

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

July 18, 2001

CITY COUNCIL INFORMATION SESSION

CALL TO ORDER

6:00 P.M. City Manager's Conference Room, 2200 Civic Center Drive, North Las Vegas, Nevada

- a. Verification
2. Discussion of City Council Agenda
3. Scattered Site Development in partnership with the North Las Vegas Housing Authority
4. Municipal Court Update
5. Legislative Update
6. Public Comment

CITY COUNCIL MEETING

CALL TO ORDER

7:05 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 (via telephone)
Councilman Shari Buck
Councilman Robert Eliason

STAFF PRESENT

City Manager Kurt Fritsch
Assistant City Manager Michele Richardson
Assistant City Manager Gregory Rose
Parks & Recreation Director Ken Albright
Administrative Services Director Eric Dabney
Chief of Detention Ken Ellingson

City Clerk Eileen M. Seigny
City Attorney Sean McGowan
Human Resources Director Dan Tarwater
Development Services Director Tom Bell
Public Works Director Jim Bell
Finance Director Vytas Vaitkus

Community Development Director Jacque Risner
Judge Warren VanLandschoot
Public Information Officer Brenda Johnson
Deputy Fire Chief Jim Stubler
Chief of Police Joe Tillmon
Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Seigny, CMC
City Clerk

INVOCATION

Imam Ramadan
Nevada Partners

PLEDGE OF ALLEGIANCE

Councilman Robert Eliason

PRESENTATION

Presentation to the City of North Las Vegas Steering Committee and Taste of North Las Vegas sponsors recognizing their efforts and participation in the first annual International Taste of North Las Vegas event

ACTION: PRESENTATIONS MADE

PROCLAMATION

Presentation to the Clark County Regional Flood Control District

Proclaiming July as Flash Flood Awareness Month

ACTION: GALE FRAZIER ACCEPTED PROCLAMATION

Councilwoman Smith was reached via telephone at 7:15 p.m.

AGENDA

1. REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JULY 18, 2001.

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO JANUARY 16, 2002; ITEM NOS. 17 & 18 PULLED FROM THE CONSENT AGENDA FOR DISCUSSION.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 7:05 P.M.

2. AMP-15-01; AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS TO CHANGE THE MASTER PLAN OF STREETS AND HIGHWAYS BY ADDING RAMP CONNECTIONS TO DONOVAN WAY, NORTH AND SOUTH OF CRAIG ROAD (60 FOOT RIGHT-OF-WAY) AND A MINOR REALIGNMENT OF DONOVAN WAY SOUTH OF CRAIG ROAD.

ACTION: CONTINUED TO JANUARY 16, 2002

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

CONSENT AGENDA

3. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JULY 5, 2001.

ACTION: APPROVED

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

4. APPROVAL TO AMEND THE 2001-2002 STAFFING PATTERN BY UPGRADING ONE (1) ADMINISTRATIVE SPECIALIST II GRADE TNS14 TO EXECUTIVE SECRETARY GRADE TA16 IN THE ADMINISTRATION DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT.

ACTION: APPROVED

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

5. APPROVAL TO AWARD BID NUMBER B-1109 TO SUPER VAC MFG. CO., IN THE AMOUNT OF \$170,431 TO PURCHASE A MOBILE LABORATORY VEHICLE FOR THE POLICE DEPARTMENT TO PERFORM ON-SITE IDENTIFICATION, AND SUBSEQUENT CLEAN UP OF ILLICIT DRUG OPERATIONS. (CNLV Contract No. C-4970)

ACTION: APPROVED
MOTION: Mayor Pro Tempore Robinson
SECOND: Mayor Montandon
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

6. APPROVAL TO SUBMIT AN APPLICATION FOR RENEWAL OF THE FEDERAL LOCAL LAW ENFORCEMENT BLOCK GRANT FOR FISCAL YEAR 2002 IN THE TOTAL AMOUNT OF \$381,792 (\$343,613 FEDERAL FUNDS; \$38,179 MATCHING FUNDS) FOR THE PURCHASE OF TECHNOLOGY BASED ITEMS AND EQUIPMENT TO BE USED BY THE POLICE DEPARTMENT TO IMPROVE EFFICIENCY AND MODERNIZATION.

ACTION: APPROVED
MOTION: Mayor Pro Tempore Robinson
SECOND: Mayor Montandon
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

7. APPROVAL OF ADDITIONAL FUNDING, IN THE AMOUNT OF \$50,000, FOR THE EXISTING CONTRACT FOR HOME/LIHTF FUNDS FOR THE ECONOMIC OPPORTUNITY BOARD OF CLARK COUNTY TO PROVIDE DOWN PAYMENT ASSISTANCE TO NORTH LAS VEGAS LOW INCOME HOME BUYERS. (CNLV Contract No. C-4666)

ACTION: APPROVED
MOTION: Mayor Pro Tempore Robinson
SECOND: Mayor Montandon
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

8. **AUTHORIZATION FOR THE RECONVEYANCE OF THE FIRST DEED OF TRUST, IN THE AMOUNT OF \$165,103.48, REQUIRED AS SURETY TO GUARANTEE THE CONSTRUCTION OF OFFSITE IMPROVEMENTS FOR THE HIDDEN CANYON APARTMENTS.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

9. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH RICHMOND AMERICAN HOMES - NEVADA DIVISION, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT WASHBURN ROAD AND CLAYTON STREET, IN THE AMOUNT OF 1.7% OR \$7,170; AND ANN ROAD AND CAMINO AL NORTE, IN THE AMOUNT OF 2.9% OF THE TOTAL COST OR \$8,341, IN CONNECTION WITH THE LAGUNA PARK RESIDENTIAL SUBDIVISION.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

10. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL**

IMPROVEMENT COST PARTICIPATION AGREEMENT WITH WJR PARTNERSHIP FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND LAMB BOULEVARD IN THE AMOUNT OF 2.6% OF THE TOTAL COST OR \$13,813 IN CONNECTION WITH THE CRAIG ROAD/LAMB BOULEVARD TAVERN.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

11. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH OUTBACK STEAKHOUSE FLORIDA, INC. FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND CLAYTON STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST, OR \$2,683 IN CONNECTION WITH THE OUTBACK STEAKHOUSE ON CRAIG ROAD AND FUSELIER DRIVE.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

12. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CELEBRATE HOMES XI, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNALS AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT**

CHEYENNE AVENUE AND ALLEN LANE IN THE AMOUNT OF 3.3% OF THE TOTAL COST OR APPROXIMATELY \$6,383; CHEYENNE AVENUE AND VALLEY DRIVE IN THE AMOUNT OF 4.1% OF THE TOTAL COST OR APPROXIMATELY \$21,783; GOWAN ROAD AND ALLEN LANE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,555; AND GOWAN ROAD AND VALLEY DRIVE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,555, IN CONNECTION WITH THE CHEYENNE VALLEY RESIDENTIAL DEVELOPMENT. (CNLV Contract No. C-4971)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

13. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CENTEX REAL ESTATE CORPORATION TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT TROPICAL PARKWAY AND VALLEY DRIVE IN THE AMOUNT OF 6.9% OF THE TOTAL COST OR APPROXIMATELY \$36,659; ANN ROAD AND ALLEN LANE IN THE AMOUNT OF 3.2% OF THE TOTAL COST OR APPROXIMATELY \$11,571; ANN ROAD AND VALLEY DRIVE IN THE AMOUNT OF 6.2% OF THE TOTAL COST OR APPROXIMATELY \$30,500; AND TROPICAL PARKWAY AND ALLEN LANE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,555 IN CONNECTION WITH THE CREEKSIDE RESIDENTIAL DEVELOPMENT. (CNLV Contract No. C-4972)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

14. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH NORTH MEADOWS II, LLC FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND REVERE STREET IN THE AMOUNT OF 2.2% OF THE TOTAL COST OR APPROXIMATELY \$10,823; NORTH LEG OF MARTIN LUTHER KING BOULEVARD AND ALEXANDER ROAD - DUAL LEFT IN THE AMOUNT OF 3.6% OF THE TOTAL COST OR APPROXIMATELY \$9,000; AND EAST LEG OF MARTIN LUTHER KING BOULEVARD AND ALEXANDER ROAD - DUAL LEFT IN THE AMOUNT OF 6.1% OF THE TOTAL COST OR APPROXIMATELY \$15,250 IN CONNECTION WITH THE NORTH MEADOWS - UNITS 2 & 4 RESIDENTIAL PROJECT. (CNLV Contract No. C-4973)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

15. **APPROVAL OF CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT INTERLOCAL CONTRACT FOR ANNUAL MAINTENANCE WORK PROGRAM IN AN AMOUNT NOT TO EXCEED \$498,532 (CNLV Contract No. C-4974); FIRST SUPPLEMENTAL INTERLOCAL CONTRACT FOR CONSTRUCTION GOWAN OUTFALL - CRAIG TO CHANNEL - TO REDUCE FUNDING TO AN AMOUNT NOT TO EXCEED \$1,700,000 (CNLV Contract No. C-4874); FIRST SUPPLEMENTAL INTERLOCAL CONTRACT FOR DESIGN GOWAN OUTFALL - CRAIG TO CHANNEL - TO EXTEND THE DATE OF COMPLETION TO JUNE 30, 2003 AND AMEND FUNDING TO AN AMOUNT NOT TO EXCEED \$190,000 (CNLV Contract No. C-4728); THIRD SUPPLEMENTAL INTERLOCAL CONTRACT TRIBUTARY TO THE WESTERN TRIBUTARY AT CRAIG ROAD ("A" CHANNEL - CRAIG CONFLUENCE) - TO EXTEND THE DATE OF**

COMPLETION TO DECEMBER 31, 2001 AND AMEND PARAGRAPHS 2 AND 15 (CNLV Contract No. C-4275); FOURTH SUPPLEMENTAL INTERLOCAL CONTRACT LAS VEGAS WASH WESTERN TRIBUTARY ("A" CHANNEL) - TO EXTEND THE COMPLETION DATE TO JUNE 30, 2006 (CNLV Contract No. C-3859); SECOND SUPPLEMENTAL INTERLOCAL CONTRACT CHEYENNE PEAKING BASIN - TO EXTEND THE DATE OF COMPLETION TO DECEMBER 31, 2005 (CNLV Contract No. C-4553); AND FIRST SUPPLEMENTAL INTERLOCAL CONTRACT TRIBUTARY TO THE WESTERN TRIBUTARY AT ALEXANDER ROAD - TO EXTEND THE DATE OF COMPLETION TO DECEMBER 31, 2006 (CNLV Contract No. C-4659).

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

16. APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MONTGOMERY WATSON AMERICAS, IN AN AMOUNT NOT TO EXCEED \$491,031 FOR THE SIMMONS STREET CHANNEL PROJECT. (CNLV Contract No. C-4975)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

17. APPEAL, SUBMITTED BY ART S. MACARAEG, OF THE PLANNING COMMISSION'S DECISION TO DENY AMP-14-01 (CENTENNIAL CROSSING), AN APPLICATION TO CHANGE THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL FOR PROPERTY

LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. (ASSOCIATED ITEM NO. 18; ZN-19-01) (SET PUBLIC HEARING FOR AUGUST 15, 2001)

Mayor Montandon disclosed he once had a relationship with one of the parties, Sean Lampman, who was involved in the proposed zoning actions for Item numbers 17 and 18. City Attorney Sean McGowan asked for clarification of the Mayor's relationship with Mr. Lampman. The Mayor responded he had been advised by Development Services Director Tom Bell of Mr. Lampman's involvement in these actions but was uncertain as to the extent of his involvement. City Attorney McGowan stated it would be prudent of the Mayor to repeat his disclosures at the time of the Public Hearings.

ACTION: PUBLIC HEARING SET FOR AUGUST 15, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

18. APPEAL, SUBMITTED BY ART S. MACARAEG, OF THE PLANNING COMMISSION'S DECISION TO DENY ZN-19-01 (CENTENNIAL CROSSING), AN APPLICATION TO CHANGE THE ZONING FROM R-E RANCH ESTATES TO C-2 GENERAL COMMERCIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. (ASSOCIATED ITEM NO. 17; AMP-14-01) (SET PUBLIC HEARING FOR AUGUST 15, 2001)

ACTION: PUBLIC HEARING SET FOR AUGUST 15, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

19. **APPEAL, SUBMITTED BY TIM C. AYALA ON BEHALF OF ROBERT PAREDES, PROPERTY OWNER, OF THE PLANNING COMMISSION'S DECISION TO DENY SITE PLAN REVIEW SPR-17-01 (MERCADO DEL PUEBLO) TO ALLOW A GRAIN SILO IN A C-2 DISTRICT AT 2987 NORTH LAS VEGAS BOULEVARD. (SET PUBLIC HEARING FOR AUGUST 15, 2001)**

ACTION: PUBLIC HEARING SET FOR AUGUST 15, 2001

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

BUSINESS

ORDINANCES

INTRODUCTION ONLY

20. **ORDINANCE NO. 1532; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO C-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND SIMMONS STREET (ZN-12-90, CRAIG SIMMONS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 1, 2001)**

Ordinance No. 1532 as introduced by the City Manager:

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 A CERTAIN PROPERTY THEREIN FROM R-E TO C-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND SIMMONS STREET (ZN-12-90, CRAIG SIMMONS) AND PROVIDING FOR OTHER

MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR AUGUST 1, 2001

21. **ORDINANCE NO. 1533; 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 A CERTAIN PROPERTY THEREIN FROM O-L TO C-2 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF VALLEY DRIVE AND TURKEY LANE (ZN-21-01, ALL LAND COMPANY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 1, 2001)**

Ordinance No. 1533 as introduced by the City Manager:

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 A CERTAIN PROPERTY THEREIN FROM O-L TO C-2 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF VALLEY DRIVE AND TURKEY LANE (ZN-21-01, ALL LAND COMPANY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR AUGUST 1, 2001

22. **ORDINANCE NO. 1534; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO R-2 FOR PROPERTY GENERALLY LOCATED EAST OF NORTH 5TH STREET AND APPROXIMATELY 650 FEET NORTH OF TROPICAL PARKWAY (ZN-22-01, 5TH AND FARM) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 1, 2001)**

Ordinance No. 1534 as introduced by the City Manager:

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 A CERTAIN PROPERTY THEREIN FROM R-E TO R-2 FOR PROPERTY GENERALLY LOCATED EAST OF NORTH 5TH STREET AND APPROXIMATELY 650 FEET NORTH OF TROPICAL PARKWAY (ZN-22-01, 5TH AND FARM) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR AUGUST 1, 2001

23. **ORDINANCE NO. 1535; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO R-2 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 5TH STREET AND TROPICAL PARKWAY (ZN-23-01, 5TH AND FARM) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 1, 2001)**

Ordinance No. 1535 as introduced by the City Manager:

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 A CERTAIN PROPERTY THEREIN FROM R-E TO R-2 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 5TH STREET AND TROPICAL PARKWAY (ZN-23-01, 5TH AND FARM) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR AUGUST 1, 2001

ORDINANCES

FINAL ACTION

24. **ORDINANCE NO. 1488; AN ORDINANCE RELATING TO ZONING; AMENDING SUBSECTION C.2.C. OF SECTION 050 OF CHAPTER 28 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY ALLOWING PUBLICLY FUNDED CAPITAL IMPROVEMENT PUBLIC WORKS PROJECTS, AS DEFINED IN NRS CHAPTER 338, UP TO 10 YEARS TO FULFILL ALL CONDITIONS AND STIPULATIONS FOR SPECIAL USE PERMITS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1488 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING; AMENDING SUBSECTION C.2.c. OF SECTION 050 OF CHAPTER 28 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY ALLOWING PUBLICLY FUNDED CAPITAL IMPROVEMENT PUBLIC WORKS PROJECTS, AS DEFINED IN NRS CHAPTER 338, UP TO 10 YEARS TO FULFILL ALL CONDITIONS AND STIPULATIONS FOR SPECIAL USE PERMITS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

WORK CARD APPEAL

25. **REQUEST TO APPEAR BEFORE CITY COUNCIL SUBMITTED BY TAMMY RODRIGUEZ TO APPEAL THE DENIAL OF HER GAMING WORK PERMIT.**

Detective Brad Walch stated he had received a request for a Gaming Work Permit from Ms. Rodriguez. A background check was completed where it was discovered that she had been arrested for possession of a stolen vehicle that had subsequently gone to warrant. She was arrested in 1999 and was again arrested in January 2001 for the felony offense. Ms. Rodriguez had pled in court to a gross misdemeanor. Mayor Pro Tempore Robinson questioned if she was arrested twice on the same warrant. Detective Walch responded that was correct; she was arrested for the same charge of possession of a stolen vehicle.

Ms. Rodriguez stated she had been apprehended while the car was parked outside a store. She was asked by a police officer if it was her car and she responded it was her daughter's friends' car. The officer informed Ms. Rodriguez that the car was stolen. Mayor Montandon stated whether the car was stolen or not was not the issue. Before Council was the fact that Ms. Rodriguez was found guilty of a gross misdemeanor. No evidence could be heard by Council to support her claim of innocence. Ms. Rodriguez stated she was offered a job at the Silver Nugget and when she went to apply for her Sheriff's card she learned it was denied because of her conviction.

Mayor Montandon questioned where the application would go if it were approved by Council. Detective Walch stated the State would review the application and according to State Statute, if she were found guilty of a felony or a gross misdemeanor, she would be disallowed the privilege of a gaming work card. Mayor Montandon stated although Council had the authority to determine if Ms. Rodriguez obtained a work card, the approval may be overruled by the State. Mayor Montandon was not in favor of granting a work card that would be denied at the State level.

Mayor Pro Tempore Robinson asked if it was an automatic denial at the State level if there was a felony or a gross misdemeanor conviction in an applicant's past. Detective Walch stated it was not an automatic denial and it was possible the case would not be reviewed at all. If the case were reviewed, Detective Walch stated there was a good possibility it would be denied as well.

City Attorney Sean McGowan re-emphasized there was concurrent jurisdiction with the City and the State. Each jurisdiction had the ability to grant or deny the work permit based on the City's evaluation of the applicant's suitability to hold the permit. It was at the State's discretion to review the case or not following the City's action.

Mayor Montandon asked Ms. Rodriguez if in 1999 she was found with a stolen car and was arrested again on the same issue in 2001. Ms. Rodriguez stated when she was arrested the first time, and she did not make her court appointment so the case went to warrant. She did not pursue the matter until she was found by the police a year later when she was again arrested.

Mayor Pro Tempore Robinson questioned if there were any other charges against Ms. Rodriguez that would give some reason to not issue the work permit. He felt all persons needed gainful employment and should be given a second chance. Detective Walch stated there was a record behind Ms. Rodriguez but she disputed the accuracy of the records. She felt there was another individual with her same name but a different middle initial and those charges belonged to that person.

Mayor Montandon asked Ms. Rodriguez if she was aware the car had been stolen. Ms. Rodriguez responded she did not know it was stolen and that her daughter's friend that gave her the car had been arrested for stealing cars.

Councilwoman Smith commented it was difficult for her to evaluate a person when she could not see them. She stated she would be abstaining from the vote.

ACTION: DECISION TO DENY REVERSED; GAMING WORK PERMIT APPROVED.

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Buck

NAYS: Councilman Eliason

ABSTAIN: Councilwoman Smith

APPOINTMENTS

26. APPOINTMENT TO THE LAS VEGAS CONVENTION & VISITORS AUTHORITY. (TABLED JULY 5, 2001)

ACTION: APPOINT MAYOR MONTANDON TO THE LAS VEGAS CONVENTION & VISITORS AUTHORITY FOR A TWO-YEAR TERM. MOTION FAILED.

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

AYES: Mayor Montandon and Councilwoman Smith

NAYS: Mayor Pro Tempore Robinson, Council Members Buck and Eliason

ABSTAIN: None

ACTION: MAYOR MONTANDON APPOINTED WITH TERM ENDING JUNE 30, 2002.

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

27. APPOINTMENTS TO THE NORTH LAS VEGAS LIBRARY DISTRICT BOARD OF TRUSTEES.

ACTION: COUNCILMAN ELIASON APPOINTED TO THE LIBRARY DISTRICT BOARD OF TRUSTEES, CONCURRENT WITH TERM AS COUNCIL MEMBER; SHEILA REX AND LAURIE PORRITT REAPPOINTED; TERM TO EXPIRE JUNE 30, 2003.

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

28. APPOINTMENT OF ONE REPRESENTATIVE TO THE CLARK COUNTY DISTRICT BOARD OF HEALTH.

ACTION: COUNCILMAN ELIASON APPOINTED AS REPRESENTATIVE TO THE CLARK COUNTY DISTRICT BOARD OF HEALTH FOR AN INDEFINITE TERM.

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

COUNCIL ITEMS

Councilman Eliason requested updates be given on the various boards the Council members serve on.

CITY MANAGER'S REPORT

City Attorney Sean McGowan presented Council with an update on litigation actions regarding John Armstrong and Mike Thomas.

City Manager Kurt Fritsch questioned Council as to how to proceed with air quality issues. It was determined the City would make their desire to be involved in the process known to the County.

PUBLIC FORUM

John Armstrong spoke of litigation issues regarding himself, Mike Thomas and Joe Austin. He also asked Council to treat him fairly and requested arbitration to resolve outstanding litigation matters.

Mike Thomas spoke of litigation and appeal issues and correspondence received from the City Attorney. He challenged the City Attorney's explanation of recent court proceedings.

Mike Winne requested an accounting of the money spent to date on litigations and settlements as well as the amounts of money due to the litigants should they prevail. He asked that the arbitrations be allowed to be conducted so the City could move on.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:10 P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

APPROVED: August 1, 2001

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

ATTEST:

 /s/ Eileen M. Sevigny
Eileen M. Sevigny, CMC, City Clerk