

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

April 1, 2009

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

CALL TO ORDER

6:02 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
Assistant City Manager Sam Chambers
Assistant City Manager Maryann Ustick
City Attorney Carie Torrence
Acting City Clerk Anita Sheldon
Economic Development Director Mike Majewski
Finance Director Phil Stoeckinger
Deputy Fire Chief Kevin Brame
General Services and
Communications Director Brenda Fischer
Human Resources Director Joyce Lira

Information Technology Director Steve Chapin
Library Director Kathy Pennell
Municipal Court Administrator Debbie Miller
Planning and Zoning Director Frank Fiori
Police Chief Joe Forti
Deputy Director of Engineering Randall DeVaul
Utilities Director David Bereskin
Assistant to the City Manager Michelle Bailey-Hedgepeth
Senior Assistant to the City Manager Kenny Young
Planning and Zoning Manager Marc Jordan
Deputy City Clerk Marie Purcell

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Anita Sheldon
Acting City Clerk

INVOCATION

Pastor Daryl Harris
Bethesda Church of God in Christ

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie S. Smith

PUBLIC FORUM

Robert Connell, 4239 Oak Bay Way, North Las Vegas, was concerned about restrictions and/or closure of McCool Airfield.

Greg Clemenson, 1733 Loch Lomond, Las Vegas, spoke against restrictions at McCool Airfield.

PROCLAMATION

PROCLAMATION RECOGNIZING APRIL 2009 AS CHILD ABUSE PREVENTION MONTH.

Mayor Montandon and the City Council presented a proclamation to Lisa Popovsky on behalf of Prevent Child Abuse Nevada, a program of the Area Health Education Center of Southern Nevada. Ms. Popovsky thanked the City for their support of child and family friendly policies. She explained that the national campaign was called Pinwheels for Prevention and the organization would be placing 13,000 pinwheels which represented the investigative cases of child abuse in Nevada.

ACTION: PROCLAMATION MADE

PROCLAMATION RECOGNIZING NATIONAL COMMUNITY DEVELOPMENT WEEK APRIL 12-18, 2009.

Mayor Montandon and the City Council presented a proclamation to Gay Shoaff, Citizens Advisory Committee Chairwoman and Scott Sauer and A. Nelson Stone, Citizens Advisory Committee members; Beverly Dabney, Nevada Community Learning Center; Candace Thompson, Vegas PBS; Barbara Mirman, Southern Nevada Public Television; Sherry Suggs, Community Outreach Medical Center; Veronica Wilson, The Blind Center of Nevada; Audrey Arnold, United Labor Agency of Nevada; Kelly O'Shaughnessey, The Shade Tree; Cynthia Baca, Rebuilding Together; Betty-Jeanne Cousins, Neighborhood Housing Services of Southern Nevada; Bridget Claridy, Women's Development Center; Renee McClymonds, Foundation for Positively Kids; Shirley Hampton, Nevada Health Centers and Robin Tamiras, Nevada Health Centers for their community involvement.

ACTION: PROCLAMATION MADE

AGENDA

1. APPROVAL OF THE REGULAR CITY COUNCIL MEETING AGENDA OF APRIL 1, 2009.

ACTION: APPROVED AS AMENDED; ITEM NOS. 2 AND 3 WITHDRAWN; ITEM NO. 4 WITHDRAWN WITHOUT PREJUDICE

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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. (CONTINUED MARCH 4, 2009)

ACTION: WITHDRAWN

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. (CONTINUED MARCH 4, 2009)

ACTION: WITHDRAWN

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. **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 AND JANUARY 7, 2009)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

Item No. 6 was heard next.

6. **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. (ASSOCIATED ITEM NO. 5, UN-67-08)**

Deputy Director of Engineering Randall DeVaul explained that the application was to vacate Castleberry Lane, which was an undeveloped 60 foot right-of-way between Centennial Parkway and I-15. Staff recommended approval.

Mayor Montandon opened the public hearing.

Mayor Montandon closed the public hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. RECORDATION OF REVERSIONARY PARCEL MAP #36641 IS REQUIRED, OR THIS APPLICATION SHALL BE DEEMED NULL AND VOID.

2. VAC-01-09 MUST RECORD CONCURRENTLY WITH REVERSIONARY PARCEL MAP #35968. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO (2) 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

Item No. 5 was heard next.

5. 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. (ASSOCIATED ITEM NO. 6, VAC-01-09)

Planning and Zoning Director Frank Fiori explained that the application was an amendment to a previously approved special use permit for a hotel. He explained that based on approval of VAC-01-09, the applicant could proceed with an amended site plan for the site. In addition to the request to amend the site plan and building elevations, the applicant requested a waiver from the Commercial Development Standards and Design Guidelines to allow a ten foot reduction in perimeter landscaping for approximately 240 feet along Centennial Parkway to facilitate a required ten foot right-turn lane along Centennial Parkway. Director Fiori explained that Staff supported the application with the conditions for the right-turn lane. He said that due to the required inclusion of the right-turn lane for the 200 lineal feet, Staff and the Planning Commission recommended approval since it was a waiver for approximately 34% of the site's total frontage.

Mayor Montandon opened the public hearing.

Michael Livingston, Architect, 2844 Huber Heights Drive, Las Vegas explained that the applicant had no objections to the conditions and requested approval.

Mayor Montandon closed the public hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT UN-67-08 IS SITE SPECIFIC AND NON TRANSFERRABLE.
3. THAT UN-67-08 SHALL BE NULL AND VOID IF VAC-01-09 IS NOT APPROVED BY THE CITY COUNCIL.
4. THAT THE PROPOSED DEVELOPMENT SHALL COMPLY WITH ALL COMMERCIAL DESIGN STANDARDS AND GUIDELINES CONTAINED WITHIN TITLE 17.24.200 EXCEPT,
 - A. PERIMETER LANDSCAPING ALONG CENTENNIAL PARKWAY ADJACENT TO THE RIGHT-TURN LANE MAY BE REDUCED TO 15 FEET WHERE 25 FEET (INCLUDING SIDEWALKS) IS REQUIRED AND THE SETBACK FOR THE PARKING AREAS ABUTTING THE RIGHT-TURN LANE MAY BE REDUCED TO 15 FEET WHERE A 20 FOOT SETBACK IS REQUIRED, AND
 - B. FIVE (5) FOOT LANDSCAPE DIAMONDS WITH TREE WELLS FOR EACH SIX (6) OPPOSING PARKING SPACE STALLS MAY BE USED THROUGHOUT THE SITE'S PARKING AREAS IN LIEU OF SIX (6) FOOT LANDSCAPED ISLANDS FOR EVERY 15 PARKING SPACES WHERE OPPOSING PARKING IS PLANNED. THIS EXCEPTION DOES NOT PERTAIN TO THE REQUIRED SIX (6) FOOT LANDSCAPED ISLANDS AT THE ENDS OF ALL ROWS OF PARKING.
5. RENTAL OF ANY ROOMS SHALL NOT EXCEED THIRTY CONTINUOUS DAYS.
6. RECORDATION OF VAC-01-09 IS REQUIRED OR THIS APPLICATION SHALL BE DEEMED NULL AND VOID.
7. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
8. THE TWO PARKING SPACES PROVIDED AT THE ENTRANCE TO THE DRIVEWAY ON CENTENNIAL PARKWAY SHALL BE ELIMINATED BECAUSE IT COULD CAUSE A CONFLICTING SITUATION WITH THE TRAFFIC ON THE DRIVEWAY.
9. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.

10. NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
11. NORTH BELT ROAD SHALL BE CHANGED TO CENTENNIAL PARKWAY.
12. THE CIVIL IMPROVEMENT PLANS FOR THE PROJECT SHALL INCLUDE SCHEDULE 40 PVC FIBER OPTIC CONDUIT ALONG CENTENNIAL PARKWAY.
13. CENTENNIAL PARKWAY (NORTH BELT ROAD ON THE SITE PLAN) IS AN OFFSET ALIGNMENT THAT WILL REQUIRE AN ADDITIONAL TEN-FOOT (10.0') DEDICATION ALONG THE NORTHERLY PROPERTY LINE.
14. THE PROPERTY OWNER IS REQUIRED TO ACQUIRE ROADWAY EASEMENTS OR RIGHT-OF-WAY DEDICATIONS TO PROVIDE 32' OF PAVED ACCESS FROM THIS SITE TO TWO EXISTING PUBLIC PAVED ROADS.
15. DEDICATION AND CONSTRUCTION OF THE FOLLOWING STREETS AND/OR HALF STREETS IS REQUIRED PER THE MASTER PLAN OF STREETS AND HIGHWAYS AND CITY OF NORTH LAS VEGAS MUNICIPAL CODE SECTION 16.24.100.B OR OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS:
 - A. CENTENNIAL PARKWAY
16. THE PROPERTY OWNER SHALL CONSTRUCT FULL STREET IMPROVEMENTS FOR CENTENNIAL PARKWAY ALONG THE FRONTAGE OF THE SITE.
17. THE PUBLIC STREET GEOMETRICS, WIDTH OF OVER-PAVE AND THICKNESS OF THE PAVEMENT SECTIONS WILL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.
18. THE DEVELOPER IS REQUIRED TO CONSTRUCT A RAISED MEDIAN WITHIN CENTENNIAL PARKWAY. THE MEDIAN SHALL BE CONSTRUCTED PER CLARK COUNTY AREA UNIFORM STANDARD DRAWING NUMBERS 218 AND 219 "A" TYPE ISLAND CURB.
19. MEDIAN LANDSCAPE AND IRRIGATION PLANS MUST BE SUBMITTED TO THE PARKS DEPARTMENT FOR THE LANDSCAPING REQUIRED WITHIN THE CENTENNIAL PARKWAY MEDIAN. THE DEVELOPER'S LANDSCAPE ARCHITECT SHOULD

CONTACT JOHN JONES, LANDSCAPE ARCHITECT WITH THE PARKS AND RECREATION DEPARTMENT AT 633-1611, FOR LANDSCAPING REQUIREMENTS PRIOR TO DESIGNING THE LANDSCAPE PLAN(S) FOR THE MEDIAN. FINAL APPROVAL OF THE CIVIL IMPROVEMENT PLANS WILL NOT BE ACQUIRED PRIOR TO PARKS APPROVAL OF THE LANDSCAPING PLANS.

20. 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.

21. 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.

22. APPROPRIATE SUBDIVISION AND/OR PARCEL MAPPING IS REQUIRED TO COMPLETE THIS PROJECT. ALL MAPPING SHALL BE IN COMPLIANCE WITH NRS CHAPTER 278 AND THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE, AND ASSOCIATED MASTER PLANS IN EFFECT AT THE TIME OF SUBDIVISION AND/OR PARCEL MAP APPROVAL. CONFORMANCE MAY REQUIRE MODIFICATIONS TO THE SITE.

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

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

25. THE PROPERTY OWNER IS REQUIRED TO GRANT A PUBLIC PEDESTRIAN ACCESS EASEMENT FOR SIDEWALK LOCATED WITHIN A COMMON ELEMENT, OR ON PRIVATE PROPERTY, WHEN THAT SIDEWALK IS PROVIDING PUBLIC ACCESS ADJACENT TO THE RIGHT-OF-WAY.

26. A REVOCABLE ENCROACHMENT PERMIT FOR LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY IS REQUIRED.

27. 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.
28. 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.
29. 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.
30. ALL OFF-SITE IMPROVEMENTS MUST BE COMPLETED PRIOR TO FINAL INSPECTION OF THE FIRST BUILDING.
31. FIRE ACCESS LANES SHALL BE DESIGNED PER THE FIRE CODE.
32. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING PER THE FIRE CODE.
33. TURNING RADII ALONG THE FIRE ACCESS LANES SHALL BE DESIGNED IN ACCORDANCE WITH THE FIRE CODE.
34. THE SANITARY SEWER FOR THE SUBJECT PROJECT SHALL BE ROUTED SOUTH ON SLOAN LANE AND CONNECT INTO THE EXISTING CLARK COUNTY SANITARY SEWER, UNLESS OTHERWISE DIRECTED BY THE DIRECTOR OF UTILITIES.
35. THE DEVELOPER SHALL PROVIDE A METER AND BACKFLOW PREVENTION PER BUILDING PER CITY OF NORTH LAS VEGAS MUNICIPAL WATER SERVICES DISTRICT SERVICE RULES AND REGULATIONS.
36. THE TRASH ENCLOSURE GATES SHALL BE HUNG APPROXIMATELY 8" FROM THE GROUND TO ALLOW FOR VISIBILITY INTO THE ENCLOSURE AREA.

37. THERE SHALL BE A DIRECTORY SIGN POSTED AT THE ENTRANCE, AND WAY FINDING SIGNS THROUGHOUT THE PROPERTY.

38. DUE TO THE FACT THAT THERE ARE MULTIPLE BUILDINGS SPREAD THROUGHOUT THE PROPERTY, SECURITY LIGHTING AND CAMERAS SHALL BE REQUIRED.

39. ALL BENCHES USED IN THE OPEN SPACES AND/OR POOL AREAS SHALL BE EQUIPPED WITH A DIVIDED SEAT.

40. THE BUILDINGS FACING CENTENNIAL PARKWAY SHALL NOT EXCEED THREE (3) STORIES OR FORTY-SIX (46) FEET IN BUILDING HEIGHT.

41. THERE SHALL BE 36" BOX TREES PLANTED AT LEAST TWENTY (20) FEET ON CENTER ALONG CENTENNIAL PARKWAY TO PROVIDE A SCREEN TO NEIGHBORING PROPERTIES.

42. THE APPLICANT SHALL SIGN A WRITTEN NOTICE DECLARING KNOWLEDGE OF THE EXISTENCE OF THE NEVADA NATIONAL GUARD AND ITS TRAINING ACTIVITIES, WHEREIN THE DEVELOPMENT MAY BE SUBJECT TO, BUT NOT LIMITED TO, NOISE, LIGHT, DUST, LASER EMISSIONS AND ODORS CREATED BY MILITARY TRAINING AND RELATED ACTIVITIES. THE NOTICE SHALL BE RECORDED AGAINST THE PROPERTY ON A FORM APPROVED BY THE DIRECTOR OF PLANNING AND ZONING.

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

7. APPROVAL OF AN APPLICATION FOR BEER-WINE-SPIRIT-BASED PRODUCTS ON-SALE BUSINESS LICENSE FOR KUM & JUNG, INC., DBA KAIZEN FUSION ROLL & SUSHI, 2760 WEST DEER SPRINGS WAY, SUITE 100, NORTH LAS VEGAS, NEVADA, 89084. THIS IS A CHANGE OF OWNERSHIP FOR A CURRENTLY LICENSED ESTABLISHMENT.

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. **APPROVAL OF AN APPLICATION FOR JUNG S. HWANG AS KEY EMPLOYEE FOR THE BEER-WINE-SPIRIT-BASED PRODUCTS ON-SALE BUSINESS LICENSE FOR KUM & JUNG, INC., DBA KAIZEN FUSION ROLL & SUSHI, 2760 WEST DEER SPRINGS WAY, SUITE 100, NORTH LAS VEGAS, NEVADA, 89084.**

ACTION: APPROVED

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

9. **APPROVAL OF AN APPLICATION FOR MICHELLE KELLEY AS KEY EMPLOYEE FOR THE BEER-WINE-SPIRIT-BASED PRODUCTS OFF-SALE BUSINESS LICENSE FOR FRESH & EASY NEIGHBORHOOD MARKET INC., DBA FRESH & EASY NEIGHBORHOOD MARKET, 1920 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

10. **APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR JAMIE R. DIEDRICH, DBA JAMIE'S CHILD CARE, 6324 BIG CEDAR COURT, NORTH LAS VEGAS, NEVADA, 89031 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

11. **APPROVAL OF AN APPLICATION FOR CHANGE OF ADDRESS FOR THE DAY NURSERY BUSINESS LICENSE FOR DEBORAH COX MOORE AND MICHAEL MOORE, DBA GRANNY'S GARDEN CHILD CARE, FROM 2113 RIDERWOOD AVENUE TO 3818 DISCOVERY CREEK AVENUE, NORTH LAS VEGAS, NEVADA, 89031 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

12. **APPROVAL OF THE SECOND SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT (NO. NLV10H07) FOR THE LAS VEGAS WASH - LAKE MEAD BOULEVARD TO LAS VEGAS BOULEVARD PROJECT WHICH AMENDS THE SCOPE OF WORK TO INCREASE THE COST OF DESIGN AND ENVIRONMENTAL MITIGATION TO A TOTAL COST NOT TO EXCEED \$1,204,000 TO BE FUNDED BY THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT. (CNLV CONTRACT NO. C-6668)**

ACTION: APPROVED

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

13. FINAL ACCEPTANCE OF THE TRAFFIC SIGNAL PHASE III, BID NO. 1256 FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6611)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

14. APPROVAL OF THE RE-ASSIGNMENT OF THE FIRE EMS CHIEF CLASSIFICATION FROM CONFIDENTAL/APPOINTED STATUS, PAY GRADE ACE-25 TO IAFF SUPERVISOR AGREEMENT COVERED STATUS, PAY GRADE FFN-59.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

BUSINESS

15. WAV-04-09 (MOUNTAIN VIEW INDUSTRIAL PARK BUILDINGS 3 & 4); AN APPLICATION SUBMITTED BY TEMPLETON DEVELOPMENT CORPORATION ON BEHALF OF KAPEX LLC, PROPERTY OWNER, FOR A WAIVER FROM TITLE 16 REQUIREMENTS TO WAIVE REQUIRED OFF-SITE IMPROVEMENTS ON PROPERTY LOCATED WITHIN ASSESSOR'S PARCEL NUMBER 103-15-010-001.

Deputy Director of Engineering Randall DeVaul explained that the application was for a request to waive off-site improvements on the property. He said that as part of the requirements, the property owner was required to provide an easement for roadway purposes and a 24-foot wide asphalt access from Grand Valley Parkway to the development. They would be required, in the future, as a restrictive covenant, to provide off-sites abutting the property when the roadway system in that area was developed. Staff recommended approval.

Mayor Montandon opened the public hearing.

Stephanie Allen, 3800 Howard Hughes Parkway, Las Vegas represented the applicant and requested approval of the application.

Mayor Montandon closed the public hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE DEVELOPER SHALL PROVIDE A 24-FOOT PAVED ACCESS ROAD WITH PUBLIC ROADWAY EASEMENT FROM THE PROPERTY TO GRAND VALLEY PARKWAY.
2. FIRE ACCESS LANES SHALL BE MARKED TO PROHIBIT PARKING IN ACCORDANCE WITH THE FIRE CODE.
3. FIRE ACCESS LANES SHALL BE DESIGNED ACCORDING TO THE FIRE CODE OR AS APPROVED BY THE FIRE CHIEF.
4. THIS APPLICATION SHALL COMPLY WITH CONDITION NO. 17 OF SPR-03-09.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

16. APPROVAL TO AUGMENT THE TRAFFIC OPERATIONS DIVISION BUDGET AND AUTHORIZATION TO TRANSFER \$210,000 FROM FUND 268 TO RECOVER EXPENSES INCURRED TO REPLACE STOLEN COPPER WIRING.

Mayor Pro Tempore Robinson confirmed that measures were taken to prevent future thefts. Mayor Montandon said that measures were taken to make it more difficult to steal the wiring and explained that the price of copper decreased making the wire less valuable.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

17. APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH GC WALLACE, INC. IN THE AMOUNT OF \$280,000 FROM GENERAL OBLIGATION BONDS FOR THE CITY OF NORTH LAS VEGAS POLICE DEPARTMENT RANGE IMPROVEMENTS PHASE I. (CNLV CONTRACT NO. C-7052)

Councilwoman Smith recommended that discussions continue for a joint shooting range with the Las Vegas Metropolitan Police Department. Police Chief Joe Forti explained he was informed of an opportunity to be involved in a future shooting range that was being built and would be researching the possibility.

Councilwoman Buck questioned whether the \$280,000 was for the engineering, design, bidding and construction management support services. She also questioned the cost of \$2 million for construction and asked whether there was federal funding that could defray the cost. Police Chief Forti said he was unaware of federal funds that could be utilized for range improvements. Councilwoman Buck suggested other options such as Homeland Security or Anti-Terrorist funding. City Manager Rose said he would review the stimulus funding that would be received for possible qualifications for a shovel-ready project.

Mayor Montandon said he was uncomfortable that discussions had been flushed concerning the opportunities at the Clark County Shooting Range and suggested reviewing other locations. He recommended a cost benefit analysis between improvements of the City's 40 acres and Clark County's 2,900 acres. He felt there was more flexibility on the larger acreage and said it was a shorter drive distance from the City than the current range.

Councilman Eliason questioned the anticipated cost. Police Chief Forti explained it depended on the amount of improvements to the range.

ACTION: APPROVED AS AMENDED; FUNDING FROM FUND 287

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

18. **APPROVAL OF CONSTRUCTION CHANGE ORDER NO. 1 TO THE TRAFFIC SIGNAL PROGRAM, PHASE II, BID NO. 1245 WITH LAS VEGAS ELECTRIC IN THE AMOUNT OF \$300,000 FROM DEVELOPER PARTICIPATION FUNDS TO REPLENISH FUNDS SPENT AS A RESULT OF INACCURATE BID ITEM QUANTITY CALCULATIONS BY THE CITY'S DESIGN CONSULTANT AND TO COVER THE COST OF WORK ADDED TO THE CONTRACT. (CNLV CONTRACT NO. C-6610)**

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

19. **APPROVAL TO AMEND THE 2008-2009 STAFFING PATTERN BY RECLASSIFYING SIX POSITIONS FROM A COMBINATION OF FIREFIGHTER (FFN-49) AND FIREFIGHTER-PARAMEDIC (FFN-51) POSITIONS TO THREE FIRE ENGINEER POSITIONS (FFN-52) AND THREE FIRE CAPTAIN POSITIONS (FFN-56).**

Mayor Pro Tempore Robinson asked if the amendment would eliminate overtime. Deputy Fire Chief Kevin Brame said that overtime would not be eliminated and explained individuals would be taken from the minimum staffing pool, placed into the correct ranked positions and eliminated overtime from the ranked positions of Fire Engineer and Fire Captain. City Manager Rose explained it also enabled Fire Station #50 to be staffed.

Councilwoman Buck confirmed that the overtime pay savings would be \$239,000 for 2009 and \$950,000 for 2010.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

20. APPROVAL OF A ONE YEAR AGREEMENT WITH LIONEL, SAWYER AND COLLINS IN THE AMOUNT OF \$12,500 PER MONTH PLUS UP TO \$5,000 IN PRE-AUTHORIZED EXPENSES TO REPRESENT THE CITY IN WASHINGTON, D.C. (CNLV CONTRACT NO. C-6723)

City Manager Gregory Rose provided a report to the City Council that was received from Brent Heberlee of Lionel, Sawyer and Collins that identified the 2008 accomplishments. City Manager Rose recommended approval.

Richard Bryan, Lionel, Sawyer and Collins, said there were opportunities in Washington, D.C. with the approved stimulus package and he explained that some of the issues were relevant to the City's priorities. He requested support for the extension of the contract.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

21. APPROVAL TO AUGMENT THE MUNICIPAL COURT FY08-09 GENERAL FUND OPERATING BUDGET IN THE AMOUNT OF \$50,000 FROM THE GENERAL FUND CONTINGENCY ACCOUNT TO COVER OVERTIME COSTS TO CONDUCT A WARRANT MORATORIUM.

Councilwoman Smith confirmed that there was a moratorium on people being sent to jail. Municipal Court Administrator Debbie Miller said that the only people that qualified for the moratorium were those issued warrants prior to April 1, 2009.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

22. APPROVAL OF AN AGREEMENT WITH SHETAKIS WHOLESALERS, INC. IN AN AMOUNT NOT TO EXCEED \$300,000, UTILIZING THE CITY OF LAS VEGAS BID NO. 0801159-K PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF FOOD AND BEVERAGE ITEMS FOR THE DETENTION CENTER AND SPECIAL EVENTS IN THE CITY. (CNLV CONTRACT NO. C-7053)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

23. APPROVAL OF THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT/AMERICAN REINVESTMENT AND RECOVERY ACT FUNDS IN THE AMOUNT OF \$443,222 FOR THE CITY OF NORTH LAS VEGAS UTILITIES DEPARTMENT WATER LINE IMPROVEMENT PROJECT AT DONNA STREET/CAREY AVENUE/NORTH 5TH STREET/MCGOVERN AVENUE.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

24. APPROVAL OF THE REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$100,000 FOR THE CITY OF NORTH LAS VEGAS UTILITIES DEPARTMENT RESIDENTIAL WATER LINE IMPROVEMENT PROJECT AT DONNA STREET/CAREY AVENUE/NORTH 5TH STREET/MCGOVERN AVENUE.

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

25. APPROVAL OF THE SECOND AMENDMENT TO INFORMATION TECHNOLOGY AND MAINTENANCE AGREEMENT WITH ORACLE USA, INC. IN THE AMOUNT OF \$228,200.76 FOR SOFTWARE MAINTENANCE, TECHNICAL SUPPORT AND SOFTWARE UPDATES FOR THE INFORMATION TECHNOLOGY DEPARTMENT. (CNLV CONTRACT NO. C-6755)

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

26. RESOLUTION NO. 2418; A RESOLUTION TO SUPPORT THE MORE COPS SALES TAX INITIATIVE.

City Manager Gregory Rose explained that there were declining revenues in Fund 288. The resolution initially projected the hiring of 105 police officers but the fund could only accommodate 88 officers. Police Chief Joe Forti said the fund would be able to accommodate 86 officers because there were 19 vacancies within the More Cops funding. Police Chief Forti said it was important that this resolution was passed because it was made clear that the fund would go into a negative balance by the year 2010-2011.

Councilwoman Buck explained that the sales tax initiative was approved by Clark County voters in 2004 for up to one-half cent and explained that the requested quarter cent had been approved by the voters. Chief Forti explained permission was not needed to give the quarter cent but enabled the City to enact it.

Councilwoman Smith questioned whether the Legislature needed to enact the next quarter cent. Chief Forti said a decision would be made on when and how the tax would be enabled.

ACTION: PASSED AND ADOPTED AS AMENDED; AMENDED TO READ AS FOLLOWS:

TO DATE, THE CITY OF NORTH LAS VEGAS POLICE DEPARTMENT HAS HIRED 86 OFFICERS.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

27. **RESOLUTION NO. 2419; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO RATIFY THE SOUTHERN NEVADA WATER AUTHORITY AND CLEAN WATER COALITION'S POLICY REGARDING RECYCLED WATER.**

Mayor Montandon explained that the Clean Water Coalition and the Southern Nevada Water Authority had been having discussions about the Las Vegas Valleywide Recycling System which was one of the most cost effective recycling systems. He explained it was important to authorize the resolution.

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

28. **RESOLUTION NO. 2420; A RESOLUTION OF THE CITY OF NORTH LAS VEGAS, NEVADA TO AUTHORIZE THE SALE OF A REMNANT OF THE REAL PROPERTY LOCATED AT 1618 AND 1622 LAS VEGAS BOULEVARD NORTH, NORTH LAS VEGAS, COMMONLY KNOWN AS APN 139-23-402-003 TO OWENS ASSOCIATES, LLC.**

Mayor Pro Tempore Robinson asked the appraised value of the property. Deputy Director of Engineering Randall DeVaul explained that property was purchased from Owens Associates at \$17 per square foot which was vacant, undeveloped property. The City proposed to sell the property to Owens Associates at the same price.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

ORDINANCE INTRODUCTION ONLY

29. **ORDINANCE NO. 2498; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1939, TO ALLOW RETAIL COMMERCIAL USES IN BUILDINGS ADJACENT TO THE NORTHERN PROPERTY LINE WITHIN THE EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-11-98, CRAIG VALLEY PROFESSIONAL PLAZA), AND BY AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FOR FINAL ACTION APRIL 15, 2009)**

Ordinance No. 2498 as introduced by the Acting City Clerk:

ORDINANCE NO. 2498; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1939, TO ALLOW RETAIL COMMERCIAL USES IN BUILDINGS ADJACENT TO THE NORTHERN PROPERTY LINE WITHIN THE EXISTING PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-11-98, CRAIG VALLEY PROFESSIONAL PLAZA), AND BY AMENDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FOR FINAL ACTION APRIL 15, 2009)

ACTION: FINAL ACTION SET FOR APRIL 15, 2009

COUNCIL ITEMS

Councilwoman Smith suggested that Code Enforcement work staggered shifts on weekends to review yard sale and swap meet code violations.

CITY MANAGER'S REPORT

There was no report.

PUBLIC FORUM

Scott Sauer, 770 W. Lone Mountain Road, #2026, North Las Vegas suggested citizen information sessions to discuss City Council and Planning Commission agendas and City procedures.

Deon Derrico, 3009 Austin Pale Avenue, North Las Vegas, was concerned about conflicting information when applying for a group home business license.

Ned Thomas, 112 Junction Peak Avenue, North Las Vegas, spoke in support of McCool Airfield, supported a citizen information session, questioned the status of the Housing Authority audit and had concerns regarding City Council approval of agenda items that conflicted with campaign contributions.

Deborah Cox, (no address given), spoke about conflicting information received when applying for a business license.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:04 P.M.

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPROVED: May 6, 2009

/s/ Michael L. Montandon

Mayor Michael L. Montandon

ATTEST:

/s/ Anita Sheldon

Anita Sheldon

Acting City Clerk