

CITY OF NORTH LAS VEGAS REGULAR CITY COUNCIL MEETING MINUTES

March 4, 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

City Manager Gregory E. Rose	Parks and Recreation Manager Jon Jainga
Assistant City Manager Sam Chambers	Planning and Zoning Director Frank Fiori
Assistant City Manager Maryann Ustick	Police Chief Joe Forti
City Attorney Carie Torrence	Public Works Director Dr. Qiong Liu
Acting City Clerk Anita Sheldon	Utilities Director David Bereskin
Economic Development Director Mike Majewski	Assistant to the City Manager Michelle Bailey-Hedgepeth
Finance Director Phil Stoeckinger	Senior Assistant to the City Manager Kenny Young
Fire Chief Al Gillespie	Business License Manager Lana Hammond
General Services and	General Services and
Communications Director Brenda Fischer	Communications Assistant Director Skip Grey
Human Resources Director Joyce Lira	Utilities Manager Leslie Long
Information Technology Director Steve Chapin	Planning and Zoning Manager Marc Jordan
Library Director Kathy Pennell	Chief Deputy City Clerk Jennifer Snyder
	Deputy City Clerk Adelmira Tapia-Rojas

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Anita Sheldon
Acting City Clerk

INVOCATION

Pastor Jenny Fay
Canyon Ridge Christian Church

PLEDGE OF ALLEGIANCE

Nick Alvar
Boy Scout Troop 555

PUBLIC FORUM

Lydia Garrett, 4332 Cinema Avenue, North Las Vegas, said she represented the North Valley Leadership Team and they urged the City to demolish the Buena Vista Springs or Carey Arms apartments. Mayor Montandon explained that the City did not own the apartments and had been denied funding by Housing and Urban Development.

PROCLAMATION

PROCLAMATION RECOGNIZING MARCH 2009 AS SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS (STEM) STUDENT AMBASSADORS PROGRAM AWARENESS MONTH AND JOIN STEM IN CELEBRATING THEIR SECOND ANNIVERSARY.

ACTION: PROCLAMATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 4, 2009.**

ACTION: APPROVED, AS AMENDED: ITEM NOS. 2 AND 3 CONTINUED TO APRIL 1, 2009; ITEM NO. 12 TABLED TO MARCH 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. PUBLIC HEARING REGARDING RESOLUTION NO. 2414.

ACTION: CONTINUED TO APRIL 1, 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

3. RESOLUTION NO. 2414; A RESOLUTION AUTHORIZING MEDIUM-TERM OBLIGATIONS IN AN AMOUNT OF UP TO \$40,000,000 TO FINANCE THE COST OF STREET, PARK AND PUBLIC SAFETY PROJECTS FOR THE CITY; AND PROVIDING THE EFFECTIVE DATE HEREOF.

ACTION: CONTINUED TO APRIL 1, 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

CONSENT AGENDA

4. APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR PECOS MART & DELI, INC., DBA ECOSMART STATION, 3025 LAS VEGAS BOULEVARD NORTH, NORTH LAS VEGAS, NEVADA, 89030.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

5. APPROVAL OF AN APPLICATION FOR NON-RESTRICTED GAMING (SPORTS POOL ONLY) BUSINESS LICENSE FOR LEROY'S HORSE AND SPORTS PLACE, 2542 LAS VEGAS BOULEVARD NORTH, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

6. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR NOEMI R. BRAVO, DBA SWEET HOME CARE, 2105 CARROLL STREET, UNIT A, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENTAL APPROVALS.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

7. APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM WESTERN LINEN SERVICE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CHEYENNE AVENUE & CLAYTON STREET (IMPROVEMENTS) IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,200 FOR WESTERN LINEN LOCATED ON THE NORTHWEST CORNER OF BROOKS AVENUE AND COLEMAN STREET.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

8. **UN-07-09 (METRO PAWN); AN APPLICATION SUBMITTED BY METRO PAWN ON BEHALF OF STACEY RUSH, WIP-CS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A PAWNSHOP ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE 215 BELTWAY AND DECATUR BOULEVARD. (SET PUBLIC HEARING FOR MARCH 18, 2009)**

ACTION: PUBLIC HEARING SET FOR MARCH 18, 2009

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

9. **UN-08-09 (METRO PAWN); AN APPLICATION SUBMITTED BY METRO PAWN ON BEHALF OF MARCELLO AIRPORT CENTER, LLC AND CLARK COUNTY DEPARTMENT OF AVIATION, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A PAWNSHOP ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF RANCHO DRIVE AND CAREY AVENUE. (SET PUBLIC HEARING FOR MARCH 18, 2009)**

ACTION: PUBLIC HEARING SET FOR MARCH 18, 2009

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

10. **VAC-01-09 (PROJECT HOTEL); AN APPLICATION SUBMITTED BY LASER DEVELOPMENT LLC, APPLICANT, ON BEHALF OF CASINO HOLDING GROUP LLC, PROPERTY OWNER, TO VACATE CASTLEBERRY LANE BETWEEN INTERSTATE 15 AND CENTENNIAL PARKWAY. (SET PUBLIC HEARING FOR APRIL 1, 2009)**

ACTION: PUBLIC HEARING SET FOR APRIL 1, 2009

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

BUSINESS

11. DISCUSSION AND/OR ACTION REGARDING AN APPEAL BY AMBER KALLIS OF A WORK CARD DENIAL. (TABLED DECEMBER 17, 2008 AND JANUARY 7, 2009)

Amber Kallis, 5812 Westport Court, Las Vegas, NV, explained that she met with the judge and paid the fines imposed. Mayor Montandon explained he received information from the judge that the fines were satisfied, but no information was received stating that the course had been completed. Ms. Kallis said she had completed the class. Mayor Montandon asked if she had documentation of completion. Ms. Kallis said she received certificate of completion but did not have it with her. Councilman Eliason was concerned with Ms. Kallis' arrest and the proposed place of employment. He felt he could not support the issuance of a work card. Police Chief Joe Fort said that based on the information submitted regarding payment of class fees it appeared the class was completed.

ACTION: WORK CARD DENIAL UPHELD

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilwoman Smith

ABSTAIN: None

12. WAV-02-09 (JAKE'S AT NORTH 5TH & AZURE); AN APPLICATION SUBMITTED BY GALAXY 7 PROPERTIES, INC., ON BEHALF OF EAGLE 7 PROPERTIES, LLC, PROPERTY OWNER, FOR A WAIVER OF DEVELOPMENT STANDARDS FROM TITLE 16 TO ALLOW A DRIVEWAY LOCATION ON PROPERTY LOCATED AT 6215 NORTH 5TH STREET. (TABLED FEBRUARY 18, 2009)

ACTION: TABLED TO MARCH 18, 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

13. AWARD OF REQUEST FOR PROPOSAL NUMBER 007-022 TO ZOLL MEDICAL CORPORATION IN THE AMOUNT OF \$296,399; AND APPROVAL TO AUGMENT THE TAX OVERRIDE FUND IN THE AMOUNT OF \$6,400 FOR THE PURCHASE OF DEFIBRILLATORS/MONITORS FOR THE FIRE DEPARTMENT. (CNLV CONTRACT NO. C-7035)

ACTION: REQUEST FOR PROPOSAL AWARDED; TAX OVERRIDE FUND AUGMENTED

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 A COOPERATIVE AGREEMENT WITH THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION FOR THE CHEYENNE RESURFACING PROJECT WHICH WILL AUTHORIZE UTILIZATION OF STATE AND FEDERAL FUNDS TO PERFORM THE WORK. (CNLV CONTRACT NO. C-7036)

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. AUTHORIZATION TO THE CITY MANAGER TO NEGOTIATE AND EXECUTE A STEWARDSHIP AGREEMENT WITH THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION, IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE, FOR THE ALLOCATION OF AMERICA'S REINVESTMENT AND RECOVERY ACT FUNDS IN AN AMOUNT NOT TO EXCEED \$10,000,000 TO BE USED FOR PAVEMENT REHABILITATION.

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

16. AUTHORIZATION TO ESTABLISH THE BUDGET FOR THE NEIGHBORHOOD STABILIZATION PROGRAM FUNDS IN THE AMOUNT OF \$8,651,992 WHICH IS A REIMBURSEMENT BASED GRANT WHERE ALL EXPENDITURES MUST BE PAID BY THE CITY, PRIOR TO REIMBURSEMENT FROM CLARK COUNTY IN THE AMOUNT OF \$6,837,736 AND THE STATE OF NEVADA IN THE AMOUNT OF \$1,841,256.

Councilman Eliason questioned whether funds were available in the general fund or would money need to be transferred until the City was reimbursed. Finance Director Phil Stoeckinger explained it was on a reimbursement basis.

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

17. ADOPTION OF THE LAS VEGAS VALLEY WATERSHED ADVISORY COMMITTEE'S REGIONAL WATER QUALITY PLAN.

Utilities Director David Bereskin explained that the City Council approved an agreement for the City to be part of the Las Vegas Valley Watershed Advisory Committee in 2007. It was comprised of staff to coordinate efforts related to water quality and watershed protection throughout the Las Vegas Valley. The agency was formed to protect Lake Mead water quality and the water delivered to Lake Mead. He explained that the Las Vegas Valley Watershed Advisory Committee provided a forum to coordinate the efforts of existing water and wastewater related committees that included the Las Vegas Wash Coordination Committee, Boulder Basin Adaptive Management Plan, Lake Mead Water Quality Forum, Sewerage and Wastewater Advisory Committee and the Stormwater Quality Management Committee. Director Bereskin explained that the proposed plan represented the work of the committee to coordinate existing plans, policies and documents in efforts related to water quality in the Las Vegas Valley Watershed and Lake Mead. Mayor Montandon asked if the existence of the organization and the agreement possibly included the elimination of extraneous committees that were not necessary or did they each perform an independent function. Director Bereskin explained that the committee assumed the functions of the Las Vegas Wash Management Advisory Committee and was an effort to take the actions from the remaining committees and comprise them into the Las Vegas Valley Watershed Advisory Committee. Director Bereskin explained that the mission of the committee was to protect, preserve and enhance the quality and quantity of water resources in the Las Vegas Valley Watershed, sustain economic well-being and protect the environment for present and future generations. He explained that the plan represented areas where

policy issues regarding emerging water quality issues, required future consideration and candidate policy recommendations and may warrant policy development in the future for water and environmental issues, public outreach and operations. He explained it was a living document and the committee would be looking at water issues from flood waters, construction site spills and pollution in the wash from rain water. Director Bereskin explained that the Las Vegas Valley Watershed Advisory Committee reported directly to the Southern Nevada Water Authority Board and the Clean Water Coalition Board. The committee needed to develop an annual operating plan that outlined specific actions to meet the goals.

ACTION: 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

18. **RESOLUTION NO. 2416; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA TO AUTHORIZE THE CITY MANAGER TO EXECUTE CERTAIN AGREEMENTS TO IMPLEMENT THE PROVISIONS OF THE ENHANCED USE LEASE WITH NELLIS AIR FORCE BASE.**

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Councilmembers Smith, Buck and Eliason

NAYS: Mayor Pro Tempore Robinson

ABSTAIN: None

ORDINANCE FINAL ACTION

19. **ORDINANCE NO. 2497; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING CHAPTER 30 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING MOBILE FOOD VENDORS AND ENACTING NEW REGULATIONS GOVERNING MOBILE FOOD VENDORS, INCLUDING NEW REGULATIONS CONCERNING APPLICANT BACKGROUND INVESTIGATIONS, THE ELIMINATION OF PARKING TIME LIMITATIONS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2497 as introduced by the City Manager:

ORDINANCE NO. 2497; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING CHAPTER 30 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING MOBILE FOOD VENDORS AND ENACTING NEW REGULATIONS GOVERNING MOBILE FOOD VENDORS, INCLUDING NEW REGULATIONS CONCERNING APPLICANT BACKGROUND INVESTIGATIONS, THE ELIMINATION OF PARKING TIME LIMITATIONS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

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

APPOINTMENT

20. **RECOMMENDATION OF A MEMBER TO SERVE AS THE INCORPORATED CITIES REPRESENTATIVE ON THE BOARD OF SUPERVISORS OF THE CONSERVATION DISTRICT OF SOUTHERN NEVADA FOR A TWO-YEAR TERM ENDING FEBRUARY 17, 2011.**

ACTION: MAYOR MONTANDON RECOMMENDED CHRIS MAGEE

MOTION: Mayor Montandon

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 directed Staff to look at using solar technology for new buildings. She said that the McCool Advisory Committee would be before Council in April with recommendations for the use of the airfield and suggested that ordinances be drafted to post signs regarding the noise so that the regulations could be enforced.

Councilwoman Smith directed Staff to have the ability to have Council meetings available on television or the internet in the new City Hall.

Mayor Pro Tempore Robinson suggested that Code Enforcement look into violations occurring on weekends with illegal businesses.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 6:43 P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPROVED: April 15, 2009

Mayor Michael L. Montandon

ATTEST:

Anita Sheldon
Acting City Clerk