

**CITY OF NORTH LAS VEGAS  
REGULAR REDEVELOPMENT AGENCY MEETING MINUTES**

November 5, 2003

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

CHAIRMAN ROBERT L. ELIASON  
VICE CHAIRMAN SHARI BUCK

**CALL TO ORDER** 5:30 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**ROLL CALL PRESENT**

Robert L. Eliason, Chairman  
Shari Buck, Vice Chairman  
Michael L. Montandon, Board Member  
William E. Robinson, Board Member  
Stephanie S. Smith, Board Member

**STAFF PRESENT**

Executive Director Gregory Rose  
Assistant City Manager Dan Tarwater  
Deputy City Attorney Jim Lewis  
City Clerk Eileen M. Sevigny  
Community Development Director Jacque Hinchman  
Redevelopment Manager Kenny Young  
Code Enforcement Manager Sheldon Klain  
Assistant City Clerk Karen Storms  
Deputy City Clerk Julie Shields

**WELCOME** Chairman Robert L. Eliason

**VERIFICATION** Eileen M. Sevigny, CMC, City Clerk

**AGENDA**

**1. APPROVAL OF THE REGULAR REDEVELOPMENT AGENCY AGENDA OF NOVEMBER 5, 2003.**

**ACTION:** APPROVED

**MOTION:** Board Member Robinson

**SECOND:** Board Member Montandon

**AYES:** Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

**NAYS:** None

**ABSTAIN:** None

**2. APPROVAL OF REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF OCTOBER 1, 2003.**

ACTION: APPROVED

MOTION: Board Member Robinson

SECOND: Board Member Montandon

AYES: Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

NAYS: None

ABSTAIN: None

**BUSINESS**

**3. MONTHLY STATUS REPORT REGARDING RIGHT-OF-WAY ENCROACHMENTS WITHIN THE REDEVELOPMENT AREAS.**

Community Development Director Jacque Hinchman stated the City had many vehicular line-of-sight issues that created obstructions that were likely to also create financial liabilities for City-owned properties as well as financial liabilities for private property owners. The types and effects of encroachments included pay telephones, which may contribute to illegal activities in the area. They were not considered aesthetically pleasing and may impede public rights-of-way. Chairman Eliason questioned if there were any Americans with Disabilities Act (ADA) compliance issues with pay phones located on sidewalks. Director Hinchman responded they were in violation of ADA compliance requirements and would be removed. She added there was a phone company contacting property owners and offering to enter into a contract to place a pay phone on their property for a share in the profits. This company was not contacting City Staff for correct placement of the phones.

Director Hinchman spoke with Sergeant Jim Jackson, Police Operations Command - Patrol Division who offered the following quote:

“Through surveillance and narcotic investigations, these payphones are often used as a tool for the contact and exchange of narcotics. These transactions of controlled substances can turn violent and present quite a danger to the area. We have also had children playing on these neighborhood payphones and dialing 911 or other prank calls.”

Director Hinchman stated another type of encroachment was newspaper stands. They contributed to litter and rubbish nuisances in the general neighborhood, were not

considered aesthetically pleasing and may impede public rights-of-way. The distributors of the newspaper stands often bypassed contacting City Staff for appropriate requirements and locations.

Another type of encroachment was trash enclosures which contributed to litter and rubbish nuisances and created vehicular line-of-sight problems. They were not considered aesthetically pleasing and may impede some public rights-of-way. Director Hinchman stated in some cases, no solution could be determined because of the placement of the trash enclosures relating to the age of the structure.

Illegal signs were another type of encroachment that may create vehicular line-of-sight problems and may impede some public rights-of-way.

Director Hinchman stated the North Las Vegas Municipal Code Chapter 12.08.290, Removal of Obstructions, allowed the City to remove such obstructions. She stated, "any person causing an obstruction in a public place shall be required to remove obstruction within forty-eight (48) hours." She added 48 hours was a long time when the obstruction dealt with line-of-sight encroachments. She further added the North Las Vegas Municipal Code Chapter 12.20.050, Franchise or right-of-way license required, stated, "Facilities shall not be constructed, or operated in right-of-ways without a franchise or rights-of-way license agreement granted by the City Council." Director Hinchman pointed out City Council had not reviewed any applications because the licensing process was being bypassed. Chairman Eliason stated he was told the Federal Communications Act protected the placement of payphones. Director Hinchman stated the City had been able to remove some of the payphones. While the companies had the right to install the phones on private property, they did not have the right to install them on public property.

Director Hinchman stated all of the above described uses required a City of North Las Vegas business license. They were not principally permitted uses, permitted special uses, or permitted accessory uses. Board Member Montandon questioned whether a building permit was required. Director Hinchman responded only a business license was required.

Commercial and residential property encroachments were not currently addressed in the Zoning Code (Title 17). A new sign ordinance (Ordinance No. 1882) provided for the expeditious removal of illegal signs, made it illegal to place signs on public property and included a provision to collect fees for sign removal.

Director Hinchman stated some avenues of enforcement included the business licensing, Police Department, Public Works, Code Enforcement and building inspectors. Although the process was sometimes lengthy and cumbersome, the issues were being addressed and the right-of-way encroachments were being removed where appropriate. She added another benefit of the new sign ordinance was it allowed the City another avenue to identify and correct some of these problems more quickly.

**4. APPROVAL OF THE ACQUISITION OF CLARK COUNTY ASSESSOR'S PARCEL NUMBERS 139-23-211-049 AND 139-23-211-050 IN THE AMOUNT OF \$250,000, WHICH INCLUDES \$20,000 FOR CLOSING AND DEMOLITION COSTS. (CNLV Contract No. C-5519)**

ACTION: APPROVED

MOTION: Board Member Montandon

SECOND: Board Member Smith

AYES: Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

NAYS: None

ABSTAIN: None

**5. APPROVAL OF THE ACQUISITION OF CLARK COUNTY ASSESSOR'S PARCEL NUMBER 139-22-611-007 IN THE AMOUNT OF \$181,800, WHICH INCLUDES \$5,000 IN CLOSING COSTS. (CNLV Contract No. C-5520)**

ACTION: APPROVED

MOTION: Board Member Smith

SECOND: Board Member Robinson

AYES: Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

NAYS: None

ABSTAIN: None

**6. APPROVAL OF THE ACQUISITION OF CLARK COUNTY ASSESSOR'S PARCEL NUMBERS 139-23-310-049, 139-23-310-050, AND 139-23-310-052 IN THE AMOUNT OF \$265,000, WHICH INCLUDES \$10,000 IN CLOSING COSTS. (CNLV Contract No. C-5521)**

ACTION: APPROVED

MOTION: Board Member Robinson

SECOND: Board Member Montandon

AYES: Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

NAYS: None

ABSTAIN: None

**7. APPROVAL OF THE ACQUISITION OF CLARK COUNTY ASSESSOR'S PARCEL NUMBER 139-23-211-035 IN THE AMOUNT OF \$157,800, WHICH INCLUDES \$30,000 FOR CLOSING, ASBESTOS ABATEMENT AND DEMOLITION COSTS. (CNLV Contract No. C-5522)**

ACTION: APPROVED

MOTION: Board Member Robinson

SECOND: Vice Chairman Buck

AYES: Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

NAYS: None

ABSTAIN: None

**8. APPROVAL OF THE ACQUISITION OF CLARK COUNTY ASSESSOR'S PARCEL NUMBER 139-23-211-039 IN THE AMOUNT OF \$167,290, WHICH INCLUDES \$20,000 FOR CLOSING, COMMISSION AND DEMOLITION COSTS. (CNLV Contract No. C-5523)**

ACTION: APPROVED

MOTION: Board Member Montandon

SECOND: Board Member Robinson

AYES: Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

NAYS: None

ABSTAIN: None

**PUBLIC FORUM**

There were no participants.

## **ADJOURNMENT**

**ACTION:** THE MEETING ADJOURNED AT 5:48 P.M.

**MOTION:** Board Member Robinson

**SECOND:** Board Member Buck

**AYES:** Chairman Eliason, Vice Chairman Buck, Board Members Montandon, Robinson and Smith

**NAYS:** None

**ABSTAIN:** None

**Approved: January 7, 2004**

/s/ Robert L. Eliason

Robert L. Eliason, Chairman

**ATTEST:**

/s/ Eileen M. Sevigny

Eileen M. Sevigny, CMC  
Agency Secretary