

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

July 18, 2007

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

CALL TO ORDER

6:01 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
Councilwoman Shari Buck
Councilman Robert L. Eliason

STAFF PRESENT

City Manager Gregory Rose	Information Technology Director Steve Chapin
Assistant City Manager Sam Chambers	Acting Library Director Kathy Pennell
Assistant City Manager Maryann Ustick	Parks and Recreation Manager Jim Stritchko
City Attorney Carie Torrence	Planning and Zoning Director Jory Stewart
City Clerk Karen L. Storms	Police Chief Mark Paresi
Communications Director Brenda Fischer	Utilities Director David Bereskin
Economic Development Director Mike Majewski	Assistant to the City Manager Michelle Bailey-Hedgepeth
Finance Director Phil Stoeckinger	Neighborhood Outreach Manager Kathy Somers
Fire Chief Al Gillespie	Planning and Zoning Manager Marc Jordan
General Services Director Eric Dabney	Transportation Services Administrator Carlton Urban
Human Resources Director Joyce Lira	Chief Deputy City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Mrs. Delia Beckman
Baha'i Faith

PLEDGE OF ALLEGIANCE

Dillon Brooks
Boy Scout Troop 75

PUBLIC FORUM

Carl A. Ricceri, Jr., P. O. Box 364511, North Las Vegas expressed his concern about fireworks and felt a state-wide ban on all fireworks should be enacted. He had spoken with many local officials in an attempt to achieve that goal and hoped the City of North Las Vegas would support his efforts. He said the dry climate increased the fire hazard, and mentioned the water shortage.

Katherine Joseph, 1309 Helen Avenue, North Las Vegas said she lived in the Delmonico subdivision and the residents had done some clean-up work in their subdivision. She said the residents had asked the City to resurface their streets for many years and asked why it hadn't been done. The members of the community had a petition to request speed bumps to slow down drivers where they felt there was a safety hazard at the corner of Martin Luther King Boulevard and Helen Avenue. The community planned to create a neighborhood association. In addition, she was unhappy that she received a violation for trash that was in front of her residence on a day the trash was to be picked up and for snowmobiles left in the yard. She did not know where else to store them. She stated it was not clear to the Delmonico residents how their tax money was used to benefit their community.

Margaret Coleman, 1316 Wizard Avenue, North Las Vegas complained that she had a court-ordered lien with the Assessor's Office and said her money had been placed in a contingency fund. She wanted the money used for a foundation she hoped to create. Mayor Pro Tempore Robinson advised her she should secure legal counsel. Mayor Montandon assured her the City had not taken possession of her money and directed her to talk to Staff.

PRESENTATION

- ★ **PRESENTATION TO KYLE AND BRYCE ANDERSON - 1ST PLACE WINNERS OF THE NATIONAL SAFE BOATING COUNCIL CONTEST.**

ACTION: PRESENTATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JULY 18, 2007.**

ACTION: APPROVED, AS AMENDED: ITEM NO. 3 CONTINUED TO NOVEMBER 21, 2007; ITEM NO. 27 WITHDRAWN

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. **AN APPEAL SUBMITTED BY JOHN MORAN, III, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-22-07 (5TH & BROOKS, LLC); AN APPLICATION SUBMITTED BY 5TH AND BROOKS, LLC, PROPERTY OWNER, FOR A MAJOR SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT, TO ALLOW A 764,042 SQUARE-FOOT AUTOMOBILE IMPOUND YARD WITH REQUESTED WAIVERS FROM THE INDUSTRIAL DEVELOPMENT STANDARDS ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NORTH 5TH STREET AND BROOKS AVENUE. (CONTINUED MAY 16, JUNE 20 AND JULY 5, 2007)**

Mayor Montandon opened the public hearing.

Planning and Zoning Director Jory Stewart said Staff recommended the denial of the request for an automobile impound yard at the site. The Planning Commission subsequently denied the request as well, due to the fact the City preferred a higher

intensity use of the land that would generate more jobs, and also felt the proposed use of the site was not harmonious with the vision of what the City intended for the North 5th Street Corridor.

John Moran III, Moran Law Firm, LLC, 630 South Fourth Street, Las Vegas appeared on behalf on the appellant, 5th & Brooks, LLC. Mr. Moran said the appellant wished to withdraw the special use permits and waivers that had previously been requested and asked for a site development plan review. He contended the review should be based on what was appropriate for use in an M-2 zone when the application was submitted, the developer should not be held to procedures that became effective after the application was submitted. The developer wished to rescind the request for a 20-foot landscaping waiver. In addition, they withdrew the request for a waiver to build a fence with recycled material and would build the type of wall preferred by the City instead. He stated the developer intended to strictly follow all City codes and guidelines and wanted only a site development plan review.

Mayor Pro Tempore Robinson expressed his opposition to the impound yard. In his opinion it interfered with the plans for the North 5th Street Corridor.

Mayor Montandon said he had gone to the site and surrounding area, which was industrial, and thought the site could only be used for industrial purposes. He mentioned there was a change in elevation behind the site which separated it from the intensive job opportunity businesses along North 5th Street. Mayor Pro Tempore Robinson said he did not object to industrial use for the area, but did object to an impound yard. He thought such a business was an eyesore and would likely become more of a salvage yard than an impound yard.

Mr. Moran insisted an impound yard was appropriate for the site, and code enforcement and public response teams ensured it would not become a salvage yard. Councilwoman Smith said in prior situations, similar businesses had a history of becoming junkyards, and it was harder to correct the situation after the fact than to disallow it in the first place. Moreover, she agreed that type of business was not in line with what the City intended for the area.

Mr. Moran argued the local police and fire departments supported the impound yard because it was conveniently located. Councilwoman Smith responded if that was the only reason, they could find other convenient locations. She did not believe that was enough to reverse the Planning Commission's decision.

Councilwoman Buck asked if tow trucks would bring inoperable or impounded vehicles to the yard for storage. Mr. Moran explained vehicles would be towed to the yard for various reasons. The vehicles had to be operable and had to have valid registrations and certificates of title to be taken to the yard. They would only be held temporarily, in

compliance with code. Salvage yards held cars long term, which was not the objective of the proposed impound yard.

Councilman Eliason asked what would happen if the Police Department called to have a car picked up, and it was determined the car did not have a valid registration or title. Mr. Moran responded those cars would be picked up by Ewing Brothers.

Councilwoman Buck observed there were already at least four similar businesses in the area, and asked how those businesses were operated. Police Chief Mark Paresi explained the City had a towing contract with four contractors, and a fifth was in the application process. The businesses operated on a rotation and towed vehicles for the Police Department and Code Enforcement. They were regulated by a contract that had been developed by the City Attorney's Office. Councilwoman Buck felt there were already enough impound yards in place and agreed that such a business in the proposed location did not blend with the North 5th Street Corridor concept.

Mr. Moran acknowledged there were problems with salvage yards, but emphasized the proposed impound yard would not be in the same category. He thought Code Enforcement should be diligent with the unsatisfactory businesses. He restated the proposed project was appropriate for the M-2 zone, and contended approval should be decided on the basis of what was required at the time of the application and not upon future development plans of the area. He thought the application was denied because of the waivers. Councilwoman Buck said it was because of the North 5th Street Corridor.

Planning and Zoning Director Stewart explained the waivers were one component of the decision, but the project was also subject to a major site plan review based on the size of the use and discussion of whether the project was appropriate for the location. City Attorney Carie Torrence further explained Council was required by code to determine the compatibility of the project.

Mayor Pro Tempore Robinson stated the residents of the community did not want an impound yard in their neighborhood. He felt it was his duty to advocate for what the people wanted.

Councilman Eliason reiterated his question of what would happen if the impound yard was called to pick up a vehicle and the vehicle did not have the proper documentation. Police Chief Paresi explained there was a protocol that ensured that information would be determined prior to dispatching a tow company to pick up the vehicle, and Ewing Brothers would be called in such circumstances.

Mayor Montandon closed the public hearing.

ACTION: PLANNING COMMISSION DECISION UPHELD; SPR-22-07 DENIED

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

3. **AMP-02-07 (REGENA TOWNHOMES); AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED-USE COMMERCIAL TO MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. (ASSOCIATED ITEM NO. 27, ORDINANCE NO. 2359) (CONTINUED APRIL 4, APRIL 18, MAY 2, MAY 16 AND JUNE 6, 2007)**

ACTION: CONTINUED TO NOVEMBER 21, 2007

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

4. **UN-52-07 (CASHBACK); AN APPLICATION SUBMITTED BY CASHBACK, ON BEHALF OF DECATUR & CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A DEFERRED DEPOSIT LOAN (PAYDAY LOAN AND CHECK CASHING FACILITY) AND AUTO TITLE LOAN FACILITY ON PROPERTY LOCATED AT 6436 NORTH DECATUR BOULEVARD, #120.**

Mayor Montandon opened the public hearing.

Planning and Zoning Director Stewart stated Staff recommended denial of the application on the basis of the criteria for granting a special use permit according to Title 17. Staff felt the use as proposed was detrimental to the area in which it would be located. The Planning Commission upheld the denial.

Jay Brown, 520 South Fourth Street, Las Vegas appeared on behalf of the applicant along with the applicant's consultant, Scott Sabraw. Mr. Brown said the property was located in the Wal-Mart shopping center on Decatur and Centennial. He said there were

no waivers requested and they were in compliance with all code requirements. He noted while the industry was somewhat controversial, there were over 5,000,000 transactions of the same type in Nevada last year, which justified the need for such a business.

Mayor Pro Tempore Robinson asked whether the business was a payday loan business. Mr. Brown explained that the business predominantly provided auto title loans and cashed checks. He said the company did not repossess client's cars if they defaulted on loans and worked with people to help them repay the loans.

The location was on the first, corner lot closest to the freeway, at the 215 Beltway and Decatur. It was the furthest lot from the residential area.

Mayor Montandon closed the public hearing.

ACTION: DENIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

AYES: Mayor Pro Tempore Robinson

NAYS: Mayor Montandon, Councilmembers Smith, Buck and Eliason

ABSTAIN: None

Mayor Montandon announced the motion failed. Councilwoman Smith commented while she was not excited by the idea of a company focused on auto title loans, and did not like that it was on the corner lot, the area was not saturated with such businesses and she thought it was an appropriate use for the location. Councilwoman Buck asked what the radius was for a similar business. It was 1,000 feet. Councilwoman Buck stated she would like to consider changing that at a later time.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Councilmembers Smith, Buck and Eliason

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

CONSENT AGENDA

Mayor Pro Tempore Robinson asked why Item No. 7 had not gone before Council. Finance Director Phil Stoeckinger explained this was one of several items dating back to 1990 that

were found to have gone through the Business Licensing process, but had not gone before Council for consideration, and so needed to be ratified. It was an error that was discovered by Business License Manager Lana Hammond and the ratification rectified the situation.

5. DENIAL OF AN APPLICATION FOR FAMILY DAY CARE HOME BUSINESS LICENSE FOR LISA INGRAM, D.B.A. DALELISSA'S DAYCARE, 5305 CARLSBAD HEIGHTS STREET, NORTH LAS VEGAS, NEVADA, 89081. (TABLED JULY 5, 2007)

ACTION: APPLICATION DENIED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

6. APPROVAL OF AN APPLICATION FOR GENERAL OFF-SALE AND RESTRICTED GAMING BUSINESS LICENSES FOR ANAYA CHEYENNE INC., D.B.A. MARIANA'S SUPERMARKET 4, 2325 EAST CHEYENNE AVENUE, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL, STATE BUSINESS LICENSE, STATE SALES TAX PERMIT, SOUTHERN NEVADA HEALTH DISTRICT APPROVAL, WORKERS COMPENSATION COVERAGE AND REQUIRED DEPARTMENT APPROVALS. THIS APPLICANT HAS ENTERED INTO A PARTICIPATION AGREEMENT WITH SILVER STATE GAMING WHO IS A CURRENTLY LICENSED SLOT ROUTE OPERATOR.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

7. RATIFICATION OF STAFF APPROVAL OF SIXTEEN FAMILY DAY CARE HOME BUSINESS LICENSES THAT WERE ISSUED WITHOUT OBTAINING COUNCIL APPROVAL.

ACTION: RATIFIED

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

8. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM S.L. INVESTMENTS, INC., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD & COMMERCE STREET IN THE AMOUNT OF 2.8% OF THE TOTAL COST OR \$3,360; CRAIG ROAD & MARTIN LUTHER KING BOULEVARD IN THE AMOUNT OF 1.6% OF THE TOTAL COST OR \$1,920; CRAIG ROAD & NORTH 5TH STREET IN THE AMOUNT OF 1.6% OF THE TOTAL COST OR \$1,920; AND CRAIG ROAD & REVERE STREET IN THE AMOUNT OF 1.29% OF THE TOTAL COST OR \$6,765 FOR THE CARL'S JR. AT CRAIG RETAIL CENTER LOCATED ON THE SOUTHEAST CORNER OF CRAIG ROAD & REVERE STREET.**

ACTION: PAYMENT ACCEPTED

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

9. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM WESTAR PROPERTIES, INC., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD & NORTH 5TH STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$2,176; LONE MOUNTAIN ROAD & NORTH 5TH STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$6,031; CRAIG ROAD & COMMERCE STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$2,750; CRAIG ROAD & BRUCE STREET IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,625; CRAIG ROAD & NORTH 5TH STREET - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 2% OF THE TOTAL COST OR \$2,400; CRAIG ROAD & NORTH 5TH STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,200; LONE MOUNTAIN ROAD & NORTH 5TH STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,200; LONE MOUNTAIN ROAD & NORTH 5TH STREET - EAST LEG/DUAL LEFT IN**

THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,200; AND CRAIG ROAD & COMMERCE STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,200 FOR THE STORAGE ONE AT CRAIG & NORTH 5TH LOCATED ON THE NORTHEAST CORNER OF CRAIG ROAD & NORTH 5TH STREET.

ACTION: PAYMENT ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

10. **AN APPEAL SUBMITTED BY KEITH HOLBERT, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY VN-14-07 (MARIN RESIDENCE); AN APPLICATION SUBMITTED BY RAFAEL MARIN, PROPERTY OWNER, FOR A VARIANCE IN AN R-EL RANCH ESTATES LIMITED DISTRICT TO ALLOW A TEN (10) FOOT REAR YARD BUILDING SET BACK WHERE TWENTY (20) FEET IS REQUIRED ON PROPERTY LOCATED EAST OF SIMMONS STREET AND APPROXIMATELY 150 FEET SOUTH OF COLTON STREET. (SET PUBLIC HEARING FOR AUGUST 1, 2007)**

ACTION: PUBLIC HEARING SET FOR AUGUST 1, 2007

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

11. **AMP-09-07 (COMPREHENSIVE PLAN AMENDMENT); AN APPLICATION INITIATED BY THE CITY OF NORTH LAS VEGAS UTILITIES DEPARTMENT TO INCORPORATE A WASTEWATER COLLECTION SYSTEM MASTER PLAN WITHIN THE CITY OF NORTH LAS VEGAS 2006 COMPREHENSIVE PLAN AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET PUBLIC HEARING FOR AUGUST 1, 2007)**

ACTION: PUBLIC HEARING SET FOR AUGUST 1, 2007

MOTION: Mayor Pro Tempore Robinson

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

12. **UN-20-06 (DEER SPRINGS CROSSING TAVERN/RESTAURANT); AN APPLICATION SUBMITTED BY DIANA BOSSARD, ON BEHALF OF BUNRATTY, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME 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 DEER SPRINGS WAY AND NORTH 5TH STREET. (SET PUBLIC HEARING FOR AUGUST 15, 2007)**

ACTION: PUBLIC HEARING SET FOR AUGUST 15, 2007

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

13. **UN-57-07 (NE CAREER & TECHNICAL ACADEMY); AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT, PROPERTY OWNER, FOR A USE PERMIT IN A PSP, PUBLIC/SEMI-PUBLIC DISTRICT TO ALLOW A TECHNICAL HIGH SCHOOL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET. (SET PUBLIC HEARING FOR AUGUST 1, 2007)**

ACTION: PUBLIC HEARING SET FOR AUGUST 1, 2007

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

BUSINESS

14. APPROVAL TO PROCEED WITH RIGHT-OF-WAY ACQUISITION AND RELOCATION SERVICES FOR THE NORTH 5TH STREET IMPROVEMENTS PROJECT FROM CAREY AVENUE TO COLTON AVENUE.

Gina Anderson, 3434 Edgehill Way, North Las Vegas stated she was opposed to the destruction of City View Park, which her family had visited for decades. She felt North Las Vegas was deficient in parks, especially parks with mature trees. Mayor Montandon explained while the plans were not finalized, the item before Council did not affect City View Park but rather a portion of a nearby golf course. Councilwoman Smith agreed keeping mature trees was critical.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

15. APPROVAL OF GRANT OF EASEMENT TO NEVADA POWER COMPANY TO OPERATE AND MAINTAIN THEIR FACILITIES FOR THE NORTHWEST AREA COMMAND CENTER PROJECT LOCATED ON THE CORNER OF WASHBURN ROAD AND ALLEN LANE.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

16. APPROVAL OF THE FIRST AMENDMENT TO THE UTILITY RELOCATION AGREEMENT WITH NEVADA POWER COMPANY FOR THE CRAIG ROAD GRADE SEPARATION PROJECT. (CNLV CONTRACT NO. C-6538)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

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

17. APPROVAL OF AN INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE ANNUAL MAINTENANCE WORK PROGRAM FY07-08 WHICH REQUIRES ITEMS COVERED IN SECTION II - PROJECT COSTS NOT TO EXCEED A TOTAL OF \$1,273,000 TO BE REIMBURSED BY THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT. (CNLV CONTRACT NO. C-6594)

ACTION: APPROVED

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

18. APPROVAL OF THE AMENDED FINAL MAP FOR A PORTION OF CNLV 1905 - ACTIVE ADULT UNIT 2 IN SUN CITY ALIANTE CREATING PARCEL B2 FOR A MONUMENT SIGN AREA RESERVED TO THE ALIANTE HOMEOWNERS' ASSOCIATION AT BROADWING DRIVE AND ALIANTE PARKWAY. (CNLV CONTRACT NO. C-5069)

ACTION: APPROVED

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

19. **APPROVAL OF AN ADDENDUM TO THE MEMORANDUM OF AGREEMENT DATED AUGUST 16, 2006 WITH THE CLARK COUNTY FIRE DEPARTMENT WHICH ESTABLISHES PROVISIONS FOR PERSONNEL AUTHORIZED FOR OUTSIDE AGENCY DEPLOYMENT AND PARTICIPATION IN THE NATIONAL URBAN SEARCH AND RESCUE TASK FORCE. (CNLV CONTRACT NO. C-6385)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

20. **APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CITY OF HENDERSON IN THE AMOUNT OF \$25,000 PER YEAR, FOR A PERIOD OF FIVE YEARS, TO ENABLE THE POLICE DEPARTMENT TO TEMPORARILY UTILIZE THE MODERN STATE OF THE ART COMPUTER-AIDED DISPATCH SYSTEM AND MOBILE DATA SYSTEM OF THE HENDERSON POLICE DEPARTMENT. (CNLV CONTRACT NO. C-6595)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

21. **APPROVAL OF AN AGREEMENT WITH APRISS, INC., IN THE AMOUNT OF \$53,400 FOR THE INSTALLATION AND MAINTENANCE OF THE VICTIM IDENTIFICATION AND NOTIFICATION EVERYDAY SYSTEM; APPROVAL TO AUGMENT THE POLICE DEPARTMENT BUDGET IN THE AMOUNT OF \$17,600 FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR THE ONE-TIME INSTALLATION COSTS; AND APPROVAL TO RE-APPROPRIATE FUNDS IN THE AMOUNT OF \$35,800 FOR ANNUAL SYSTEM SUPPORT FEES FOR THE POLICE DEPARTMENT. (CNLV CONTRACT NO. C-6596)**

ACTION: APPROVED

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

22. RATIFICATION OF AN APPLICATION SUBMITTED TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE, UNDER THE FY 2007 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, IN THE AMOUNT OF \$155,378 FOR ACQUIRING EQUIPMENT TO BE USED BY THE POLICE DEPARTMENT.

ACTION: RATIFIED

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

23. APPROVAL TO AUGMENT THE FY07-08 PARKS AND RECREATION DEPARTMENT BUDGET IN THE AMOUNT OF \$506,000 FROM THE TAX OVERRIDE FUND; AND APPROVAL OF A CONTRACT WITH DAVE BANG ASSOCIATES IN THE AMOUNT OF \$151,169, AS OUTLINED IN THE LESS COLTEN USD PIGGYBACK BID FOR THE PURCHASE AND INSTALLATION OF SKATE PARK EQUIPMENT AND THE BALANCE OF \$354,831 TO COVER THE REMAINING EXPENDITURES REQUIRED FOR COMPLETION OF SANDSTONE RIDGE PARK. (CNLV CONTRACT NO. C-6597)

ACTION: APPROVED

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

24. APPROVAL OF A LANDSCAPE WARRANTY AGREEMENT WITH DEER SPRINGS CROSSING, LLC, FOR THE LANDSCAPE MEDIANS ON NORTH 5TH STREET AND DEER SPRINGS WAY, TO BE FUNDED BY THE DEVELOPER FOR ONE YEAR. (CNLV CONTRACT NO. C-6598)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmembers Smith and Buck

NAYS: None

ABSTAIN: Councilman Eliason

25. APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH PBS&J IN THE AMOUNT OF \$55,000 FOR THE DESIGN OF THE LOSEE ROAD SEWER COORDINATION PROJECT BETWEEN ALEXANDER ROAD AND THE NORTHERN BELTWAY. (CNLV CONTRACT NO. C-6599)

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Councilmembers Smith, Buck and Eliason

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

26. APPROVAL OF THE FIRST AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GREELEY & HANSEN IN THE AMOUNT OF \$15,425,700 FOR DESIGN SERVICES OF THE WATER RECLAMATION FACILITY LOCATED ON FREHNER ROAD. (CNLV CONTRACT NO. C-6214)

Councilman Eliason asked whether a change in the location of the facility would affect the amendment. City Manager Rose replied the City was researching an alternative to the Frehner Road location. A cost/benefit analysis would be conducted if a new location was found. Councilman Eliason said it was difficult to support the amendment if the final project could be assigned elsewhere. Utilities Director David Bereskin explained the current

agreement was to design a wastewater reclamation facility at the existing Frehner Road location at a cost of over \$13,000,000. The amended amount of \$15,425,700 allowed for projection and application of some of the changes that could develop if the location changed. A cost/benefit analysis would include the expense of changing the location. Director Bereskin felt that moving forward with the design process benefited the City, as construction costs continued to increase at a rate of 20% per year. The benefits of a change of location were far greater than the cost of a change in design.

Mayor Pro Tempore Robinson asked why the City had paid \$1,000,000 over appraised value for the site if they were still looking for another potential site for the facility. Mayor Montandon replied that although \$1,000,000 over appraised value was paid for the property, the value of the property had increased significantly. Mayor Pro Tempore Robinson asked whether the property was purchased with taxpayers' money. City Manager Rose explained the City was researching other properties in the hope it would benefit the taxpayers through long term operating costs.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Councilmembers Smith and Buck

NAYS: Mayor Pro Tempore Robinson, Councilman Eliason

ABSTAIN: None

ORDINANCES **FINAL ACTION**

27. **ORDINANCE NO. 2359; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 4.33+ ACRES THEREIN FROM AN R-2, TWO FAMILY RESIDENTIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-47-07, REGENA TOWNHOMES), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, AMP-02-07) (CONTINUED APRIL 4, APRIL 18, MAY 2, MAY 16 AND JUNE 6, 2007)**

Ordinance No. 2359 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 4.33+ ACRES THEREIN FROM AN R-2, TWO FAMILY RESIDENTIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL

DISTRICT (ZN-47-07, REGENA TOWNHOMES), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, AMP-02-07) (CONTINUED APRIL 4, APRIL 18, MAY 2, MAY 16 AND JUNE 6, 2007)

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

28. ORDINANCE NO. 2354; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, AMENDING ORDINANCE NO. 2148, WHICH AMENDED ORDINANCE NO. 1429 APPROVING AN AMENDMENT TO THE AUGUST 2, 2000 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND ALIANTE COMMONS, LLC FOR THE DEVELOPMENT OF LAND; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 29, ORDINANCE NO. 2371)

Ordinance No. 2354 as introduced by the City Manager:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, AMENDING ORDINANCE NO. 2148, WHICH AMENDED ORDINANCE NO. 1429 APPROVING AN AMENDMENT TO THE AUGUST 2, 2000 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND ALIANTE COMMONS, LLC FOR THE DEVELOPMENT OF LAND; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 29, ORDINANCE NO. 2371)

Planning and Zoning Director Stewart stated the original development agreement provided for development of residential, commercial and office uses on approximately 57 acres on the northwest corner of Ann Road and Allen Lane. Much of the development was completed, including a new fire station that was part of the development agreement. Building permits had been filed to construct two retail buildings, and special use permits UN-3-06, UN-4-06 and UN-41-06 were approved for a convenience for store with gas pumps, a car wash and a convenience food restaurant. A special use permit for a proposed supper club had not yet been filed. A site plan review was required for a proposed multi-family development. One of the proposed amendments was for

reconfiguration of the multi-family site from 92 units as originally approved to up to 170 units, predicated on a site plan review. Staff recommended approval of the ordinance.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas appeared on behalf of the developer, Mike Kennedy. The developer had worked with the nearby Paseo Ridge community and agreed to their requests. The president and vice president of the homeowners' association could not be present, but sent letters of support. There was a petition objecting to the project, but it was based on erroneous information that Mr. Kennedy had addressed, and he had agreed to satisfy the concerns of those who petitioned against the project. The initiator of the petition now supported the project, and the petition was withdrawn.

Concerns remained regarding the traffic on Willis Street and El Campo Grande Avenue. Mr. Kennedy committed to work with Public Works to address those issues. Residents of the community across from the northern property line were concerned about privacy. They requested an 8-foot block wall as a barrier, and wanted to prevent residents of the new community from having balconies that would look into their yards. The block wall was found to be unsafe as it also blocked visual access to a trail that was within the drainage channel. The developer proposed a taller, wrought iron fence with landscaping to provide the barrier. They planned to use faux balconies where the new buildings faced the existing community. In addition, the new community was gated and buildings were limited to two stories.

Cheyenne Ewing and Stacy Ewing, 4228 Iris Pearl Avenue, North Las Vegas, residents of the Paseo Ridge community, supported the development. Stacy Ewing said the people who were opposed to the project thought it would increase crime and cause traffic problems, but she said there was strong police presence in the area and drivers were often pulled over for speeding. She thought traffic was unavoidable regardless of what type of housing was developed. She supported multi-family rentals because affordable housing was needed. She believed the fact that the site had one owner and not multiple landlords was a positive element.

Iris Gross, P. O. Box 336314, North Las Vegas objected to proposed development on the Ann Road/Allen Lane side of the project, which she said included an increase in commercial area from 26,000 feet to 40,000 feet, to include a convenience restaurant, gas pumps and car wash alongside an already-existing convenience store. Her main concern was the increased traffic she believed was inevitable. The project was initiated in 1999 and she did not believe it would be granted approval were it a new proposal. She was also opposed to the apartment complex and thought there should be owned town homes instead of rentals. She suspected the structures would exceed two stories and 192 units. She said the landscape buffers were reduced from 40 to 15 feet and a park was eliminated from the plans, which she speculated would result in tenants using the park that belonged to Paseo Ridge. She did not think the apartment complex would have a homeowners' association, and therefore she was concerned no one would maintain the wash behind the site. She

also wanted to ascertain the appearance of the apartment complex. In her observation, there was not enough police presence for what she contended was a certainty of increased crime. In addition, she predicted depreciation in the value of the surrounding homes due to the proximity of the apartments. She contended many other neighbors did not agree the developers had addressed their concerns and were still opposed to the project, even though they were not present. She stated the development agreement changed repeatedly from the time of its inception.

Mayor Montandon explained the history of the project. Hundreds of acres of land had been undevelopable because there was no fire station, which left the area unprotected. That created a special circumstance whereby a 60-acre area was zoned via a development agreement based on the developer's offer to build a fire station. Many of the issues that troubled Ms. Gross were prevented from recurrence by subsequent design guidelines that had been enacted for future zoning decisions.

The Mayor took issue with Ms. Gross' statement that there would be a "certainty" of increased crime. Ms. Gross said that was what the Police Chief told her. She further stated it was her opinion the area was becoming overdeveloped.

Councilwoman Buck asked whether a supper club was approved for the area. Director Stewart said the approved use permits included a convenience food store with gas pumps, a car wash, and a convenience food restaurant. The special use permit for the supper club had not yet been filed.

Michael Mason, 5705 Signa Roso Street, North Las Vegas said he lived in Paseo Ridge and had attended many of the meetings regarding the development. The Police Chief had assured him the area had one of the lowest crime rates in the City. Mr. Mason said he supported the zone change because the Kennedy Group had worked with the residents.

Mike Zecchino, 4104 Garden Genoa Avenue, North Las Vegas agreed the Kennedy Group had worked closely with the community and thought the zone change would benefit the surrounding communities.

Jennifer Hughes, 4616 Pella Pompano Street, North Las Vegas stated she was the secretary for the Paseo Ridge Homeowners' Association. She said the developers had satisfied all of their concerns, and they supported the project.

Rick Lemmon, 5902 Willis Street, North Las Vegas opposed the project. He felt the developer had satisfied the concerns of the Paseo Ridge residents, but not the residents of his community, Creekside. His main concern was the traffic at the Willis Street and El Campo Grande Avenue intersection. He said he frequently saw cars going through the stop sign. He said when Creekside was built, the buyers were told that Willis Street would not go through to Ann Road, and they were disappointed it ultimately did go through.

Mayor Montandon directed City Manager Rose to have the Traffic Advisory Committee scrutinize the intersection of Willis Street and El Campo Grande Avenue.

Councilwoman Buck asked who would be responsible for maintaining the streets of Paseo Ridge as private instead of public once the community was gated by the Kennedy Group. Transportation Services Administrator Carlton Urban said privatization had not been discussed, but the community had the option to request a vacation of the entrance at Purple Lilac Avenue for installation of a gate. Councilwoman Buck asked whether all of the accesses to the community would be gated. Jennifer Lazovich explained the entrance at Purple Lilac, which was across the street from the new development, would be gated, but the community's homeowners' association would have to decide whether to gate the community's other access points. City Attorney Torrence confirmed the homeowners of the community were responsible for privatization of their streets and the related maintenance. The streets remained public if there were other access points.

Councilwoman Buck said she was not in favor of a block wall or a ban on balconies for reasons of public safety. She wanted to go on record that there were no promises made about walls, balconies, gates or privatization.

Councilwoman Smith asked about the 40,000 feet of retail space. Ms. Lazovich and Director Stewart confirmed 40,000 feet was already approved for commercial use, not 26,000 square feet. The 26,000 was a portion of the 40,000 but the original amount was 40,000 as indicated on Exhibit I of the site plan.

Councilwoman Smith acknowledged the project was difficult for some of the residents to accept and she had empathy for them. In addition, she preferred less density. However, she commended Mr. Kennedy for working extensively to help solve many of the issues. She thought there was an impact on traffic whether there were 92 or 170 units, and the City needed to help with traffic safety. She felt a gated rental community with one owner was preferable to separate rentals. Therefore, since the area was already zoned R-2, she felt an amendment to R-3 for property managed by Kennedy Commercial was the best option.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

29. ORDINANCE NO. 2371; 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 8.25+ ACRES THEREIN FROM AN R-2, TWO FAMILY RESIDENTIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-70-07, INDIGO), FOR PROPERTY LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 380 FEET NORTH OF ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 28, ORDINANCE NO. 2354) (CONTINUED JUNE 6, 2007)

Ordinance No. 2371 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 8.25+ ACRES THEREIN FROM AN R-2, TWO FAMILY RESIDENTIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-70-07, INDIGO), FOR PROPERTY LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 380 FEET NORTH OF ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 28, ORDINANCE NO. 2354) (CONTINUED JUNE 6, 2007)

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

30. ORDINANCE NO. 2381; AN ORDINANCE LEVYING ASSESSMENTS WITHIN SPECIAL ASSESSMENT DISTRICT NO. 63 (LAMB BLVD - I-15 TO CLARK COUNTY 215).

Ordinance No. 2381 as introduced by the City Manager:

AN ORDINANCE LEVYING ASSESSMENTS WITHIN SPECIAL ASSESSMENT DISTRICT NO. 63 (LAMB BLVD - I-15 TO CLARK COUNTY 215).

Transportation Services Administrator Carlton Urban said he had a notice to proceed on July 24, 2007.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

31. **ORDINANCE NO. 2382; 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 19.5 ACRES THEREIN FROM A C-2, GENERAL COMMERCIAL DISTRICT TO AN MUD, MIXED USE DEVELOPMENT (MX-2) DISTRICT (ZN-84-06, CASA AL VENTO) CONSISTING OF 400 RESIDENTIAL UNITS, 55,600 SQUARE FEET OF RETAIL SPACE, AND 24,600 SQUARE FEET OF OFFICE SPACE LOCATED ON THE NORTH SIDE OF CRAIG ROAD AND APPROXIMATELY 620 FEET EAST OF COMMERCE STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2382 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 19.5 ACRES THEREIN FROM A C-2, GENERAL COMMERCIAL DISTRICT TO AN MUD, MIXED USE DEVELOPMENT (MX-2) DISTRICT (ZN-84-06, CASA AL VENTO) CONSISTING OF 400 RESIDENTIAL UNITS, 55,600 SQUARE FEET OF RETAIL SPACE, AND 24,600 SQUARE FEET OF OFFICE SPACE LOCATED ON THE NORTH SIDE OF CRAIG ROAD AND APPROXIMATELY 620 FEET EAST OF COMMERCE STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Stewart stated the proposed zone change was consistent with the Comprehensive Plan. Staff recommended approval, and the Planning Commission unanimously recommended approval.

Bill Curran of Ballard Spahr Andrews and Ingersoll, LLP, 300 South Fourth Street, Suite 1201, Las Vegas said the application had been in the works for over two years and they were eager to move forward with the project.

Mayor Montandon said he thought the project was very exciting and he liked that it was so unique.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

32. ORDINANCE NO. 2383; 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 0.28+ ACRES THEREIN FROM AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT AND A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-94-07, MARTHA CAZARES), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF CIVIC CENTER DRIVE AND TONOPAH AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2383 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 0.28+ ACRES THEREIN FROM AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT AND A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-94-07, MARTHA CAZARES), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF CIVIC CENTER DRIVE AND TONOPAH AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Stewart said the applicant wished to expand an existing tax preparation business and provide more parking by combining two units into one. The applicant also agreed to install date palms.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmembers Smith,

Buck and Eliason
NAYS: None
ABSTAIN: None

APPOINTMENTS

33. APPOINTMENT OF TWO MEMBERS TO THE PARKS & RECREATION ADVISORY BOARD FOR TERMS TO EXPIRE ON JUNE 30, 2011. (TABLED JULY 5, 2007)

ACTION: MAYOR PRO TEMPORE ROBINSON APPOINTED WILLIAM ROBINSON, II FOR TERM TO EXPIRE JUNE 30, 2011

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

ACTION: AT LARGE APPOINTMENT TABLED TO AUGUST 1, 2007

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

34. APPOINTMENT OF A MEMBER TO THE PLANNING COMMISSION FOR A TERM TO EXPIRE ON JUNE 30, 2011. (TABLED JULY 5, 2007)

ACTION: MAYOR PRO TEMPORE ROBINSON REAPPOINTED JO CATO FOR A TERM TO EXPIRE JUNE 30, 2011

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

35. APPOINTMENT OF CARLTON URBAN, TRANSPORTATION SERVICES ADMINISTRATOR, PUBLIC WORKS TO THE COMMITTEE ON

**TRANSPORTATION AND HOMELAND SECURITY FOR A TERM TO EXPIRE ON
JUNE 30, 2009.**

ACTION: CARLTON URBAN APPOINTED FOR A TERM TO EXPIRE ON JUNE 30, 2009

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilman Eliason directed Public Works to look at closing some of the crossovers at intersections on Civic Center Drive south of Lake Mead Boulevard. He suggested it might be better if the intersections were right in, right out only.

Councilwoman Buck directed Staff to consider an increase in the distance between payday loan establishments. She also directed Staff to investigate the fees charged by impound lots. She cited some cases where she felt the fees were exorbitant.

Councilwoman Smith stated the payday loan distance requirement should be brought to Council as soon as possible. She suggested they use the distance requirements necessary for taverns as a guideline. She directed Staff to develop a policy for continuances of agenda items and thought applicants should have to show cause in order to obtain a continuance. She also directed Staff to look at the issue of private parks that were built facing public streets, which she said caused problems for the homeowners' associations that maintained the parks.

Mayor Pro Tempore Robinson stated Centex Homes was creating problems for the residents on Coleman Street near Alexander Road with dust, traffic, and trash.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:04 P.M.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

APPROVED: September 19, 2007

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

ATTEST:

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