

CITY OF NORTH LAS VEGAS REGULAR CITY COUNCIL MEETING MINUTES

January 7, 2009

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

CALL TO ORDER

6:14 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 E. Rose	Information Technology Director Steve Chapin
Assistant City Manager Sam Chambers	Library Director Kathy Pennell
Assistant City Manager Maryann Ustick	Parks and Recreation Manager Jon Jainga
City Attorney Carie Torrence	Planning and Zoning Director Frank Fiori
City Clerk Karen L. Storms	Assistant Chief of Police Joseph Chronister
Finance Director Phil Stoeckinger	Public Works Director Dr. Qiong Liu
Fire Chief Al Gillespie	Utilities Director David Bereskin
General Services and	Assistant to the City Manager Michelle Bailey-Hedgepeth
Communications Director Brenda Fischer	Senior Assistant to the City Manager Kenny Young
Human Resources Director Joyce Lira	Planning and Zoning Manager Marc Jordan
	Assistant City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Daryl Harris
Bethesda Church of God in Christ

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore William E. Robinson

PUBLIC FORUM

Carl Ueker, 2620 Taylor Avenue, North Las Vegas, complained of graffiti and gunshots at the park near his house.

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JANUARY 7, 2009.

ACTION: APPROVED, AS AMENDED; ITEM NO. 2 CONTINUED TO APRIL 1, 2009; ITEM NO. 11 TABLED TO JANUARY 21, 2009; ITEM NO. 23 TABLED TO MARCH 4, 2009; ITEM NO. 26 WITHDRAWN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 DEBORAH DEPOMPEI, ON BEHALF OF THE APPLICANT OF THE PLANNING COMMISSION'S DECISION TO DENY UN-59-08 (TURN-KEY TELECOM, LLC); AN APPLICATION SUBMITTED BY TURN-KEY TELECOM, ON BEHALF OF INTERNATIONAL SMELTING COMPANY, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW A 100-FOOT TOWER AND TELECOMMUNICATION FACILITY; AND TO ALLOW THE TOWER TO BE LOCATED 48 FEET NORTH AND 51 FEET EAST OF RESIDENTIALLY ZONED PROPERTY WHERE 200 FEET IS THE MINIMUM REQUIRED ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF ELAINE STREET AND WITTIG AVENUE. (CONTINUED OCTOBER 1, 2008)

ACTION: CONTINUED TO APRIL 1, 2009

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

3. **UN-74-08 (PROJECT #1554-CCSD); AN APPLICATION SUBMITTED BY THE CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN MPC-PSP MASTER PLANNED COMMUNITY-PUBLIC/SEMI-PUBLIC DISTRICT TO ALLOW A SCHOOL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AVIARY WAY AND VIRAGE PARKWAY. (CONTINUED DECEMBER 3, 2008)**

Planning and Zoning Director Frank Fiori explained that the application was for a special use permit for a school. The Planning Commission recommended approval. Staff recommended two changes to condition numbers 5 and 13 which were read into the record.

Mayor Montandon opened the public hearing.

Tracy Murphy, Clark County School District, 4212 Eucalyptus Annex, Las Vegas, said she was aware of the conditions and accepted them as read into the record.

Councilwoman Buck asked if Virage and Aviary Way would be paved and open in accordance with the school. Public Works Director Dr. Qiong Liu explained that would be a condition for the school.

Mayor Montandon closed the public hearing.

ACTION: APPROVED AS AMENDED; CONDITIONS 5 AND 13 REPLACED;
SUBJECT TO THE FOLLOWING CONDITIONS:

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, AND THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC/DRHI, INC.
2. THAT UN-74-08 IS SITE SPECIFIC AND NON TRANSFERRABLE.
3. THAT THE MAXIMUM HEIGHT OF THE PROPOSED WALL ALONG THE SITE'S SOUTHERN BOUNDARY SHALL NOT EXCEED EIGHT (8) FEET.

4. THAT THE APPLICANT SHALL SUBMIT A LETTER AND EXHIBITS (SITE PLAN, ELEVATIONS, AND COLOR PALETTES) TO THE PLANNING AND ZONING DEPARTMENT PRIOR TO CONSTRUCTION THAT INDICATE REVIEW AND APPROVAL BY THE PARK HIGHLANDS ARCHITECTURAL REVIEW COMMITTEE FOR THE PROPOSED EXTERIOR COLORS AND MATERIALS OF CONSTRUCTION FOR EXTERIOR SURFACES HAS BEEN MADE.

5. PORTABLE CLASSROOMS MAY BE ALLOWED AND SHALL COMPLY WITH ALL APPROPRIATE SETBACKS, LIFE SAFETY, AND PARKING REQUIREMENTS. FURTHERMORE, PRIOR TO THE PLACEMENT OF SUCH CLASSROOMS, A SITE PLAN SHALL BE SUBMITTED FOR STAFF REVIEW AND KEPT ON PERMANENT FILE WITH THE USE PERMIT.

6. CIVILS WILL NOT BE ACCEPTED UNTIL THE GRAND TETON REGIONAL FLOOD CONTROL FACILITY IS SUBSTANTIALLY COMPLETE OR A DRAINAGE STUDY IS SUBMITTED AND APPROVED THAT ADEQUATELY ADDRESSES THE INTERIM CONDITION WHICH WOULD OCCUR SHOULD THE FACILITY NOT BE IN PLACE AT THE TIME OF SCHOOL OPENING.

7. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.

8. APPROVAL OF A DRAINAGE STUDY THAT CONFORMS TO THE OVERALL MASTER CONCEPTUAL DRAINAGE STUDY IS REQUIRED.

9. THE APPLICANT MUST ABIDE BY ALL CONDITIONS OF THE APPROVED TRAFFIC STUDY.

10. THE CIVIL IMPROVEMENT PLANS FOR THE PROJECT SHALL INCLUDE SCHEDULE 40 PVC FIBER OPTIC CONDUIT ALONG AVIARY WAY.

11. THE SIZE AND NUMBER OF DRIVEWAYS AND THEIR LOCATIONS ARE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF NORTH LAS VEGAS TRAFFIC ENGINEER AND MUST MEET THE STANDARDS SET FORTH IN NORTH LAS VEGAS MUNICIPAL CODE SECTION 17.24.130. CONFORMANCE MAY REQUIRE MODIFICATIONS TO THE SITE.

12. COMMERCIAL DRIVEWAYS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH CLARK COUNTY AREA UNIFORM STANDARD DRAWING NUMBERS 222A AND 225, WITH MINIMUM WIDTHS OF 32 FEET AS MEASURED FROM LIP OF GUTTER TO LIP OF GUTTER.

13. AS PER THE APPROVED ACCESS AND WALKING ROUTE EXHIBIT (ATTACHED) IN THE APPROVED TRAFFIC STUDY FOR THE AVIARY AND VIRAGE ELEMENTARY SCHOOL, THE FOLLOWING ROADS WILL BE CONSTRUCTED FOR THE SCHOOL: AVIARY WAY FROM ELKHORN ROAD TO VIRAGE, FARM (AKA PARK HIGHLANDS BOULEVARD) FROM AVIARY WAY TO ALIANTE PARKWAY, AND VIRAGE FROM AVIARY WAY TO FARM ROAD (AKA PARK HIGHLANDS BOULEVARD.) THE DEVELOPER SHALL PREPARE A PROPOSED PLAN FOR INTERSECTION IMPROVEMENTS AT ALIANTE/FARM AND ELKHORN/AVIARY TO PROVIDE FOR SAFE AND EFFICIENT TRAFFIC MOVEMENTS. THE PLAN WILL BE SUBJECT TO REVIEW AND APPROVAL OF THE CNLV CITY TRAFFIC ENGINEER. THESE IMPROVEMENTS MUST BE COMPLETED (WITH THE EXCEPTION OF FINAL LIFT OF PAVEMENT) INCLUDING STREET LIGHTS, AND BE INSPECTED BY THE OPENING OF THE SCHOOL.

14. ALL KNOWN GEOLOGIC HAZARDS SHALL BE SHOWN ON THE SITE PLAN AND THE CIVIL IMPROVEMENT PLANS. SUBSEQUENT IDENTIFICATION OF ADDITIONAL HAZARDS MAY SUBSTANTIALLY ALTER THE ORIGINAL SITE PLAN.

15. THE PUBLIC STREET GEOMETRICS, WIDTH OF OVER-PAVE AND THICKNESS OF THE PAVEMENT SECTIONS WILL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.

16. ALL NEVADA POWER COMPANY EASEMENTS, APPURTENANCES, LINES AND POLES MUST BE SHOWN AND SHALL BE LOCATED ENTIRELY WITHIN THE PERIMETER LANDSCAPE AREA OF THIS DEVELOPMENT. DISTRIBUTION LINES, EXISTING OR PROPOSED, SHALL BE PLACED UNDERGROUND IF THEY ARE RELOCATED OR ADJUSTED.

17. PRIOR TO THE INSTALLATION OF ANY SUBGRADE STREET IMPROVEMENTS, ALL REQUIRED UNDERGROUND UTILITIES (I.E. TELEPHONE, POWER, WATER, ETC.) LOCATED WITHIN PUBLIC RIGHTS-OF-WAY, SHALL BE EXTENDED A MINIMUM OF TEN (10) FEET BEYOND THE PROJECT BOUNDARY.

18. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.

19. THE OWNER IS REQUIRED TO GRANT A ROADWAY EASEMENT FOR COMMERCIAL DRIVEWAY(S).

20. THE OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.

21. THIS APPLICATION SHALL COMPLY WITH THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE AND NRS 278. CONFORMANCE MAY REQUIRE MODIFICATION TO THE SITE.

22. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING IN ACCORDANCE WITH THE FIRE CODE.

23. THE APPLICANT SHALL PROVIDE A PEDESTRIAN ACCESS GATE BETWEEN THE SCHOOL AND ADJACENT PARK SITE ALONG THE SUBJECT PROPERTY'S EASTERN PROPERTY LINE. THE EXACT LOCATION OF THE PEDESTRIAN ACCESS GATE SHALL BE DETERMINED AFTER CONSULTATION WITH THE CITY OF NORTH LAS VEGAS PARKS AND RECREATION DEPARTMENT PRIOR TO ANY CONSTRUCTION ON THE SUBJECT PROPERTY.

24. THE PROJECT SHALL CONFORM TO THE SOILS REPORT.

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

4. **VAC-05-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY SUMMERSET DEVELOPMENT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, TO VACATE EXCESS DRAINAGE EASEMENTS RELATED TO THE DETENTION BASIN WITHIN PARK HIGHLANDS ON PROPERTY LOCATED NORTH OF THE 215 BELTWAY BETWEEN COMMERCE STREET AND LOSEE ROAD.**

Mayor Montandon opened the public hearing.

Mayor Montandon closed the public hearing.

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

5. **VAC-13-08 (NORTH 5TH AND WASHBURN); AN APPLICATION SUBMITTED BY PARKWILL EAGLE, LLC, PARKWILL ENTERPRISES, LLC AND EAGLE 7 PROPERTIES, LLC, PARKWILL ENTERPRISES, LLC AND ABBEY JAMES R JR & COLLEEN TR, CASTLE ROCK ENTERPRISES, INC., ALL FOR ONE FAMILY TRUST AND LEE BRIAN A & JULIE A M TRS, ABBEY JAMES R JR & M COLLEEN TR AND ABBEY JAMES R JR & M COLLEEN TRS, AND WILLIAM LYON HOMES, INC., PROPERTY OWNERS, TO VACATE A PORTION OF EAGLE WAY BETWEEN WASHBURN ROAD AND LA MADRE WAY. (ASSOCIATED ITEM NO. 6, VAC-14-08)**

Mayor Montandon opened the public hearing.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and requested to vacate a roadway that was not required for any proposed project. Staff's recommended conditions were accepted with respect to the requirement of merging all the parcels to form a complete development.

Police Chief Al Gillespie explained that the Fire Department needed a portion, which was pointed out on the map, to have access to the cell site. Mr. Gronauer explained there was a half street improvement that was part of the church property and explained that the roadway was not needed. He said that discussion with the Fire Department was to place a gate or leave it open for access. Mr. Gronauer understood that the vacation would be for the applicant's portion of the half street. Chief Gillespie said as long as there was access to the cell site it would be amenable to the Fire Department.

Denny Krause, 1801 S. Jones Boulevard, Las Vegas, represented the Baptist Church Organization of Nevada Utah Association that owned the property. He explained the church was built in 2002 and there were no requirements to improve the street in question. In 2005 the City required that the street improvements be made which cost approximately \$250,000. At the time the request was made to put in the improvements, the comprehensive strategic plan was being worked on for the area and there would have been knowledge that the area was changing. He explained no one along La Madre Way and Washburn Road had been asked to put money into the improvements. The church was struggling to do what was requested. Mr. Krause said that the church was trying to understand why they were required to put in \$250,000 worth of improvements and then have it vacated, especially since there were other ways to access the cell tower that was on the property.

Mayor Montandon asked who operated the cell tower. Public Works Director Dr. Qiong Liu said she had no knowledge of who operated the tower. Mayor Montandon asked who owned the land where the cell tower was located and Director Liu said the church did. Mayor Montandon asked if there was revenue associated with the cell tower. Mr. Krause said there was. Mayor Montandon asked if the development of the half street was part of the original site plan. Director Liu explained she did not know the history of the \$250,000 improvement required of the church and if it was part of the requirement of the development process. She explained the recommendation from the Public Works Department was to continue the application indefinitely until the applicant obtained the

consent of the adjacent property owners for the request. At the time, the applicant indicated they were in the process of obtaining the consent and did not want to delay the process. She explained if there were any protests from the impacted property owners, the vacation would not go through. Mr. Krause explained there could be agreement if there was some redress for what had taken place. He explained if the road was vacated and the cell tower needed to be accessed, the church requested that the access come from another portion of the property because the road took up extra space that the property could develop further in the future. Mayor Montandon asked why the Fire Department needed access to the cell tower. Chief Gillespie explained access was required to all facilities because of the potential for problems at the base of the operating portion which could create a fire hazard. Mr. Krause questioned whether access could be from a different portion of the property. Chief Gillespie said as long as there was an access it did not matter where it came from.

Councilwoman Smith said that the use of a church was non-profit and if rent was being collected and a business operated on the property it changed the character of what churches were zoned for. She felt that the church was mixing uses since business was being conducted on the land. Mr. Krause explained it was property that was leased. Councilwoman Smith said the church was making money which meant they were running a business which was an ancillary use and felt the matter needed further discussion.

Mr. Krause asked if there was a way to rectify the situation. Mayor Montandon explained the closest way to rectify the situation was to allow the church use of the land as long as the Fire Department was allowed access to the cell tower. Mr. Krause suggested that the City could waive fees for the church to go through the process of making the changes on the property.

Armando Juarez, 5128 Topaz Sand Street, North Las Vegas, Pastor of the Seventh Day Adventist Marantha Church Hispanic said the church was struggling financially. He explained the church needed to get a loan to do the off-site improvements and felt it was for no reason since the road was to be vacated.

Mr. Gronauer explained that he had signatures from the adjacent property owners on the vacation requests with the exception of the church. If the church did not agree the vacations would move forward and the applicant would build the half street as a cul-de-sac. If the church agreed to the vacation, Eagle Way would be vacated to Washburn Road, the church would get the property back and another access would be provided.

Councilwoman Smith suggested that the church work with William Lyon Homes and try to reach a solution.

Mayor Montandon closed the public hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. A MINIMUM OF A 40' PUBLIC UTILITY EASEMENT WILL BE REQUIRED ALONG THE LIMITS OF THE PROPOSED VACATION WHERE THERE IS AN EXISTING 8" WATER MAIN AND 8" SEWER MAIN. THE HORIZONTAL LAYOUT OF THE EASEMENT SHALL BE AS REVIEWED AND APPROVED BY THE UTILITIES DEPARTMENT. THIS WILL ALLOW FOR FUTURE MAINTENANCE OF THESE EXISTING MAINS.
2. THE VACATION SHALL RECORD CONCURRENT WITH THE PUBLIC UTILITY EASEMENT AS IDENTIFIED IN CONDITION ONE.
3. THE APPLICANT SHALL ACQUIRE WRITTEN CONSENT FROM THE IMPACTED PROPERTY OWNERS INDICATING SUPPORT OF THE SUBJECT VACATION. (APN 124-34-701-044, 124-34-701-040, 124-34-701-034, 124-34-701-046 AND 124-34-701-045).
4. THE VACATION MUST RECORD WITH THE FINAL MAP, OR OTHER MAPPING IN ACCORDANCE WITH NRS CHAPTER 278 AND THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE, AND/OR PRIOR TO APPROVAL OF ANY CIVIL IMPROVEMENT PLANS FOR THE PROJECT. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS OF THE PLANNING COMMISSION APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

6. **VAC-14-08 (NORTH 5TH AND WASHBURN); AN APPLICATION SUBMITTED BY PARKWILL EAGLE, LLC, PARKWILL ENTERPRISES, LLC AND EAGLE 7 PROPERTIES, LLC, PARKWILL ENTERPRISES, LLC AND ABBEY JAMES R JR & COLLEEN TR, CASTLE ROCK ENTERPRISES, INC., ALL FOR ONE FAMILY TRUST AND LEE BRIAN A & JULIE A M TRS, ABBEY JAMES R JR & M COLLEEN TR AND ABBEY JAMES R JR & M COLLEEN TRS, AND WILLIAM LYON HOMES, INC., PROPERTY OWNERS TO VACATE A PORTION OF ROSADA WAY BETWEEN GOLDFIELD STREET AND NORTH 5TH STREET. (ASSOCIATED ITEM NO. 5, VAC-13-08)**

Mayor Montandon opened the public hearing.

Mayor Montandon closed the public hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITION:

1. THE VACATION SHALL 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, Councilmembers Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

7. **VAC-15-08 (CAMINO AL NORTE AND WASHBURN); AN APPLICATION SUBMITTED BY SCOPE DEVELOPMENT, LLC ON BEHALF OF SCOPE CAMINO AL NORTE, LLC, PROPERTY OWNER, FOR A VACATION IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO VACATE A TWENTY (20) FOOT WIDE DRAINAGE EASEMENT ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD.**

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITION:

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

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

CONSENT AGENDA

8. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF DECEMBER 3, 2008.

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

9. APPROVAL OF AN APPLICATION FOR A FULL LIQUOR ON-SALE BUSINESS LICENSE FOR SONORAN BARBEQUE NEVADA, LLC, DBA FAMOUS DAVE'S, 2630 EAST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89081 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.

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

10. APPROVAL OF AN APPLICATION FOR LON KENNETH CHANEY AS KEY EMPLOYEE FOR THE FULL LIQUOR ON-SALE BUSINESS LICENSE FOR SONORAN BARBEQUE NEVADA, LLC, DBA FAMOUS DAVE'S, 2630 EAST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89081.

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

11. **APPROVAL OF AN APPLICATION FOR AN AUTOMOBILE PAWNBROKER BUSINESS LICENSE FOR FINEX CAPITAL GROUP, LLC, DBA LOANEX, 5514 CAMINO AL NORTE, SUITE A3, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF THE REQUIRED SURETY BOND IN THE AMOUNT OF \$10,000.**

ACTION: TABLED TO JANUARY 21, 2009

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

12. **APPROVAL OF AN APPLICATION FOR KENNETH W. ALLWEIN AS KEY EMPLOYEE FOR THE AUTOMOBILE PAWNBROKER, PAWNBROKER AND SECONDHAND DEALER BUSINESS LICENSES FOR EZPAWN NEVADA, INC., DBA PAWN PLUS, 2820 EAST CRAIG ROAD, NORTH LAS VEGAS, NEVADA, 89030.**

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

13. **APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR YOLANDA AGUIRRE DE RODRIGUEZ, DBA JOYLAND 24HR DAY NURSERY, 3718 TWINING AVENUE, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

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

14. **APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR SUPER KIDS ACADEMY, LLC, DBA SUPER KIDS ACADEMY, 3980 WEST ANN ROAD, SUITE 110, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL, LIABILITY INSURANCE AND REQUIRED DEPARTMENT APPROVALS.**

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. **ACCEPTANCE OF A GRANT AWARD FROM THE STATE OF NEVADA, OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF \$16,950, REQUIRING AN IN-KIND MATCH IN THE AMOUNT OF \$14,840 FOR A BICYCLE SAFETY PROGRAM FOR THE POLICE DEPARTMENT.**

ACTION: GRANT AWARD ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

16. **APPROVAL OF THE FIRST SUPPLEMENTAL INTERLOCAL CONTRACT (NO. 500A) WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA, CITY OF LAS VEGAS AND CLARK COUNTY FOR THE ARTERIAL INCIDENT & EVENT MANAGEMENT SYSTEM PROJECT WHICH EXTENDS THE COMPLETION DATE TO JUNE 30, 2009. (CNLV CONTRACT NO. C-6026)**

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

17. APPROVAL OF SUPPLEMENTAL INTERLOCAL CONTRACT NO. 4 (NO. 363D) WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE PM10 MITIGATION PAVING IMPROVEMENT PROJECTS WHICH WILL REDUCE PROJECT FUNDING TO AN AMOUNT NOT TO EXCEED \$506,000 AND EXTEND THE PROJECT COMPLETION DATE TO MARCH 31, 2009. (CNLV CONTRACT NO. C-4843)

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

18. APPROVAL OF THE FOURTH SUPPLEMENTAL INTERLOCAL CONTRACT (NO. 393D) WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE I-15/LAMB BOULEVARD INTERCHANGE PROJECT WHICH EXTENDS THE COMPLETION DATE TO MARCH 31, 2009. (CNLV CONTRACT NO. C-5066)

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

19. APPROVAL OF THE FOURTH SUPPLEMENTAL INTERLOCAL CONTRACT (NO. 376D) WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE CHEYENNE AVENUE, DECATUR BOULEVARD TO VAN DER MEER AVENUE PROJECT WHICH EXTENDS THE COMPLETION DATE TO JUNE 30, 2009. (CNLV CONTRACT NO. 4978)

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

20. APPROVAL OF A GRANT OF EASEMENT TO NEVADA POWER COMPANY, DBA NV ENERGY, FOR THE RELOCATION OF EXISTING OVERHEAD AND UNDERGROUND ELECTRICAL DISTRIBUTION LINES ALONG NORTH 5TH STREET, BETWEEN LAKE MEAD BOULEVARD AND CAREY AVENUE FOR THE NORTH 5TH STREET, PHASE I IMPROVEMENT PROJECT.

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

21. UN-83-05 (PARK CENTRAL PLAZA); AN APPLICATION SUBMITTED BY PARK CENTRAL PLAZA 32, LLC, C/O KEVIN SPILSBURY ON BEHALF OF PARK CENTRAL PLAZA 32, LLC, C/O INFINITY ENTERPRISES INVESTMENTS, 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. (SET PUBLIC HEARING FOR FEBRUARY 4, 2009)

ACTION: PUBLIC HEARING SET FOR FEBRUARY 4, 2009

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

22. VAC-16-08 (MILLER SUBSTATION); AN APPLICATION SUBMITTED BY NV ENERGY, PROPERTY OWNER, FOR A VACATION IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO VACATE A TWENTY-FIVE FOOT WIDE SLOPE EASEMENT ALONG THE SOUTHERN PROPERTY LINE ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF CAREY AVENUE AND COMMERCE STREET. (SET PUBLIC HEARING FOR FEBRUARY 4, 2009)

ACTION: PUBLIC HEARING SET FOR FEBRUARY 4, 2009

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

BUSINESS

23. DISCUSSION AND/OR ACTION REGARDING AN APPEAL BY AMBER KALLIS OF A WORK CARD DENIAL. (TABLED DECEMBER 17, 2008)

ACTION: TABLED TO MARCH 4, 2009

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

24. APPROVAL OF STAFFING PATTERN CHANGES FOR PUBLIC WORKS AND UTILITIES CLASSIFICATIONS PURSUANT TO GRIEVANCE SETTLEMENT AGREEMENT DATED DECEMBER 4, 2008. (ALL STAFFING PATTERN CHANGES WILL BE PROCESSED WHEN ADMINISTRATIVELY FEASIBLE)

PUBLIC WORKS DEPARTMENT

- 1. UPGRADE TWO PUBLIC WORKS INSPECTORS GRADE TMN-19 TO GRADE TMN-21.**
- 2. UPGRADE THREE PUBLIC WORKS INSPECTORS GRADE TMN-19 TO GRADE TMN-21 (UPON COMPLETION AND APPLICATION OF SKILL BASED PROGRAM CRITERIA).**

UTILITIES DEPARTMENT

- 1. UPGRADE THREE UTILITIES INSPECTORS GRADE TMN-19 TO GRADE TMN-21.**
- 2. UPGRADE ONE UTILITIES INSPECTOR SUPERVISOR GRADE TMN-21 TO UTILITIES INSPECTOR SUPERVISOR GRADE TMN-22.**
- 3. UPGRADE ONE UTILITIES INSPECTOR GRADE TMN-19 TO GRADE TMN-21 (UPON COMPLETION AND APPLICATION OF SKILL BASED PROGRAM CRITERIA).**

Mayor Pro Tempore Robinson questioned why the City was dealing with a situation that happened in 2005. Human Resources Director Joyce Lira explained that several grievances were filed by the Teamsters. The City worked in collaboration with the Teamsters to reach a solution which took some time.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

25. APPROVAL OF A PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH GARY GUY WILSON IN THE AMOUNT OF \$57,950, FROM GENERAL OBLIGATION BONDS FOR THE FIRE STATION #54 ADDITION/REMODEL PROJECT LOCATED AT 5438 CAMINO AL NORTE. (CNLV CONTRACT NO. C-6992)

Councilman Eliason questioned the General Obligations Bonds and asked whether the funds were set aside for the Multi-Generational facility and the Downtown Command Center. Finance Director Phil Stoeckinger explained that the funding sources came from Fund 268 and 287 and this item would be an appropriate use. City Manager Rose said that the City Council approved projects that would be funded through bond proceeds and there would need to be another bond project soon such as Fire Station 50. Those bonds were not issued but would be forthcoming. The attempt was to provide funding to projects based upon a cash flow basis. City Attorney Carie Torrence felt clarification was needed from bond counsel and would work with the Finance Director to obtain information as to the legal use for the particular bond.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Councilmembers Smith, Buck and Eliason

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

26. **APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH G.C. WALLACE, INC. IN AN AMOUNT NOT TO EXCEED \$80,230, FUNDED BY THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA TO PERFORM FINAL DESIGN, BID PHASE SUPPORT AND CONSTRUCTION MANAGEMENT SUPPORT SERVICES FOR THE CAREY TRAFFIC SIGNAL INTERCONNECT IMPROVEMENTS PROJECT. (CNLV CONTRACT NO. C-6993)**

ACTION: 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

27. **APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH WLB GROUP IN AN AMOUNT NOT TO EXCEED \$257,900 FROM SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT FUNDS FOR THE UPPER LAS VEGAS WASH TRAIL PHASE 2 PROJECT. (CNLV CONTRACT NO. C-6994)**

ACTION: APPROVED

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

28. **AWARD OF BID NUMBER 1321 AND APPROVAL OF A CONTRACT WITH SOUTHERN NEVADA PAVING, INC. IN THE AMOUNT OF \$332,000 FROM THE TAX OVERRIDE FUND, FOR THE DESERT HORIZONS PARK OFFSITE IMPROVEMENTS WHICH INCLUDES CONSTRUCTION OF 300 FEET OF STREET IMPROVEMENTS ON GOWAN ROAD AT FUSELIER DRIVE AND 160 FEET OF STREET IMPROVEMENTS ON FUSELIER DRIVE AT GOWAN ROAD. (CNLV CONTRACT NO. C-6995)**

ACTION: BID AWARDED AND CONTRACT APPROVED

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

29. **APPROVAL OF AN INSTALLATION AND MAINTENANCE AGREEMENT WITH THE OMEGA GROUP, INC. FOR THE ACQUISITION AND INSTALLATION OF SOFTWARE AND FOR MAINTENANCE SERVICES RELATED TO THE IMPLEMENTATION OF THE CRIME VIEW COMMUNITY PROJECT; AND AUTHORIZATION TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$51,820, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT. (CNLV CONTRACT NO. C-6996)**

ACTION: APPROVED

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

30. **APPROVAL OF AN AGREEMENT WITH CDW-G IN THE AMOUNT OF \$81,527.46 TO LICENSE, MAINTAIN AND SUPPORT SOFTWARE FOR BACKUP OF NEW SERVERS AND ANNUAL MAINTENANCE AND SUPPORT OF SOFTWARE FOR BACKUP OF EXISTING SERVERS IN THE INFORMATION TECHNOLOGY DEPARTMENT. (CNLV CONTRACT NO. C-6997)**

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

31. APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF NORTH LAS VEGAS TO PROVIDE MANAGEMENT SERVICES NECESSARY TO UNDERTAKE AN EVALUATION OF THE HOUSING AUTHORITY'S ORGANIZATIONAL STRUCTURE AND PRACTICES. (CNLV CONTRACT NO. C-6998)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: Councilwoman Buck

ABSTAIN: None

**ORDINANCES
INTRODUCTION ONLY**

32. ORDINANCE NO. 2492; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 1741, SECTION 15.42.010, ENTITLED "ADOPTION" OF TITLE 15.42 FLOOD CONTROL MASTER PLAN OF THE "NORTH LAS VEGAS MUNICIPAL CODE"; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JANUARY 21, 2009)

Ordinance No. 2492 as introduced by the City Clerk:

ORDINANCE NO. 2492; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 1741, SECTION 15.42.010, ENTITLED "ADOPTION" OF TITLE 15.42 FLOOD CONTROL MASTER PLAN OF THE "NORTH LAS VEGAS MUNICIPAL CODE"; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. **(SET FINAL ACTION FOR JANUARY 21, 2009)**

ACTION: FINAL ACTION SET FOR JANUARY 21, 2009

33. **ORDINANCE NO. 2494; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 6,500 +/- SQUARE FEET THEREIN FROM AN R-A/R-2, REDEVELOPMENT AREA/MEDIUM HIGH DENSITY RESIDENTIAL SUBDISTRICT TO AN M-1, BUSINESS PARK INDUSTRIAL DISTRICT (ZN-27-08, GOLDFIELD PLAZA CONDOMINIUMS), FOR PROPERTY GENERALLY LOCATED AT 1813 - 1819 GOLDFIELD STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JANUARY 21, 2009)**

Ordinance No. 2494 as introduced by the City Clerk:

ORDINANCE NO. 2494; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 6,500 +/- SQUARE FEET THEREIN FROM AN R-A/R-2, REDEVELOPMENT AREA/MEDIUM HIGH DENSITY RESIDENTIAL SUBDISTRICT TO AN M-1, BUSINESS PARK INDUSTRIAL DISTRICT (ZN-27-08, GOLDFIELD PLAZA CONDOMINIUMS), FOR PROPERTY GENERALLY LOCATED AT 1813 - 1819 GOLDFIELD STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JANUARY 21, 2009)

ACTION: FINAL ACTION SET FOR JANUARY 21, 2009

34. **ORDINANCE NO. 2495; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY AMENDING ORDINANCE NO. 858 BEING SECTION 2.08.050 ENTITLED MUNICIPAL ELECTIONS - PROCLAMATION AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR JANUARY 21, 2009)**

Ordinance No. 2495 as introduced by the City Clerk:

ORDINANCE NO. 2495; AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY AMENDING ORDINANCE NO. 858 BEING SECTION 2.08.050 ENTITLED MUNICIPAL ELECTIONS - PROCLAMATION AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR JANUARY 21, 2009)

ACTION: FINAL ACTION SET FOR JANUARY 21, 2009

ORDINANCES
FINAL ACTION

35. **ORDINANCE NO. 2493; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 2164 AND ORDINANCE NO. 2287, SECTIONS 2.36.050 AND 2.36.060 OF CHAPTER 2.36 ENTITLED "ADMINISTRATIVE FEES," OF TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO CORRECT AND CLARIFY THE CHAPTER, ADD NEW FEES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2493 as introduced by the City Manager:

ORDINANCE NO. 2493; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 2164 AND ORDINANCE NO. 2287, SECTIONS 2.36.050 AND 2.36.060 OF CHAPTER 2.36 ENTITLED "ADMINISTRATIVE FEES," OF TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO CORRECT AND CLARIFY THE CHAPTER, ADD NEW FEES; 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, Councilmembers Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Smith directed Staff to research issues regarding churches operating businesses on their property which could be a violation of their Use Permit.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:05 P.M.

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

APPROVED: February 18, 2009

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

ATTEST:

/s/ Anita Sheldon
Anita Sheldon
Acting City Clerk