

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

August 15, 2001

CITY COUNCIL INFORMATION SESSION

CALL TO ORDER

6:15 P.M. City Manager's Conference Room, 2200 Civic Center Drive, North Las Vegas, Nevada

- a. Verification
- b. Discussion of City Council Agenda
- c. Presentation by Jenney Sartin from Clark County regarding Yucca Mountain
- d. Presentation regarding the Warrant Program at Municipal Court
- e. Public Comment

CITY COUNCIL MEETING

CALL TO ORDER

7:06 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Councilwoman Stephanie S. Smith
Councilman Shari Buck
Councilman Robert Eliason

Excused:

Mayor Pro Tempore William E. Robinson

STAFF PRESENT

City Manager Kurt Fritsch
Assistant City Manager Gregory Rose
City Attorney Sean McGowan
City Clerk Eileen M. Sevigny
Finance Director Vytas Vaitkus
Administrative Services Director Eric Dabney
Parks & Recreation Director Ken Albright
Community Development Director Jacque Risner
Public Works Director Tom Bell

Public Works Associate Director Laurnal Gubler
Development Services Director Tom Bell
Fire Chief Robert Dodge
Deputy Chief of Police Ed Finizie
Chief of Detention Ken Ellingson
Human Resources Director Dan Tarwater
Public Information Officer Brenda Johnson
Chief Deputy City Attorney Leslie Nielsen
Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Sevigny, CMC, City Clerk

INVOCATION

Ian Ross

PLEDGE OF ALLEGIANCE

Mayor Montandon

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF AUGUST 15, 2001.

ACTION: ITEM NO. 2 CONTINUED TO NOVEMBER 21, 2001; ITEM NOS. 3 & 4 CONTINUED TO SEPTEMBER 5, 2001

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 7:05 P.M.

2. AMP-11-01 (TROPICAL/CLAYTON BY PARDEE); AN APPLICATION SUBMITTED BY PARDEE CONSTRUCTION COMPANY, BOSSARD DEVELOPER SERVICES (DIANA BOSSARD), REPRESENTATIVE, TO CHANGE THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL (2 - 4.5 DU/ACRE) TO MEDIUM DENSITY RESIDENTIAL (4.5 - 10 DU/ACRE) FOR APPROXIMATELY 41.61 ACRES LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND CLAYTON STREET. (CONTINUED JUNE 20, 2001)

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO NOVEMBER 21, 2001.

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

3. **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. 4; ZN-19-01)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO THE MEETING OF SEPTEMBER 5, 2001.

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

4. **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. 3; AMP-14-01)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO THE MEETING OF SEPTEMBER 5, 2001.

MOTION: Councilman Eliason
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None
ABSTAIN: None

5. APPEAL, SUBMITTED BY TIM C. AYALA ON BEHALF OF ROBERTO 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.

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained on May 23, 2001, the Planning Commission denied the subject site plan review to allow a grain silo 20 feet in height by 10 feet in width located at the rear of the Mercado Del Pueblo building. The Planning Commission expressed their concern about the potential for off-site tortilla sales as well as the height of the proposed silo and the potential for fire and/or explosion.

Staff recommended Council affirm the decision of the Planning Commission and deny the appeal.

Tim C. Ayala, 4600 Sunset Road, Suite 148, Las Vegas, represented the applicant Roberto Paredes. Mr. Ayala reiterated the main concern of Staff and the Planning Commission was the possibility of off-site sales of tortillas to hotels and other restaurants. Mr. Ayala pointed out the business could only produce approximately 1,000 tortillas in three days and the purpose of the silo was to reduce the area of storage for the corn. The addition of the silo would increase production to be sold at the grocery store. He pointed out it was not possible to increase production of tortillas to a point where off-site sales would be possible. Mr. Ayala stated he would be amenable to an added condition to that effect. Mayor Montandon stated there was an existing condition prohibiting off-site sales.

Mayor Montandon stated he was concerned because although Mr. Ayala stated production would be fairly small, they were expressing their need for a large grain silo. Mayor Montandon made the comparison with Gordon Biersch, stating they had grain silos for their brewery operation that were purely for aesthetics because they were too large for their relatively small operation. He questioned Mr. Ayala as to why such a large silo was necessary. Mr. Ayala responded nine pounds of corn was required to make 60 tortillas. Mayor Montandon pointed out that one sack of corn was all that was required to make those 60 tortillas. He once again questioned the need for such a large silo that would store several tons of corn. Mr. Ayala responded the corn was now stored in 50 pound bags that required large storage areas. The delivery truck traffic was at issue as well.

Mayor Montandon then correlated the operation at Mercado Del Pueblo with Basic Food Products who produced soy products for soup packages in the millions. He pointed out those silos represented a magnitude of difference in the sizes of the two operations. He felt the corn could be stored in drums just as efficiently. Mr. Ayala stated there was an existing silo at the facility on the corner of Bonanza and Eastern for a grocery store that was approximately one half the size of the establishment in the Mercado Del Pueblo. There was no off-site sales at that location as well. The silo was necessary to reduce the number of deliveries to one truck per month resulting in a cost savings. Mayor Montandon asked what size the silo was at that location and Mr. Ayala responded it was the same size as the silo they were requesting.

Councilwoman Smith voiced her concern regarding the zoning issue. She stated the addition of a grain silo had not been considered as a permitted use in a commercial area. She felt a silo was better suited for an industrial or a rural area and she felt the use was not compatible with a commercial district. She was concerned not only with the safety issues but the possibility of the silo attracting rodents as well. Mr. Ayala responded the silo would be placed towards the back of the building and the building itself was lower than the street. He stated the silo would not be visible from the street. Councilwoman reiterated it was not an appropriate use for the area. She felt it would be more appropriate to find another location in an industrial area to store the corn and make frequent deliveries to the business operation as necessary. Mr. Ayala pointed out there were silos in use on Paradise Road and Flamingo Road as well as the Bonanza and Eastern location.

Mayor Montandon questioned if Mr. Ayala were requesting a small out building or shed, would he be required to appear before Council. Development Services Director Tom Bell explained it would be reviewed as a site plan review. Technically, the structure was considered an accessory structure requiring approval by the Planning Commission. The Mayor then asked if it were a storage shed, would there be set back requirements. Mr. Bell responded a shed would need to be set back from the building a minimum of five feet and five feet from the property line as well.

Councilman Buck questioned how close the structure would be to the nearest house. Mr. Bell responded it was in a commercial area. Mr. Ayala estimated the nearest house to be approximately 500 feet in distance. There was a block wall and a vacant lot behind the building. Councilman Buck then asked if the use would require a permit through the Clark County Health District. Mr. Bell responded he assumed it would be reviewed by the Health District for compliance.

Mayor Montandon asked if, inside the Mercado Del Pueblo there were several small businesses. Mr. Ayala responded that was correct.

Councilman Eliason voiced his concern regarding the location of the silo and the potential for

fire. He asked if the Fire Department would have adequate access to that area of the building. Mr. Ayala responded the Fire Marshal addressed the issue and stated he did not have a problem with Fire Department access. Councilman Eliason then asked if a mini-storage facility was directly behind the block wall. Mr. Ayala responded that was correct. Mayor Montandon further commented the base elevation of the mini-storage facility was significantly higher than the Mercado Del Pueblo.

Councilwoman Smith questioned, with regard to the rodent issue, what experiences were had by the Bonanza and Eastern location. Mr. Ayala stated an inspection was completed. Councilwoman Smith then asked if the corn contained in the silo would be whole or ground. Mr. Ayala stated it would be whole corn. Councilman Eliason felt the corn in a silo would cause less rodent infestation than bags of corn stored on the floor.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE CONDITION THE APPLICANT COMPLY WITH ALL HEALTH DISTRICT REGULATIONS.

MOTION: Councilman Buck

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

6. APPEAL, SUBMITTED BY LEO G. GAY, TO AMEND CONDITION NUMBER SEVEN FOR USE PERMIT UN-66-00 (NORTH LAS VEGAS CHURCH OF CHRIST), TO ALLOW AN ASPHALT SHINGLE ROOF FOR PROPERTY LOCATED AT 2626 MARTIN LUTHER KING BOULEVARD IN AN R-1 SINGLE FAMILY RESIDENTIAL ZONE.

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained on December 6, 2000, the City Council approved the use permit and added a condition that stated:

“Roofing materials for the portion of the existing building facing Martin Luther King Boulevard shall match the new portion of the building in accordance with design standards; the new portion shall meet design standards as well.”

Since that approval, the applicant’s representative conveyed to the City it would be difficult if

not impossible to meet the design standards for the existing building because of the current structural condition of the building. Therefore, a revision was requested through the Planning Commission. On June 27, 2001, the Planning Commission unanimously denied the request because the condition was imposed by Council. Staff recommended approval of the requested waiver to eliminate the roofing materials for the existing and the new buildings and match the existing asphalt shingle roof.

Mayor Montandon felt the Council had previously heard adequate evidence to grant the waiver. It was his understanding that evidence was given that the existing design would not support a tile roof. He felt the result of those previous discussions did not result in clear direction to the applicant. He stated he supported the Planning Staff's recommendation to grant the waiver.

Councilwoman Smith stated she also recalled the discussion but felt the applicant had been asked if the condition was one that could be met. She believed the applicant agreed to the condition and then, once it was determined to be unfeasible, stated it was a miscommunication.

Mr. Dennis Rusk, architect for the project stated there was an original existing building which could not support a tile roof and an addition to the existing building which could support a tile roof. He felt the misunderstanding came in with the differentiation between the existing building and the existing addition. Councilwoman Smith stated that was not her recollection. And suggested that in the future, conditions be mutually agreed upon so that there is no confusion in the ability to carry them out.

Mayor Montandon closed the Public Hearing.

ACTION: AMENDMENT APPROVED, WAIVER GRANTED.

MOTION: Councilman Buck

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

CONSENT AGENDA

7. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF AUGUST 1,

2001.

Item No. 7 was pulled from the Consent Agenda for discussion and was heard before the Business Agenda.

8. APPROVAL OF REGIONAL TRANSPORTATION COMMISSION INTERLOCAL CONTRACT NO. 374 - NEVADA ALLIANCE FOR QUALITY TRANSPORTATION CONSTRUCTION (NAQTC) CERTIFICATION TESTING (CNLV Contract No. C-4995); AND INTERLOCAL CONTRACT NO. 381 - OFFSITE IMPROVEMENT ADJACENT TO REGIONAL FLOOD CONTROL DISTRICT DETENTION BASIN PROJECTS FY 2001 - 2002 (CNLV Contract No. C-4996).

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

9. APPROVAL OF PRIVILEGED LICENSE (Exhibit A):

	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
1.	Ashok & Mallika Israni, Ptnrs. DBA: 7-Eleven #25607, Franchisees 2000 Las Vegas Blvd N North Las Vegas, Nevada <u>State Gaming Commission Approved 7/26/01</u>	GAMING Owner/Operator	(5) Slot Machines
2.	Riffat Asif, Pres. DBA: Las Vegas Grocery IV 3820 E Craig Rd North Las Vegas, Nevada <u>Formerly: Convenient Convenience Store</u> <u>Police Investigation Approved</u> <u>Pending Final Building Inspection Approval</u> (Tabled August 1, 2001)	LIQUOR	Beer & Wine Off Sale Within Convenience Store

ACTION: APPROVED

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

10. **ACCEPTANCE OF UTILITY EASEMENT RN-88-01 FROM CLARK COUNTY SCHOOL DISTRICT; UTILITY EASEMENT RN-89-01 FROM THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; UTILITY EASEMENT RN-90-01 FROM B B M R INVESTMENTS L.L.C.; ROADWAY EASEMENT RN-91-01 FROM INSPIRATION HOMES LLC; UTILITY EASEMENT RN-92-01 FROM BIGELOW DEVELOPMENT AEROSPACE DIVISION LLC; ROADWAY EASEMENTS RN-93-01 FROM BIGELOW DEVELOPMENT AEROSPACE DIVISION LLC; UTILITY AND SIDEWALK EASEMENT RN-94-01 FROM BIGELOW DEVELOPMENT AEROSPACE DIVISION LLC; UTILITY EASEMENT RN-95-01 FROM MCLEOD USA TELECOMMUNICATIONS SERVICES, INC.; ROADWAY EASEMENTS RN-96-01 FROM MCLEOD USA TELECOMMUNICATIONS SERVICES, INC.; ROADWAY EASEMENT RN-97-01 FROM MADISON B. GRAVES; UTILITY EASEMENTS RN-98-01 FROM RYDER TRUCK RENTAL, INC.; ROADWAY EASEMENTS RN-99-01 FROM RYDER TRUCK RENTAL, INC.; DRAINAGE EASEMENT RN-100-01 FROM CENTEX HOMES; ROADWAY EASEMENT RN-101-01 FROM SALVATION ARMY; UTILITY EASEMENT RN-102-01 FROM DARRALL 1996 TRUST; UTILITY EASEMENTS RN-103-01 FROM CLARK L L C; INGRESS AND EGRESS EASEMENTS RN-104-01 FROM W J R PARTNERSHIP; UTILITY EASEMENT RN-105-01 FROM W J R PARTNERSHIP; UTILITY EASEMENT RN-106-01 FROM OUTBACK STEAKHOUSE OF FLORIDA, INC.; ROADWAY EASEMENTS RN-107-01 FROM OUTBACK STEAKHOUSE OF FLORIDA, INC.; ROADWAY EASEMENTS RN-108-01 FROM OPERATING ENGINEERS PENSION TRUST.**

ACTION: APPROVED

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

11. APPROVAL TO AMEND THE 2001 - 2002 STAFFING PATTERN AS FOLLOWS:

Public Works

Survey Division

Reclassify one (1) Survey Technician I TNS 15 to Survey Technician II TNS 17

Reclassify one (1) Engineering Technician I TNS 16 to Survey Technician II TNS 17

Transfer one (1) Engineering Technician I TNS 15 from Utilities to Survey Division

Development & Flood Control Division

Reclassify one (1) Engineer I TA 21 to Project Coordinator TS 21

Reclassify one (1) Fiscal Specialist II TNS 14 to Administrative Specialist II TNS 14

Reclassify one (1) Engineering Technician I TNS 16 to Administrative Specialist II TNS 14

Reclassify one (1) Administrative Specialist II TNS 14 to Administrative Supervisor TS 17

Property Management Division

Reclassify one (1) G.I.S. Technician TNS 17 to G.I.S. Analyst TS 19

Utilities Division

Reclassify one (1) Survey Technician II TNS 17 to Engineering Technician II TNS 18

Item No. 11 was pulled from the Consent Agenda for discussion and was heard before the Business Agenda.

12. APPROVAL OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$112,265, FOR THE 14TH YEAR TRAFFIC CAPACITY AND SAFETY IMPROVEMENTS PROJECT. (CNLV Contract No. C-4994)

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None
ABSTAIN: None

13. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH WILLIAM LYON HOMES, INC. TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND VALLEY DRIVE IN THE ESTIMATED AMOUNT OF 4.1% OF THE TOTAL COST OR APPROXIMATELY \$20,170; ANN ROAD AND DECATUR BOULEVARD IN THE ESTIMATED AMOUNT OF 2.2% OF THE TOTAL COST OR APPROXIMATELY \$8,591; AND WASHBURN ROAD AND VALLEY DRIVE IN THE ESTIMATED AMOUNT OF 1.3% OF THE TOTAL COST OR APPROXIMATELY \$7,459, ASSOCIATED WITH THE ANNENDALE RESIDENTIAL DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND VALLEY DRIVE. (CNLV Contract No. C-4997)**

ACTION: APPROVED

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

14. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH SYSCO FOOD SERVICES OF LAS VEGAS, INC. TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CENTENNIAL BOULEVARD AND HOLLYWOOD BOULEVARD IN THE ESTIMATED AMOUNT OF 12.5% OF THE TOTAL COST OR APPROXIMATELY \$90,351; LAS VEGAS BOULEVARD AND HOLLYWOOD BOULEVARD IN THE ESTIMATED AMOUNT OF 10.2% OF THE TOTAL COST OR APPROXIMATELY \$73,726; AND SPEEDWAY BOULEVARD AND HOLLYWOOD BOULEVARD IN THE ESTIMATED AMOUNT OF 6.2% OF THE TOTAL COST, OR APPROXIMATELY \$44,814, ASSOCIATED WITH THE SYSCO WAREHOUSE FOOD DISTRIBUTION CENTER LOCATED ON THE NORTHWEST CORNER OF AZURE AVENUE AND MT. HOOD STREET. (CNLV Contract No. C-4998)**

ACTION: APPROVED

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

15. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH HAMMER DEVELOPMENTS LLC TO PROVIDE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND ALLEN LANE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$3,616; AND LONE MOUNTAIN ROAD AND ALLEN LANE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,218 ASSOCIATED WITH JACKSON ESTATES, A RESIDENTIAL SUBDIVISION LOCATED ON THE SOUTHWEST CORNER OF ALLEN LANE AND HAMMER LANE.**

ACTION: APPROVED

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

16. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH NORTHPOINT CENTRE, LLC FOR THEIR SHARE OF THE COST OF CONSTRUCTION OF THE MEDIAN ON CRAIG ROAD AT SAN MATEO STREET IN THE AMOUNT OF 50% OF THE TOTAL COST, OR \$5,611 ASSOCIATED WITH NORTHPOINT CENTRE.**

ACTION: APPROVED

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

17. **AMP-17-01 (ELKHORN/COMMERCE); AN APPLICATION SUBMITTED BY**

RANCHO HOLDINGS, LLC ON BEHALF OF ELKCOM INVESTMENTS, LLC, PROPERTY OWNERS TO CHANGE THE COMPREHENSIVE PLAN FROM OFFICE TO MEDIUM DENSITY RESIDENTIAL (4.5 - 10 DU/ACRE) ON APPROXIMATELY 25 ACRES LOCATED AT THE SOUTHEAST CORNER OF ELKHORN ROAD AND COMMERCE STREET. (SET PUBLIC HEARING FOR SEPTEMBER 19, 2001)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 19, 2001

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

18. VAC-08-01 (CITY OF NORTH LAS VEGAS); AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS TO VACATE A PORTION OF THE "A" CHANNEL - CRAIG CONFLUENCE PROJECT, LOCATED APPROXIMATELY 1,300 FEET WEST OF REVERE STREET AND APPROXIMATELY 1,200 FEET NORTH OF ALEXANDER ROAD. (SET PUBLIC HEARING FOR SEPTEMBER 19, 2001)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 19, 2001

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

19. VAC-09-01 (CREEKSIDE HOMES); AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER TO VACATE THE WESTERLY 10 FEET OF ALLEN LANE COMMENCING AT EL CAMPO GRANDE AVENUE AND EXTENDING SOUTH APPROXIMATELY 518 FEET. (SET PUBLIC HEARING FOR SEPTEMBER 19, 2001)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 19, 2001

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

7. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF AUGUST 1, 2001.

Mike Thomas, 8398 San Ramon, Las Vegas, stated at the meeting of August 1, 2001, Mr. Mike Winne had attempted to make a motion from the floor on a Consent Agenda item. He was not allowed to do so. He was told that Robert's Rules of Order did not allow motions to be made from any member other than an elected official. Mr. Thomas, stating he was versed in Robert's Rules of Order, challenged that by stating if the Chair recognized any person and put them on the floor, that gave them the right to speak and to make a motion. He felt Mr. Winne should have been allowed to make a motion according to Robert's Rules of Order.

Mr. Thomas felt the rules of decorum were reserved for developers and not equally issued to all who spoke to Council. He stated members of Council often spoke directly to the speaker rather than addressing the Chair and being recognized.

Mr. Thomas reiterated he felt the Chair was incorrect with regard to the procedures outlined in Robert's Rules of Order. He also stated when a speaker was allowed to speak, decorum dictated there be no whispering, moving about or talking by any person while the speaker had the floor.

Councilwoman Smith questioned whether Mr. Thomas' remarks were appropriate while discussing the previous meeting's minutes. City Clerk Sevigny pointed out there was a verbatim transcript attached to the last meeting's minutes that stated the entire discussion regarding Mr. Winne's request to make a motion.

Mr. Thomas, stated a point of order should supercede any other motion or discussion on the floor and should be handled immediately upon discovery of the error. He felt it was appropriate to clarify these issues at the time the minutes were approved.

City Attorney Sean McGowan stated the rules of order applied differently to different deliberative bodies and the assembly of a legislature with many members had different rules than a deliberative body of a small group such as Council. He was uncertain as to whether Mr. Thomas had accurately interpreted Robert's Rules of Order as he had cited. City Attorney McGowan suggested adoption of the minutes.

Councilwoman Smith stated there was a clear distinction between an error in the minutes and an error in a thought process or procedure. She agreed with the City Attorney that the minutes

were correct and should be approved as written.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

11. APPROVAL TO AMEND THE 2001 - 2002 STAFFING PATTERN AS FOLLOWS:

Public Works

Survey Division

Reclassify one (1) Survey Technician I TNS 15 to Survey Technician II TNS 17

Reclassify one (1) Engineering Technician I TNS 16 to Survey Technician II TNS 17

Transfer one (1) Engineering Technician I TNS 15 from Utilities to Survey Division

Development & Flood Control Division

Reclassify one (1) Engineer I TA 21 to Project Coordinator TS 21

Reclassify one (1) Fiscal Specialist II TNS 14 to Administrative Specialist II TNS 14

Reclassify one (1) Engineering Technician I TNS 16 to Administrative Specialist II TNS 14

Reclassify one (1) Administrative Specialist II TNS 14 to Administrative Supervisor TS 17

Property Management Division

Reclassify one (1) G.I.S. Technician TNS 17 to G.I.S. Analyst TS 19

Utilities Division

Reclassify one (1) Survey Technician II TNS 17 to Engineering Technician II TNS 18

City Manager Kurt Fritsch stated there were two amendments to the Staffing Pattern item.

The position which reclassified one Engineering Technician TNS 16 to an Administrative Technician TNS 14 represented a cost reduction of \$5,200 per year. The reclassification of one Survey Technician II TNS17 to Engineering Technician II TNS18 had no fiscal impact.

Gina Greisen, 1000 American Pacific Drive #924, Henderson, spoke in opposition to the proposed reorganization of the Development and Flood Control Division of Public Works. Ms. Greisen stated she had been subjected to seven changes in supervision in the past year and a half and had been disciplined a total of seventeen times for various infractions and was currently on administrative paid leave.

Ms. Greisen stated Title 2 of the Municipal Code stated in the case of a promotion or reclassification, the employee would be subject to a probationary period and would move up a step in the salary range. She had e-mailed Human Resources Analyst Marian Buist because she did not meet the minimum typing requirement of 55 words per minute for her new classification as Administrative Technician II. She was told by Ms. Buist that it was mandatory that she meet the minimum requirements of the position. She felt this new classification would hamper her ability to transfer out of her current position because she did not meet the minimum requirements.

Mayor Montandon stated he was concerned about all employees but Council left personnel issues up to the Human Resources Department to handle.

Councilwoman Smith questioned whether existing employees were grandfathered in when reclassifications were approved by Council and the process was not being used to exclude certain employees.

Human Resources Director Dan Tarwater responded that current employees were grandfathered in and no employee was excluded. Mr. Tarwater clarified that Ms. Greisen was on paid administrative leave.

Councilman Eliason questioned whether the City would be in a better position to give employees a one-time bonus rather than changing the Staffing Pattern to increase salaries. City Manager Kurt Fritsch stated the attempt was to create positions that fit the jobs the employees were currently doing. City Manager Fritsch pointed out a cost of living increase given each year raised the salary ranges for all employees, including those who were at the top of the range.

ACTION: APPROVED

MOTION: Mayor Montandon
SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

BUSINESS

ORDINANCES

INTRODUCTION ONLY

20. **ORDINANCE NO. 1537; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-A/R-3 TO PUD (ZN-20-01, THE SALVATION ARMY), FOR PROPERTY LOCATED AT 2035 YALE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR SEPTEMBER 5, 2001)**

Ordinance No. 1537 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-A/R-3 TO PUD (ZN-20-01, THE SALVATION ARMY), FOR PROPERTY LOCATED AT 2035 YALE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 5, 2001.

21. **ORDINANCE NO. 1538; AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.28.020 (B) OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS (ZONING ORDINANCE) TO ELIMINATE THE NEED FOR A SITE PLAN TO BE SUBMITTED WITH A REZONING REQUEST AND REQUIRE A BOUNDARY MAP INSTEAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR SEPTEMBER 5, 2001)**

Ordinance No. 1538 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.28.020 (B) OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS (ZONING ORDINANCE) TO ELIMINATE THE NEED FOR A SITE PLAN TO BE SUBMITTED WITH A REZONING REQUEST AND REQUIRE A BOUNDARY MAP INSTEAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 5, 2001.

- 22. ORDINANCE NO. 1539; 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-2 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND DECATUR BOULEVARD (ZN-09-95, SUN GOLD DEVELOPMENT) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR SEPTEMBER 5, 2001)**

Ordinance No. 1539 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-2 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF CRAIG ROAD AND DECATUR BOULEVARD (ZN-09-95, SUN GOLD DEVELOPMENT) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 5, 2001.

ORDINANCES

FINAL ACTION

23. **ORDINANCE NO. 1536; AMENDING TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY REPEALING ORDINANCE NO. 1005, THE EXISTING CHAPTER 2.40 ENTITLED RECORDS MANAGEMENT; AND BY ADOPTING A NEW CHAPTER 2.40 ENTITLED RECORDS MANAGEMENT; PROVIDING FOR THE SYSTEMATIC CONTROL OF MAINTENANCE, PROTECTION AND DISPOSITION OF ALL CITY RECORDS; DESIGNATING THE OFFICE OF THE CITY CLERK AS THE CENTRALIZED RECORDS AREA FOR ALL CITY RECORDS; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1536 as introduced by the City Manager:

AMENDING TITLE 2 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY REPEALING ORDINANCE NO. 1005, THE EXISTING CHAPTER 2.40 ENTITLED RECORDS MANAGEMENT; AND BY ADOPTING A NEW CHAPTER 2.40 ENTITLED RECORDS MANAGEMENT; PROVIDING FOR THE SYSTEMATIC CONTROL OF MAINTENANCE, PROTECTION AND DISPOSITION OF ALL CITY RECORDS; DESIGNATING THE OFFICE OF THE CITY CLERK AS THE CENTRALIZED RECORDS AREA FOR ALL CITY RECORDS; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

APPOINTMENTS

24. **APPOINTMENT TO THE CIVIL SERVICE BOARD TO FILL AN UNEXPIRED TERM.**

ACTION: TABLED TO THE MEETING OF SEPTEMBER 5, 2001.

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

COUNCIL ITEMS

There were no additional items.

CITY COUNCIL BOARD UPDATES

C Las Vegas Convention & Visitors Authority

Mayor Montandon reported the City of North Las Vegas received an annual grant from the Convention & Visitors Authority in the amount of \$25,000. In addition, the North Las Vegas Steering Committee received a grant in the amount of \$15,000 for the 2002 Taste of North Las Vegas event. Mayor Montandon stated the specifics of the 2002 event were not yet in place including whether or not the event would take place.

Mayor Montandon added an application was submitted to the Convention & Visitors Authority from Boulder City to donate \$4.2 million for the construction of a piece of railroad track as a tourist attraction. It was a hotly contested issue and would set a precedence for the Visitors Authority to grant money for tourist attractions in cities. The request was denied.

C Clark County District Board of Health

No report given.

C Southern Nevada Regional Planning Coalition

No report given.

C Clark County Regional Transportation Commission

Councilman Buck stated a meeting was slated with Kent Cooper from the State of Nevada to discuss the Craig Road overpass. One of Councilman Buck's concerns was the lack of a traffic light when turning east onto Craig Road from I-15.

Councilman Buck stated all current funding had been utilized for the improvements to Craig Road but there was a great need to repair Owens Avenue. Councilman Buck would be meeting with Jacob Snow from the Regional Flood Control District and other County representatives who stated they would be willing to front the money for the project so that both the Las Vegas portion and the North Las Vegas portion could be completed at the same time. Upon completion, the Regional Transportation Commission would then reimburse the Regional Transportation Commission for costs incurred.

C Clark County Regional Flood Control District

See above report.

C North Las Vegas Housing Authority

No report given.

C Southern Nevada Water Authority

No report given.

C Colorado River Commission

No report given.

C Nevada Development Authority

No report given.

C Debt Management Commission

No report given.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

Howard Wickert spoke of street sweeping patterns and requested more attention be paid to the more mature areas of the City with regard to beautification efforts.

Mike Thomas spoke regarding his missing property, NCIC and SCOPE records, and information pertaining to David Acosta.

Brother David Buer spoke of the lack of shelter for the homeless and urged the City to address the issue.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:20 P.M.

MOTION: Councilman Buck

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

APPROVED: September 5, 2001

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

Attest:

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