

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

January 21, 2009

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

CALL TO ORDER

6:03 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

Assistant City Manager Maryann Ustick	Library Director Kathy Pennell
City Attorney Carie Torrence	Parks and Recreation Director Mike Henley
City Clerk Karen L. Storms	Planning and Zoning Director Frank Fiori
Economic Development Director Mike Majewski	Police Chief Joe Forti
Finance Director Phil Stoeckinger	Public Works Director Dr. Qiong Liu
Deputy Fire Chief Kevin Brame	Assistant to the City Manager Michelle Bailey-Hedgepeth
General Services and	Senior Assistant to the City Manager Kenny Yound
Communications Director Brenda Fischer	Parks and Recreation Manager Jon Jainga
Human Resources Director Joyce Lira	Planning and Zoning Manager Marc Jordan
Information Technology Director Steve Chapin	Assistant City Clerk Anita Sheldon

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Camille Patton
Heritage United Methodist

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie S. Smith

PUBLIC FORUM

John Burke, 3892 Palos Verdes, Las Vegas, complained about a business not paying employees.

Lydia Garrett, (no address given), requested the City tear down Carey Arms or Buena Vista Springs apartments.

Ashok Sehdev, 1635 N. Main, North Las Vegas, asked about the length of time to obtain a business license.

PRESENTATION

PRESENTATION OF AWARD PLAQUES TO CITY EMPLOYEE OF THE MONTH WINNERS FOR THE 2ND QUARTER OF FISCAL YEAR 2008-2009.

ACTION: PRESENTATION OF PLAQUES TO THE FOLLOWING EMPLOYEE OF THE MONTH WINNERS: DWIGHT OLIVER, PUBLIC WORKS DEPARTMENT FOR THE MONTH OF OCTOBER; GINGER WALLACE, INFORMATION TECHNOLOGY DEPARTMENT FOR THE MONTH OF NOVEMBER; AND ALBERT SCOTT, DETENTION DIVISION OF THE POLICE DEPARTMENT FOR THE MONTH OF DECEMBER

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JANUARY 21, 2009.**

ACTION: APPROVED, AS AMENDED; ITEM NO. 2 AND 3 CONTINUED TO FEBRUARY 4, 2009; ITEM NO. 15 TABLED TO FEBRUARY 4, 2009; ITEM NO. 20 CONTINUED TO FEBRUARY 18, 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

PUBLIC HEARINGS - 6:15 P.M.

2. **AN APPEAL SUBMITTED BY KUMMER, KAEMPFER, BONNER, RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-10-08 (GOLDFIELD II); AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF WILLIAM LYON HOMES, INC., AND ARCHANA PATEL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE FAMILY LOW (UP TO 6 DWELLING UNITS/ACRE) TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. (CONTINUED DECEMBER 17, 2008) (ASSOCIATED ITEM NO. 3, APPEAL OF ZN-25-08)**

ACTION: CONTINUED TO 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

3. **AN APPEAL SUBMITTED BY KUMMER, KAEMPFER, BONNER, RENSHAW & FERRARIO, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-25-08 (GOLDFIELD II); AN APPLICATION SUBMITTED BY TANEY ENGINEERING, ON BEHALF OF WILLIAM LYON HOMES, INC., AND ARCHANA PATEL, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM R-E RANCH ESTATES DISTRICT AND R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET. (CONTINUED DECEMBER 17, 2008) (ASSOCIATED ITEM NO. 2, APPEAL OF AMP-10-08)**

ACTION: CONTINUED TO 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

4. **AN APPEAL SUBMITTED BY KURT JOHANSEN, ON BEHALF OF THE APPLICANT, OF THE PLANNING COMMISSION'S DECISION TO DENY VN-14-08 (WESTWIND); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF SCC-CANYON II, LLC, PROPERTY OWNER, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A TEN FOOT REAR YARD BUILDING SETBACK WHERE 15 FEET IS THE MINIMUM REAR YARD BUILDING SETBACK REQUIRED ON PROPERTY LOCATED AT 8209 DRAGON FLY BUSH COURT.**

Planning and Zoning Director Frank Fiori explained that the applicant proposed to build a two-story home with a total square footage of 4,756 square feet and a lot coverage of 2,583 square feet on a 6,054 square foot lot. The applicant submitted three different options for the proposed home. Staff and the Planning Commission recommended denial since it did not meet the legal criteria for granting a variance.

Mayor Montandon opened the public hearing.

Joe Thomason, 3277 East Warm Springs Road, Suite 400, Las Vegas represented the applicant, Richmond American Homes, and explained they were in the process of purchasing 101 finished lots within the Westwind subdivision located on the northeast corner of Decatur Boulevard and Grand Teton Drive. The site was fully developed, streets were in and lots were graded. There was one lot that would not hold any of the four proposed models. He explained that the house was 50 feet wide and had an 18.6 foot section in the rear that was a family room off the kitchen area which encroached on the rear yard. He explained the request was to allow an encroachment of five feet into a 15 foot rear yard leaving a ten foot rear yard section. Councilwoman Smith asked if the applicant tried the other models to see if one would fit on the lot. Mr. Thomason said they did try and this particular model created the smallest encroachment. Councilwoman Buck asked if the models were built. Mr. Thomason explained the models had not been constructed. Councilwoman Buck asked if the planned homes were consistent with homes already built in the project. Mr. Thomason said he believed the homes to be built were larger.

John Power, 8208 Silver Vine Street, North Las Vegas, was the owner of property directly affected by the project and said the property owners were not contacted by Richmond American Homes. He felt the lots were not sized for the homes and the construction would encroach on the reason why he bought a home in the development. Councilwoman Buck confirmed if Mr. Power lived directly behind the lot. He explained that Richmond American Homes had other options such as moving the cul-de-sac 25 feet forward which still provided 20 feet from the cul-de-sac to the wall and increased the size of the lot. Councilwoman Buck explained that may not have been an option depending on fire codes, underground infrastructure and other codes.

Edward Loper, 8216 Silver Vine Street, North Las Vegas, explained that Beazer Homes pulled out of the development. He stated he was not contacted by Richmond American Homes. Councilwoman Smith asked if the Beazer Homes were one or two story models. Mr. Loper explained there was only one single story home.

Michael Bechtel, 8212 Silver Vine Street, North Las Vegas, explained that the lots were more spacious in the area and he was concerned about the aesthetics of the properties.

Stephanie Loper, 8216 Silver Vine Street, North Las Vegas, commented that she bought the home because there was more room on the property. She explained the homes to be built by Richmond American had no driveways and were close together which gave a tighter feeling in the community. Councilwoman Buck asked how a one-story home would affect Ms. Loper living two homes away. Ms. Loper said the whole neighborhood affected her and suggested that Richmond American downsize the homes to be built.

Councilwoman Smith asked if the variance was denied, what options Richmond American Homes would have. Mr. Thomason said they would wait to see what happened in the future. If they opted for another home model, there would be differences in elevations and features and it would not be easy to place into the development.

Mayor Montandon closed the public hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; VN-14-08 APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT, UNLESS EXPRESSLY AUTHORIZED THROUGH THE VARIANCE, WAIVER OR ANOTHER METHOD, THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES; AND
2. THE SINGLE FAMILY DWELLING UNIT MUST HAVE A MINIMUM REAR YARD SETBACK OF TEN (10) FEET.

3. THE DEVELOPMENT MUST COMPLY WITH ALL THE SINGLE-FAMILY DESIGN GUIDELINES LISTED IN TITLE 17.

4. MAINTAIN FHA TYPE A LOT DRAINAGE.

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

CONSENT AGENDA

5. **APPROVAL OF THE SPECIAL CITY COUNCIL MEETING MINUTES OF DECEMBER 17, 2008.**

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

6. **APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF DECEMBER 17, 2008.**

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. **APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING LIQUOR AND RESTRICTED GAMING BUSINESS LICENSES FOR A & L VENTURES, INC., DBA TIMBERS BAR & GRILL, 5710 LOSEE ROAD, NORTH LAS VEGAS, NEVADA, 89081 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL, WORKERS' COMPENSATION COVERAGE AND REQUIRED DEPARTMENT APPROVALS.**

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

8. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH M I L V II, LLC, FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD & COMMERCE STREET IN THE AMOUNT OF 2.6% OF THE TOTAL COST OR \$18,031; CRAIG ROAD & REVERE STREET IN THE AMOUNT OF 3.8% OF THE TOTAL COST OR \$18,692; CRAIG ROAD & COMMERCE STREET IN THE AMOUNT OF 8% OF THE TOTAL COST OR \$12,560; CRAIG ROAD & NORTH 5TH STREET IN THE AMOUNT OF 1.9% OF THE TOTAL COST OR \$4,135; LONE MOUNTAIN ROAD & COMMERCE STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 2.7% OF THE TOTAL COST OR \$3,240; CRAIG ROAD & REVERE STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 11.3% OF THE TOTAL COST OR \$13,560; CRAIG ROAD & COMMERCE STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 18.3% OF THE TOTAL COST OR \$21,960; CRAIG ROAD & COMMERCE STREET - EAST LEG/DUAL LEFT IN THE AMOUNT OF 24% OF THE TOTAL COST OR \$28,800; CRAIG ROAD & COMMERCE STREET - NORTH LEG/DUAL LEFT IN THE AMOUNT OF 2.7% OF THE TOTAL COST OR \$3,240; CRAIG ROAD & NORTH 5TH STREET - WEST LEG/DUAL LEFT IN THE AMOUNT OF 3.7% OF THE TOTAL COST OR \$4,440; AND CRAIG ROAD & NORTH 5TH STREET - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 1.3% OF THE TOTAL COST OR \$1,560 FOR CRAIG ROAD & COMMERCE STREET RETAIL CENTER, LOCATED ON THE NORTHWEST CORNER OF WASHBURN ROAD AND CAMINO AL NORTE.**

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

**9. RATIFICATION OF THE RENEWAL OF WORKERS' COMPENSATION
EXCESS COVERAGE INSURANCE WITH MIDWEST EMPLOYERS
CASUALTY COMPANY IN THE AMOUNT OF \$135,776 FOR THE PERIOD OF
JANUARY 1, 2009 THROUGH JANUARY 1, 2010.**

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

BUSINESS

**10. 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. (TABLED JANUARY 7, 2009)**

Finance Director Phil Stoeckinger explained that the application was for an existing location. He explained in March 2004 Loanex applied for a business license and submitted the required information. There was a mistake made on behalf of the Business License Division and Loanex was granted a business license. After consulting with the Planning Department and City Attorney's office, the recommendation was for approval.

ACTION: APPROVED

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

11. APPROVAL OF A PAYMENT IN THE AMOUNT OF \$220,000 TO CENTRAL PARK NLV, LLC FOR FULL SETTLEMENT OF ANY MONIES DUE BASED ON THE CITY'S USE OF PROPERTY ADJACENT TO CRAIG RANCH GOLF COURSE FROM MARCH 27, 2007 THROUGH JANUARY 31, 2009.

Mayor Pro Tempore Robinson asked if funds were available and why the payment had not been made monthly. Parks and Recreation Director Mike Henley said the money was available and explained that when the current owner took title, the City went into negotiations for possible acquisition. The owner said the acquisition was not necessary. Since the City owned the golf course, monthly payments were incorporated in the annual budget.

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

12. APPROVAL OF A GROUND LEASE WITH CENTRAL PARK NLV, LLC FOR LEASE OF 15+/- ACRES ADJACENT TO CRAIG RANCH GOLF COURSE IN THE AMOUNT OF \$10,000 PER MONTH FROM FEBRUARY 1, 2009 THROUGH APRIL 30, 2009.

Councilwoman Buck asked if the amount of money generated from the golf course would cover the amount paid in rent. Parks and Recreation Director Mike Henley said it would and he explained the estimated income for the next three months would be \$100,000 in net revenue. Councilwoman Buck asked if without the land and leasing the land the golf course would have to be closed. Director Henley the golf course would be closed.

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

13. PRESENTATION ON THE CRITERIA FOR SELECTING EARLY VOTING POLLING PLACES FOR THE CITY OF NORTH LAS VEGAS MUNICIPAL ELECTIONS 2009.

City Clerk Karen Storms explained that early voting locations had been designated throughout the City so residents of all communities had the opportunity to participate in the early voting program. The sites were also chosen to ensure the efficient use of early voting personnel and equipment in the most cost effective manner. She explained that opening and closing times may be staggered to take advantage of peak usage times so teams could support more than one location. Organizations and businesses that allowed the use of their facilities did so as a service to the community. City Clerk Storms explained that not all sites were available as early voting locations. The facility needed to be physically suitable as an early voting site. The key issues were parking, ADA accessibility, space within the facilities and communications. There were no sites that needed to be wired for the upcoming elections but the Election Department began to use wireless technology when available. City Clerk Storms also said that the facility or its providers must not be actively involved in any current political activities targeting local voters. The standard distance for early voting locations was recommended to be a ten mile radius but there was a wide coverage within a two mile radius of each site. City Clerk Storms explained that the location of the Lucky Store on Lake Mead Boulevard and Eastern Avenue had changed to the Food 4 Less on Las Vegas Boulevard.

ACTION: PRESENTATION MADE

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

14. APPROVAL OF AND AUTHORIZATION TO PUBLISH THE 2009 MUNICIPAL ELECTION PROCLAMATION.

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

15. RESOLUTION NO. 2406; A RESOLUTION ESTABLISHING THE CITY'S STATE LEGISLATIVE PLATFORM FOR THE 2009 NEVADA LEGISLATURE.

ACTION: TABLED TO 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

16. APPROVAL TO AUGMENT THE FY08-09 VACANT BUILDING CLEARANCE FUND IN THE AMOUNT OF \$94,500 FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR THE FIRE'S CODE ENFORCEMENT DIVISION BUILDING BOARD-UPS AND PUBLIC WORKS' BUILDING SAFETY DIVISION POOL DRAINING AND DANGEROUS VACANT BUILDING REMOVALS.

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. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO FORD COUNTRY, IN THE AMOUNT OF \$54,494 UTILIZING THE STATE OF NEVADA BID NO. 7378, PURSUANT TO NRS 332 LOCAL GOVERNMENT PURCHASING ACT FOR THE PURCHASE OF TWO FORD-150 TRUCKS FOR THE POLICE DEPARTMENT.

ACTION: AUTHORIZED

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 AN INTERLOCAL AGREEMENT WITH CLARK COUNTY IN THE AMOUNT OF \$97,340 THAT WILL ENABLE THE CITY TO BE A SUBRECIPIENT OF FEDERAL DEPARTMENT OF HOMELAND SECURITY FFY08 - INTEROPERABLE EMERGENCY COMMUNICATION GRANT PROGRAM FUNDS WHICH WILL ENABLE THE POLICE DEPARTMENT TO FURTHER THE GOALS OF NEVADA'S STATEWIDE COMMUNICATION INTEROPERABILITY PLAN AND NATIONAL EMERGENCY COMMUNICATIONS PLAN BY CONDUCTING AN INTEROPERABILITY ASSET MANAGEMENT INITIATIVE.**

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

ORDINANCE INTRODUCTION ONLY

19. **ORDINANCE NO. 2496; 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 6.13+/- ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-23-08, CRAIG SELF STORAGE), FOR PROPERTY GENERALLY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 1,000 FEET WEST OF ALLEN LANE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 4, 2009)**

Ordinance No. 2496 as introduced by the City Clerk:

ORDINANCE NO. 2496; 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 6.13+/- ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-23-08,

CRAIG SELF STORAGE), FOR PROPERTY GENERALLY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 1,000 FEET WEST OF ALLEN LANE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 4, 2009)

ACTION: FINAL ACTION SET FOR FEBRUARY 4, 2009

ORDINANCES
FINAL ACTION

20. **ORDINANCE NO. 2490; 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 26.0 +/- ACRES THEREIN FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT AND AN R-E, RANCH ESTATES DISTRICT TO AN MUD/MX-1, MIXED USE DEVELOPMENT DISTRICT/NEIGHBORHOOD CENTER MIXED USE SUBDISTRICT (ZN-26-08, NORTH 5TH AND WASHBURN) CONSISTING OF 344 RESIDENTIAL UNITS AND 81,600 SQUARE FEET OF COMMERCIAL SPACE FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED DECEMBER 17, 2008) (ASSOCIATED ITEM NO. 19, ORDINANCE NO. 2491)**

ACTION: CONTINUED TO FEBRUARY 18, 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

21. **ORDINANCE NO. 2491; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-10-08) BY AMENDING TITLE 17 (SECTION 17.20.230.E) TO ALLOW RESTAURANTS WITH DRIVE THROUGH SERVICE LANE AS A SPECIAL USE WITHIN THE MUD/MX-1, MIXED USE DEVELOPMENT DISTRICT/NEIGHBORHOOD CENTER MIXED USE SUBDISTRICT AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED DECEMBER 17, 2008) (ASSOCIATED ITEM NO. 20, ORDINANCE NO. 2490)**

Ordinance No. 2491 as introduced by the Assistant City Manager:

ORDINANCE NO. 2491; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-10-08) BY AMENDING TITLE 17 (SECTION 17.20.230.E) TO ALLOW RESTAURANTS WITH DRIVE THROUGH SERVICE LANE AS A SPECIAL USE WITHIN THE MUD/MX-1, MIXED USE DEVELOPMENT DISTRICT/NEIGHBORHOOD CENTER MIXED USE SUBDISTRICT AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED DECEMBER 17, 2008) (ASSOCIATED ITEM NO. 20, ORDINANCE NO. 2490)

Planning and Zoning Director Frank Fiori explained that the ordinance amendment was initiated by William Lyon Homes to amend Title 17. The applicant proposed to amend the zoning ordinance by adding restaurants with drive-thru service lanes as a special use in the MUD/MX-1 Neighborhood Center Mixed Use Subdistrict. He explained that in order to ensure that the intent of the MX-1 subdistrict was maintained, Staff recommended that qualifying conditions for restaurants with drive-thru service lanes be included. The conditions recommended would limit the total gross floor area for restaurants with drive-thru service lanes. The Planning Commission and Staff recommended approval. Councilwoman Buck requested that if the ordinance was approved that there be mitigation on speaker boxes near residences. Director Fiori explained the issue was brought up in the review process. He said if the City Council wanted to amend the process, changes could be made and brought back with another stipulation that would regulate the number based on the square footage. Councilwoman Buck said it should be considered on any of the fast food restaurant or bank drive-thru and included in standard conditions.

ACTION: PASSED AND ADOPTED

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. 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.

Ordinance No. 2492 as introduced by the Assistant City Manager:

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.

ACTION: PASSED AND ADOPTED

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

23. 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.

Ordinance No. 2494 as introduced by the Assistant City Manager:

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.

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

24. 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.

Ordinance No. 2495 as introduced by the Assistant City Manager:

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.

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

APPOINTMENT

25. **APPOINTMENT OF A RESIDENT MEMBER TO THE MCCOOL AIRFIELD
ADVISORY COMMITTEE TO FILL AN UNEXPIRED TERM ENDING
SEPTEMBER 3, 2011.**

ACTION: COUNCILWOMAN SMITH APPOINTED MICHAEL GLENN
MCCLENDON FOR A TERM TO EXPIRE SEPTEMBER 3, 2011

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

COUNCIL ITEMS

Councilwoman Buck stated McCool Airfield Advisory Board Members were being intimidated and threatened.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

Dean Leavitt, 918 Dawn Valley Drive, North Las Vegas, spoke about mid block crossings at Lone Mountain Road and Camino Al Norte.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:29 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