

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

March 18, 2009

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 E. Rose	Information Technology Director Steve Chapin
Assistant City Manager Sam Chambers	Library Director Kathy Pennell
Assistant City Manager Maryann Ustick	Planning and Zoning Director Frank Fiori
City Attorney Carie Torrence	Police Chief Joe Forti
Acting City Clerk Anita Sheldon	Public Works Director Dr. Qiong Liu
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	Planning and Zoning Manager Marc Jordan
General Services and	Deputy City Clerk Marie Purcell
Communications Director Brenda Fischer	Deputy City Clerk Adelmira Tapia-Rojas
Human Resources Director Joyce Lira	

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Anita Sheldon
Acting City Clerk

INVOCATION

Pastor Brandon Peak
Canyon Ridge Christian Church

PLEDGE OF ALLEGIANCE

Boy Scouts, Troop 174
Devin Long

PUBLIC FORUM

There was no public participation.

PROCLAMATION

PROCLAMATION RECOGNIZING THE MONTH OF APRIL 2009 AS CHILD ABUSE PREVENTION MONTH.

ACTION: RESCHEDULE FOR APRIL 1, 2009

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 18, 2009.**

ACTION: APPROVED AS AMENDED; ITEM NO. 13 WITHDRAWN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

CONSENT AGENDA

4. APPROVAL OF THE SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 4, 2009.

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

5. APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 4, 2009.

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

6. APPROVAL OF THE SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 18, 2009.

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

7. APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 18, 2009.

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

8. APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING LIQUOR AND RESTRICTED GAMING BUSINESS LICENSES FOR GROUND HOG 1, L.L.C., DBA EMBERS BAR & GRILL, 2696 WEST ANN ROAD, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL, STATE BUSINESS LICENSE, STATE SALES TAX PERMIT, AND WORKERS' COMPENSATION COVERAGE. THIS IS A CHANGE OF OWNERSHIP FOR THE LOCATION CURRENTLY OPERATED AS TIMBERS 8.

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 RESTRICTED GAMING BUSINESS LICENSE FOR NEVADA RESTAURANT SERVICES, INC., DBAT K-MART #3095, 2671 LAS VEGAS BOULEVARD NORTH, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL. THIS IS A CHANGE OF SLOT ROUTE OPERATOR FOR A CURRENTLY LICENSED LOCATION.

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 SPECIAL EVENT BEER PERMIT FOR MEXICAN PATRIOTIC CIVIC COMMITTEE FOR THE SPRING FESTIVAL EVENT TO BE HELD AT THE CHEYENNE SPORTS COMPLEX ON MARCH 29, 2009 PENDING VERIFICATION OF REQUIRED DEPARTMENTAL 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

11. **APPROVAL OF A WATER REFUNDING AGREEMENT WITH THE CLARK COUNTY SCHOOL DISTRICT IN AN AMOUNT NOT TO EXCEED \$23,202 FOR THE INSTALLATION OF 1,289 LINEAL FEET OF 12-INCH WATER MAIN IN BRUCE STREET FROM EL CAMPO GRANDE AVENUE TO ANN ROAD. (CNLV CONTRACT NO. C-7043)**

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

12. **APPROVAL OF AN INTERLOCAL AGREEMENT WITH CLARK COUNTY IN THE AMOUNT OF \$137,400 THAT WILL ENABLE THE CITY TO BE A SUBRECIPIENT OF FEDERAL DEPARTMENT OF HOMELAND SECURITY FFY08 - STATE HOMELAND SECURITY PROGRAM FUNDS WHICH WILL ENABLE THE POLICE DEPARTMENT TO ACQUIRE EQUIPMENT RELATED TO THE ADVANCED CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR AND EXPLOSIVE DETECTION AND DECONTAMINATION PROGRAM. (CNLV CONTRACT NO. C-7044)**

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. **AN APPEAL SUBMITTED BY TODD FUSON, ON BEHALF OF TURN-KEY TELECOM, APPLICANT, TO CHALLENGE CONDITION NOS. 4, 5, 6, 8 AND 9 OF THE PLANNING COMMISSION'S DECISION TO APPROVE UN-10-09 (DORRELL TEMPORARY COMMERCIAL SITE); AN APPLICATION SUBMITTED BY TURN-KEY TELECOM LLC, ON BEHALF OF LAACO LTD, PROPERTY OWNER, TO ALLOW A SPECIAL USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR A TEMPORARY BUILDING (COMMUNICATION TOWER ON WHEELS) ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET. (SET PUBLIC HEARING FOR APRIL 1, 2009)**

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

14. **UN-67-08 (PROJECT HOTEL); AN APPLICATION SUBMITTED BY LASER DEVELOPMENT LLC ON BEHALF OF CASINO HOLDING GROUP LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR A HOTEL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LINN LANE. (SET PUBLIC HEARING FOR APRIL 1, 2009)**

ACTION: PUBLIC HEARING SET FOR 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

15. **VAC-02-09 (GOLDFIELD STREET); AN APPLICATION SUBMITTED BY MELDRUM FAMILY TRUST, PROPERTY OWNER, TO VACATE A PORTION OF GOLDFIELD STREET BETWEEN GOWAN ROAD AND DELHI AVENUE. (SET PUBLIC HEARING FOR APRIL 15, 2009)**

ACTION: PUBLIC HEARING SET FOR APRIL 15, 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

20. **DISCUSSION AND/OR ACTION ON THE CITY'S FINANCIAL POLICIES PREVIOUSLY ADOPTED JANUARY 15, 2003.**

Finance Director Phil Stoeckinger explained that the financial policies were brought forward to the City Council on January 15, 2003 for long term objectives and sustainability which were provided based on insights from financial advisors and rating industries. Over the last five years the City received two separate bond rating upgrades. Director Stoeckinger explained that another reason there were financial policies were that they provided a safeguard during periods of downturn and allowed the continuation of service levels that were provided to the citizens and business owners.

Mayor Montandon asked about the City's current bond rating. Director Stoeckinger said that under Fitch it was AA, Moody's, A1 and Standard & Poors, A+. He explained that when the bond rating was upgraded the City received points for strong fiscal policies, high ending fund balance and a commitment by the City Council which resonated highly in the bond community. As a result the City was able to achieve not only a better bond rating upgrade, but a reduction in the cost of capital.

Councilwoman Smith felt that the decision for the use of the bond interest money should be made by the City Council and not Staff. Mayor Montandon explained that it was specific that the City Council had the ability to make the decision to include the interest earned as part of the Capital Improvement Plan or have the interest applied to debt service payments on the bonds issued for construction.

Dee Wiser, Swenseid and Stern (City's Bond Counsel), said that when an ordinance was adopted authorizing a bond issue, the City Council could simultaneously adopt a resolution that stated the bond proceeds and related interest were to be spent in the following way and if Staff wanted changes made they would go back to the City Council for approval. City Manager Rose explained that the intention would be to include the resolution as a part of the Capital Improvement Program and if Staff decided to make changes to the program, it would be brought to the City Council for approval.

Councilwoman Smith questioned whether approval of the Capital Improvement Plan also meant approval of the funding. City Manager Rose said that within the document there was an explanation of project funding whether bond funds, Fund 268 or the General Fund. Councilwoman Smith felt that there should be two motions when approving the Capital Improvement Plan, one for the plan and one for the funding. Mayor Montandon said that the City had a five year Capital Improvement Plan and it had been many years since the City operated in the second year of a five year plan. He explained that although the plan was a five year plan, it was updated yearly and the City always operated in the first year of the plan. He said it was important because most Capital Improvement Plans were accurate in the first year, close in the second year and a wish list every year after.

ACTION: DISCUSSION HELD; STAFF DIRECTED TO INCLUDE IN RESOLUTION FORM A LISTING OF ALL THE PROJECTS BEING PROPOSED, AND ANY CHANGES WOULD BE BROUGHT BACK TO CITY COUNCIL TO AMEND THE CAPITAL IMPROVEMENT PLAN.

PUBLIC HEARINGS - 6:15 P.M.

2. **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.**

Planning and Zoning Director Frank Fiori explained that the Planning Commission recommended approval with conditions for the special use permit.

Mayor Montandon opened the public hearing.

Jeff Silver, Gordon Silver Law Firm, represented the applicant along with George Garcia and explained there was a change to Condition No. 7 and said the issue of the polycarbonate barrier was discarded by the Planning Commission in favor of a counter height at 52 inches. He explained the condition was modified, after discussion with Police Chief Forti, to a height at 48 – 54 inches or as reviewed and approved by the Chief of Police. Mr. Silver explained that because the sales were retail, interaction with the public was necessary.

Mayor Montandon closed the public hearing.

ACTION: APPROVED AS AMENDED; CONDITION NO. 7 REPLACED;
SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT, UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER APPROVED METHOD, THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. DEVELOPMENT SHALL COMPLY WITH THE PREVIOUSLY APPROVED CONDITIONS OF SPR-41-06.
3. FIRE ACCESS LANES SHALL BE LOCATED IN ACCORDANCE WITH THE FIRE CODE REQUIREMENTS.
4. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING IN ACCORDANCE WITH THE FIRE CODE.
5. TURNING RADII ALONG THE FIRE ACCESS LANE SHALL BE DESIGNED IN ACCORDANCE WITH THE FIRE CODE.

6. THE PROPERTY SHALL HAVE EXTERNAL SECURITY CAMERAS THAT WILL MONITOR THE MAIN ENTRY AND DRIVE AISLE ALONG THE FRONT OF THE STORE.

7. THE COUNTER TOPS SHALL RANGE IN HEIGHT FROM 48" TO 54" OR AS REVIEWED AND APPROVED BY THE CHIEF OF POLICE."

8. EXTERIOR DOORS SHALL BE WIRED FOR CONTACT PLATES FOR AN ALARM SYSTEM.

9. THERE SHALL BE A ROBBERY ALARM INSTALLED THAT CAN BE INCONSPICUOUSLY TRIGGERED BY AN EMPLOYEE.

10. THE BUILDING PLANS SHALL BE ROUTED TO THE POLICE DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT.

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

3. **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.**

Planning and Zoning Director Frank Fiori explained the Planning Commission recommended approval with conditions for the special use permit.

Mayor Montandon opened the public hearing.

Jeff Silver, Gordon Silver Law Firm, represented the applicant along with George Garcia and explained there was an amendment to the condition relating to the polycarbonate barrier and would be changed to counter heights of 48 – 54 inches or as approved by the Chief of Police. He explained there was an additional condition stating that the drive-thru would be open from 8 a.m. to 8 p.m.

Councilman Eliason questioned the Planning Commission's initial decision for denial and asked if it was due to the three pawn shops in the City of Las Vegas. Director Fiori said there were three pawnshops within the boundaries of the City of Las Vegas that were within the two mile radius of the proposed location. A letter was received from the City of Las Vegas requesting denial because it was within 200 feet of property that was zoned residential within their City and was their standard for distance separation. Mayor Montandon said that the City of Las Vegas distance requirements for pawnshops were less than the City of North Las Vegas. Mr. Silver explained that the Resolution of Intent for the vacant property across from Marcello Marketplace was for a condominium project.

Councilwoman Buck confirmed that the application was not for a pay day loan.

Mayor Montandon closed the public hearing.

ACTION: APPROVED AS AMENDED; CONDITIONS NOS. 4 AND 11 REPLACED; SUBJECT TO THE FOLLOWING CONDITIONS:

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT DEVELOPMENT SHALL COMPLY WITH COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING;
 - A. ELEVEN FEET OF FOUNDATION LANDSCAPING SHALL BE PROVIDED ALONG THE NORTH ELEVATION (FIVE (5) FEET OF SIDEWALK AND SIX (6) FEET OF LANDSCAPING).
3. DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CONDITIONS OF APPROVAL FOR SPR-14-05. ALL ELEVATIONS AND COLORS SHALL COINCIDE WITH THE EXISTING BUILDINGS.
4. THE DRIVE-THRU WINDOW SHALL ONLY BE OPEN FROM THE HOURS OF 8:00 A.M. TO 8:00 P.M.
5. APPROVAL OF A DRAINAGE STUDY UPDATE IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
6. 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.

7. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
8. ALL NV ENERGY 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.
9. THE PUBLIC STREET GEOMETRICS, WIDTH OF OVER-PAVE AND MINIMUM THICKNESS OF THE PAVEMENT SECTIONS WILL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.
10. THE PROPERTY SHALL HAVE EXTERNAL SECURITY CAMERAS THAT WILL MONITOR THE MAIN ENTRY AND DRIVE AISLE ALONG THE FRONT OF THE STORE.
11. THE COUNTER TOPS SHALL RANGE IN HEIGHT FROM 48" TO 54" OR AS REVIEWED AND APPROVED BY THE CHIEF OF POLICE."
12. EXTERIOR DOORS SHALL BE PRE-WIRED WITH CONTACT PLATES FOR AN ALARM SYSTEM.
13. THERE SHALL BE A ROBBERY ALARM INSTALLED THAT CAN BE INCONSPICUOUSLY TRIGGERED BY ANY EMPLOYEE.
14. THE BUILDING PLANS SHALL BE ROUTED TO THE POLICE DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT.
15. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING IN ACCORDANCE WITH THE FIRE CODE.
16. THE CLARK COUNTY DEPARTMENT OF AVIATION REQUIRES APPLICANT TO FILE FAA FORM 7460-1 "NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION" WITH THE FAA OR SUBMIT A "PROPERTY OWNER'S SHIELDING DETERMINATION STATEMENT" AND REQUEST WRITTEN CONCURRENCE FROM THE CLARK COUNTY DEPARTMENT OF AVIATION.

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

BUSINESS (CONTINUED)

16. **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 AND MARCH 4, 2009)**

Public Works Director Dr. Qiong Liu explained that Staff recommended denial based on the design standards for the intersection. She said if the City Council decided to approve the waiver, the impact to the North 5th Street corridor would be limited.

Mayor Montandon opened the public hearing.

Stephanie Allen, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and explained that the site was located on the northwest corner of Azure Avenue and North 5th Street and was zoned as C-1 and approved as a convenience store and car wash. She said the convenience store would be located on the corner with the car wash in the back of the property and gas tanks in the center of the site. The applicant requested a distance separation waiver between the intersection at North 5th Street and Azure Avenue. She explained there was hardship because the applicant could not meet the code requirements because the length of the parcel was less than the 200 foot requirement. Ms. Allen said the applicant proposed a right-in, right-out only driveway which would mitigate potential conflicts or traffic concerns along the North 5th Street corridor and would eliminate the possibilities for left turn movements. She said there was a driveway location at the Southwest Gas facility to the north of the proposed site, but there was minimal traffic. Ms. Allen explained that the gas tanks in the center of the site created a potential safety situation and with two driveways, tankers could enter the site from either driveway and exit without the need to turn around. With one entrance the tankers would need to turn around and would be a safety concern.

Ned Thomas, 112 Junction Peak Avenue, North Las Vegas, felt that an auto oriented use, such as a C-store and car wash, should not have been approved along the North 5th Street corridor. He said that the waiver was not approved by Staff and explained

there were single-family homes across Azure Avenue to the south. Mr. Thomas requested that Council support Staff's recommendation for denial.

Councilwoman Buck had concerns with gas tankers having to turn around within the parcel and felt an additional exit was needed.

Councilman Eliason asked if the site could have a right-in only to allow the tankers to enter and unload but not allow them to exit across all lanes of traffic until North 5th Street was built. Director Liu said that site could be designed for right-in only, but enforcement would be an issue.

Mayor Montandon closed the public hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; WAV-02-09
APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. A RIGHT IN ONLY ACCESS MAY BE ALLOWED ON NORTH 5TH STREET.

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

17. APPROVAL TO AUGMENT THE FIRE DEPARTMENT BUDGET IN AN AMOUNT NOT TO EXCEED \$1,200,000, FROM THE INTEREST FROM THE \$55 MILLION MEDIUM-TERM BOND ISSUE, FOR THE PURPOSE OF PURCHASING FURNITURE, FIXTURES, AND OTHER PERSONAL PROPERTY, PERFORMING MAINTENANCE, AND EFFECTUATING DISCRETE REPAIRS AND UPGRADES FOR THE FIRE ADMINISTRATION BUILDING (FORMERLY FREHNER BUILDING) AND RELOCATION OF FIRE DEPARTMENT STAFF.

Councilwoman Smith was concerned about additional debt and felt that internal resources were available rather than using bond money. City Manager Rose explained that the bond proceeds were appropriate for the use but if the City Council recommended review of other funding sources, Staff would need to review the availability of other resources such as Fund 268. Finance Director Phil Stoeckinger explained that the funding would need to come from Fund 268 and the ending fund balance would be decreased. City Manager Rose explained the amount would need to be reduced because the City could not afford to use other funding sources at this amount.

Councilman Eliason questioned the plans for the Fire Station on Carey Avenue after the Fire Administration relocated. Fire Chief Al Gillespie explained that the space would be used for Fire Department physicals and storage.

ACTION: DENIED

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

18. APPROVAL OF A PRODUCTS AGREEMENT WITH MOTOROLA, INC., AND AUTHORIZATION TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED \$950,282 USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE ACQUISITION, INSTALLATION, CONFIGURATION, AND TESTING OF AN INTEGRATED PUBLIC SAFETY LAW RECORDS SYSTEM FOR THE POLICE DEPARTMENT. (CNLV CONTRACT NO. C-7045)

ACTION: APPROVED; PURCHASE ORDER AUTHORIZED

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

19. RESOLUTION NO. 2417; A RESOLUTION TO SUPPORT THE DEVELOPMENT OF A GOVERNANCE MODEL AND PLAN IN REGIONALIZING THE PUBLIC HOUSING AUTHORITIES.

Councilwoman Buck questioned whether the Regional Planning Coalition spent money to study and perform the comparison. City Manager Gregory Rose explained the Southern Nevada Regional Planning Coalition created a technical committee to evaluate the regionalization of the Housing Authorities. Each of the Housing Authorities, North Las Vegas, Las Vegas and Clark County which included the City of Henderson, approved a similar resolution and supported regionalization. The Technical Committee would review the details of how it would need to occur. The Housing Authority would need its own governance body that would be made up of nine

members, two members from each of the respective agencies and one citizen member at-large from within the public housing program. Councilwoman Buck confirmed that the members would not be Councilmembers. City Manager Rose explained that the Bill had not been submitted, but believed the proposed legislation indicated there would be no Councilmembers on the Board.

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 Buck directed Staff to research whether homeowners could install safety measures at homes at the Aliante Golf Course.

Councilwoman Smith directed Staff to bring back the Ranch Preservation as an ordinance to be codified into the Municipal Code. She also directed Staff to bring the pawnshop ordinance to Council to review. She directed that the Apex/Kpex project be brought to a workshop for discussion.

Mayor Montandon directed Staff to conduct a work session to discuss issues with industrial areas.

CITY MANAGER'S REPORT

ACTION: NO REPORT WAS GIVEN.

PUBLIC FORUM

Ned Thomas, 112 Junction Peak Avenue, North Las Vegas, asked for an update on the audit for the North Las Vegas Housing Authority. Mayor Montandon stated that there were several audits being conducted, including one by the Housing and Urban Development. City Manager Rose stated that his direction to the auditors were to do a thorough job.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:01 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: April 15, 2009

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

ATTEST:

/s/ Anita Sheldon
Anita Sheldon
Acting City Clerk