested evidential matter from him to support his claim.

Mr. Young explained the lease had been executed, the loans had been granted, and the business and liquor licenses had been approved for Robert Spilsbury, Robert Reda and Robert Reda, Jr., doing business as Bob's Market; however, the application for the gaming license had not been submitted. Mr. Young explained this was a civil dispute between the landlord and the tenant and felt it was improper for the landlord to request a name change.

Mayor Montandon agreed the Council meeting was not the proper venue to settle a civil dispute. He explained the City reviewed documents and conducted background checks on applicants to determine their suitability to hold a privileged license. He stated in this case, an applicant had brought forth sufficient documentation of ownership and Council had no reason to deny the continuance.

**S. Craig Stone II, Esq., 8683 W. Sahara Ave #200, Las Vegas,** appeared on behalf of the proposed tenants. He stated it was not clear how the name on the applicant files had been changed from 3-B Express to Goldfield without the knowledge nor consent of the proposed tenants.

He stated one of the documents from the applicant files was for a liquor license signed by Kevin Spilsbury, the owner, without the proposed tenants' signatures giving up their rights to the license.

City Attorney McGowan agreed the civil issue would not be solved at the Council meeting. He stated the owner's application had been processed in business licensing and approval was recommended; however, he felt Council was free to act upon the application before them.

Mayor Montandon asked City Attorney McGowan if Council granted the application, would there be two liquor licenses on the same property. City Attorney McGowan responded there would be two licenses and the applicants would need to resolve their civil issues in court.

**George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson,** appeared on behalf of the owner and stated their client owned the land, had obtained the building permits, built the building, and performed tenant improvements. He stated his client also had an application submitted for a gaming permit and requested an independent application and not a transfer.

**Ladean Orvitz, 810 S. Casino Boulevard, Las Vegas,** appeared on behalf of the owner and stated she supported Mr. Garcia's opinion. Councilwoman Smith disclosed Mr. Young was the parent of one of her school students; however, the relationship would not affect her decision making.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**16. 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. (TABLED OCTOBER 18, 2006)**

ACTION: WITHDRAWN

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

**17. RATIFICATION OF THE APPOINTMENT OF JOYCE LIRA AS DIRECTOR OF HUMAN RESOURCES EFFECTIVE OCTOBER 30, 2006.**

ACTION: APPOINTMENT RATIFIED

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

**18. APPROVAL OF HONEYWELL BUILDING SOLUTIONS SERVICE AGREEMENT AND AUTHORIZATION TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF**

**\$65,230 FOR THE MAINTENANCE OF ALL DIRECT DIGITAL CONTROL EQUIPMENT AT THE JUSTICE FACILITY. (CNLV CONTRACT NO. C-6424)**

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

**19. ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA, OFFICE OF TRAFFIC SAFETY, UNDER THE FFY2007 TRAFFIC SAFETY GRANT PROGRAM IN THE AMOUNT OF \$30,631 FOR THE ACQUISITION OF PRELIMINARY BREATH TESTING DEVICES FOR THE POLICE DEPARTMENT.**

ACTION: GRANT AWARD ACCEPTED

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

**20. APPROVAL OF AN AMENDMENT TO THE FY06-07 POLICE DEPARTMENT BUDGET BY REAPPROPRIATING \$959,700 IN UNSPENT FY05-06 FUNDS; AND APPROPRIATING AN ADDITIONAL \$60,000 FROM THE PUBLIC SAFETY TAX FUND TO COMPLETE VARIOUS PROJECTS ORIGINALLY APPROVED FOR FY05-06.**

ACTION: BUDGET AMENDED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**21. APPROVAL OF A WATER REFUNDING AGREEMENT WITH HENRY SANCHEZ IN AN AMOUNT NOT TO EXCEED \$16,470 FOR THE INSTALLATION OF 688 LINEAL FEET OF 8-INCH WATER MAIN IN BETTY LANE FROM ALTO AVENUE**

**NORTH AND 702 LINEAL FEET FROM ALTO AVENUE EAST. (CNLV CONTRACT NO. C-6425)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**22. APPROVAL OF A WATER REFUNDING AGREEMENT WITH "K" CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$64,242 FOR THE INSTALLATION OF 1,618 LINEAL FEET OF 10-INCH WATER MAIN IN ABELS LANE SOUTH FROM ALTO AVENUE AND 333 LINEAL FEET OF 12-INCH WATER MAIN IN ALTO AVENUE EAST. (CNLV CONTRACT NO. C-6426)**

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

**23. APPROVAL OF A WATER REFUNDING AGREEMENT WITH FRAMECON CORPORATION IN AN AMOUNT NOT TO EXCEED \$16,830 FOR THE INSTALLATION OF 630 LINEAL FEET OF 8-INCH WATER MAIN IN SAN MIGUEL AVENUE FROM SIMMONS STREET TO FUSELIER DRIVE. (CNLV CONTRACT NO. 6427)**

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

**24. APPROVAL OF A SEWER REFUNDING AGREEMENT WITH FRAMECON CORPORATION IN AN AMOUNT NOT TO EXCEED \$11,500 FOR THE**

**INSTALLATION OF 334 LINEAL FEET OF 8-INCH SEWER MAIN IN SAN MIGUEL AVENUE EAST FROM SIMMONS STREET. (CNLV CONTRACT NO. C-6428)**

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

**25. FINAL ACCEPTANCE OF THE POLICE BUILDING RENOVATIONS - PHASE I, BID NO. 1227, FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6186)**

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

**26. AWARD OF BID NO. 1187 TO MEADOW VALLEY CONTRACTORS, INC. IN THE AMOUNT OF \$2,673,109.50 FOR THE CLAYTON STREET IMPROVEMENT PROJECT, FROM CRAIG ROAD TO LONE MOUNTAIN ROAD. (CNLV CONTRACT NO. C-6429)**

**Richard Williams, 501 N. Lamb Boulevard, Las Vegas,** stated he represented the Carpenters' Union and expressed concerns over the performance of Meadow Valley Contractors.

Mayor Pro Tempore Robinson stated numerous concerns had been received about Meadow Valley Contractors and the City needed to investigate. City Manager Rose stated the information would be forwarded to Meadow Valley Contractors with a requested response on the concerns.

ACTION: BID AWARDED

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

**27. RESOLUTION NO. 2363; A RESOLUTION CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD) AND DETERMINING THE COST TO BE ASSESSED, AND AUTHORIZING, ORDERING AND DIRECTING THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY TO PREPARE THE PROPOSED FINAL ASSESSMENT ROLL.**

Resolution No. 2363 as introduced by the City Manager:

A RESOLUTION CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD) AND DETERMINING THE COST TO BE ASSESSED, AND AUTHORIZING, ORDERING AND DIRECTING THE ENGINEERING DIVISION OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY TO PREPARE THE PROPOSED FINAL ASSESSMENT ROLL.

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

**28. RESOLUTION NO. 2364; A RESOLUTION FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE ASSESSMENT ROLL RELATING TO THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD) WILL BE HEARD; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**

Resolution No. 2364 as introduced by the City Manager:

A RESOLUTION FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE ASSESSMENT ROLL RELATING TO THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 62 (CLAYTON STREET - CRAIG ROAD TO LONE MOUNTAIN ROAD)

WILL BE HEARD; AND PROVIDING OTHER MATTERS PROPERLY  
RELATING THERETO.

ACTION: PASSED AND ADOPTED; PUBLIC HEARING SET FOR DECEMBER 6,  
2006

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

29. **ORDINANCE NO. 2314; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-15-05), TO AMEND TITLE 17 (ZONING ORDINANCE) SECTIONS 17.12.020 DEFINITIONS TO PROVIDE DEFINITIONS FOR MATERIALS RECOVERY FACILITIES, SECTION 17.20.140 (C) M-2, GENERAL INDUSTRIAL DISTRICT TO ADD A MATERIALS RECOVERY FACILITY AS A SPECIAL USE, AND SECTION 17.24.020 (C) CONDITIONS FOR SPECIAL USES, TO ADD SPECIFIC CONDITIONS FOR A MATERIALS RECOVERY FACILITY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR NOVEMBER 15, 2006)**

Ordinance No. 2314 as introduced by the City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-15-05), TO AMEND TITLE 17 (ZONING ORDINANCE) SECTIONS 17.12.020 DEFINITIONS TO PROVIDE DEFINITIONS FOR MATERIALS RECOVERY FACILITIES, SECTION 17.20.140 (C) M-2, GENERAL INDUSTRIAL DISTRICT TO ADD A MATERIALS RECOVERY FACILITY AS A SPECIAL USE, AND SECTION 17.24.020 (C) CONDITIONS FOR SPECIAL USES, TO ADD SPECIFIC CONDITIONS FOR A MATERIALS RECOVERY FACILITY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 15, 2006

30. **ORDINANCE NO. 2315; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO**

**ZONING (ZOA-16-06); AMENDING 17.12.020, TO AMEND THE DEFINITION OF “GROUP CARE FACILITY” AND PROVIDE A DEFINITION OF “TRANSITIONAL HOUSING”; AND TO ADD TRANSITIONAL HOUSING AS A SPECIAL USE IN SECTIONS 17.20.030 (C), 17.20.040 (C), 17.20.050 (C), 17.20.060 (C), 17.20.100 (C), 17.20.110 (C), AND 17.20.210 (C) REFERRING TO THE R-EL, R-1, R-CL, R-2, C-1, C-2, R-A/R-2 ZONING DISTRICT; AND AMEND SECTION 17.24.020 (C) TO ADD CONDITIONS FOR SPECIFIC SPECIAL USES FOR TRANSITIONAL HOUSING; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR NOVEMBER 15, 2006)**

Ordinance No. 2315 as introduced by the City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-16-06); AMENDING 17.12.020, TO AMEND THE DEFINITION OF “GROUP CARE FACILITY” AND PROVIDE A DEFINITION OF “TRANSITIONAL HOUSING”; AND TO ADD TRANSITIONAL HOUSING AS A SPECIAL USE IN SECTIONS 17.20.030 (C), 17.20.040 (C), 17.20.050 (C), 17.20.060 (C), 17.20.100 (C), 17.20.110 (C), AND 17.20.210 (C) REFERRING TO THE R-EL, R-1, R-CL, R-2, C-1, C-2, R-A/R-2 ZONING DISTRICT; AND AMEND SECTION 17.24.020 (C) TO ADD CONDITIONS FOR SPECIFIC SPECIAL USES FOR TRANSITIONAL HOUSING; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 15, 2006

**ORDINANCES**  
**FINAL ACTION**

**32. 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).**

Ordinance No. 2310 as introduced by the City Manager:

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

ACTION: PASSED AND ADOPTED  
MOTION: Councilman Buck  
SECOND: Councilman Eliason

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

**33. 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.**

Ordinance No. 2285 as introduced by the City Manager:

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: PASSED AND ADOPTED

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

**34. 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.**

Ordinance No. 2313 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 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: 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

### **APPOINTMENTS**

**35. APPOINTMENT BY THE CITY COUNCIL, AT LARGE, OF TWO CITIZEN MEMBERS TO THE BUS STOP SHELTER ADVISORY COMMITTEE FOR TERMS TO EXPIRE NOVEMBER 1, 2007.**

ACTION: BRIAN AMEND AND STEVEN LAUBER REAPPOINTED; TERMS TO EXPIRE NOVEMBER 1, 2007

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

### **COUNCIL ITEMS**

Councilman Buck thanked Mike Scalzi, Acting Director of Human Resources, for a job well done and welcomed Joyce Lira, Human Resources Director.

Councilwoman Smith requested that Staff review issues regarding setbacks; reevaluate the time frame for tavern use permits to avoid requests for extensions; and reiterated the need for new audio equipment in Council Chambers.

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

City Manager Gregory Rose commended Mike Scalzi for all the work performed as Acting Director of Human Resources.

**PUBLIC FORUM**

There was no public participation.

**ADJOURNMENT**

**ACTION:** THE MEETING ADJOURNED AT 9:28 P.M.

**MOTION:** Councilman Buck

**SECOND:** Councilwoman Smith

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

**NAYS:** None

**ABSTAIN:** None

**APPROVED: JANUARY 3, 2007**

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Mayor Michael L. Montandon

**ATTEST:**

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Karen L. Storms, CMC  
City Clerk