

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

February 6, 2002

**CITY COUNCIL INFORMATION SESSION**

**CALL TO ORDER**

5:30 P.M. City Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

a. Verification

b. Discussion of City Council Agenda

City Manager Fritsch stated there were no changes to the regular agenda. He suggested Item Nos. 33 and 34 be held until after the Public Forum.

c. Discussion Regarding Future Annexations - Stricken

d. Discussion of Proposed Sign Ordinance

Planning Manager Steve Baxter gave Council a presentation on the proposed sign ordinance changes.

e. Discussion of New Monument Signs for City Hall Complex

Public Information Officer Brenda Johnson presented Council with two options regarding monument and kiosk signs at the City Hall complex.

f. Public Comment

Mike Thomas spoke regarding Police Officers Association insurance funds and questioned Council as to what procedure would be followed if there were funds remaining in the account.

**CITY COUNCIL MEETING**

**CALL TO ORDER**

7:00 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  
Councilman Shari Buck  
Councilman Robert Eliason

**STAFF PRESENT**

City Manager Kurt Fritsch	Fire Chief Robert Dodge
Assistant City Manager Gregory Rose	Detention Services Chief Ken Ellingson
Assistant City Manager Dan Tarwater	Acting Development Services Director Jim Stubler
City Attorney Sean McGowan	Acting Police Chief Joe Forti
City Clerk Eileen M. Sevigny	Human Resources Director Vincent Zamora
Treasurer Clarence Van Horn	Public Information Officer Brenda Johnson
Community Development Director Jacque Risner	Assistant City Clerk Karen L. Storms
Public Works Director Jim Bell	

### **WELCOME**

Mayor Michael L. Montandon

### **VERIFICATION**

Eileen M. Sevigny, CMC  
City Clerk

### **INVOCATION**

Gloria Allen  
Member, Baha'i Faith

### **PLEDGE OF ALLEGIANCE**

Mayor Pro Tempore William E. Robinson

### **AGENDA**

#### **1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF FEBRUARY 6, 2002.**

ACTION: APPROVED AS AMENDED; ITEM NOS. 6 AND 12 PULLED FROM THE CONSENT AGENDA FOR DISCUSSION; ITEM NOS. 33 AND 34 MOVED TO AFTER THE PUBLIC FORUM SECTION.

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**PUBLIC HEARINGS - 7:05 P.M.**

**2. PUBLIC HEARING REGARDING THE SALE OF JUDICIAL/PUBLIC SAFETY BONDS IN THE AMOUNT OF \$35,000,000 AS REQUIRED BY RESOLUTION NO. 2220.**

Mayor Montandon opened the Public Hearing.

City Manager Fritsch stated the \$35 million proposal had been approved by the Debt Management Commission. Of the \$35 million, \$5 million would fund a police substation and \$30 million would fund a justice facility including three municipal courts as well as Detention Center Administration. The issuance of the bonds, once approved would be issued in two phases. Phase One would be in the amount of \$2 million to complete the design phases for both facilities. At a later date, the remaining \$33 million would be issued for the construction phases. The substation was anticipated to be approximately 17,000 square feet and was a replica of a design utilized by the Metropolitan Police Department. The estimated size of the justice facility was approximately 119,000 square feet. City Manager Fritsch stated repayment of the bonds would be made on an annual basis with \$2 million funded by Detention Center assessments, \$300,000 from Municipal Court assessments and approximately \$500,000 funded by the General Fund.

Councilwoman Smith stated it was her understanding the Municipal Court would be paying for the majority of the improvements. City Manager Fritsch clarified the Detention Center would be funding the majority of the project but it was anticipated there would be a net gain because of a 150 bed increase in the new facility.

Mayor Montandon closed the Public Hearing.

ACTION: PUBLIC HEARING HELD.

**3. VAC-18-01; AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS ON BEHALF OF DONALD L. DENMAN, ET AL, PROPERTY OWNERS, TO VACATE A BLANKET DRAINAGE EASEMENT NORTH OF LONE MOUNTAIN ROAD, BETWEEN INTERSTATE 15 AND THE VANDENBERG DRIVE ALIGNMENT.**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Jim Stubler explained the City of North Las Vegas was proposing to vacate a blanket drainage easement north of Lone Mountain Road, between Interstate 15 and the Vandenberg Drive alignment. The Planning Commission as well as staff recommended approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**4. APPEAL, SUBMITTED BY KEN BLACK, OF THE CONDITIONS FOR SPECIAL USE PERMIT UN-94-01 (KEN BLACK/BRILOR) TO ALLOW AN OUTDOOR MANUFACTURING FACILITY IN AN M-2 GENERAL INDUSTRIAL DISTRICT LOCATED SOUTH OF GILMORE AVENUE BETWEEN BRUCE AND DONNA STREETS.**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Jim Stubler explained the applicant was appealing two conditions related to the subject use permit. Mr. Ken Black had appealed the use of 20 feet of landscaping on Gilmore and Bruce Streets as required in the design standards. The applicant intended to install a 5 foot sidewalk with 5 feet of landscaping instead of the required 20 feet of landscaping. Mr. Stubler pointed out the 20 foot requirement met design standards and requested Council deny the appeal. Mr. Stubler explained the second area of appeal was the desire to install a chain-link fence instead of the required block wall. He pointed out Council had recently approved an amendment to the fence ordinance stating a chain-link fence was an acceptable alternative to a block wall only if it were not visible from any street. The subject fence would be visible from the street. Staff felt a block wall was an appropriate requirement. Mr. Stubler pointed out the use permit only applied to 20 acres of a 40-acre parcel. An alternative to the block wall would be to berm the south side of the property to sufficiently obscure the yard from view and keep the chain-link fence.

**Brian Seger, 5681 Cameron Street, Las Vegas**, stated the waivers applied to the first 20 acres of a 40-acre project. The requested waivers were to reduce the landscaping on street frontages from fifteen feet to ten feet. Mr. Seger pointed out there currently existed ten feet of landscaping and a five foot sidewalk, adjacent to the parking area. The remaining site contained five feet of landscaping and a five foot sidewalk. The requested waiver included a proposal for a decorative eight foot block wall along Bruce and Gilmore Streets and the western boundary of the property. The application requested the chain-link fence on the south side of the property be allowed to remain. Mr. Seger explained a

railroad spur would be developed along the south boundary of the project and the contiguous 20 acres was currently vacant ground. The chain link fence would be visible from the south boundary as well. The requested waiver was to allow the applicant to access the railroad spur in connection with the expansion of the project. Mr. Seger pointed out the project was in an established industrial zone. The expansion of the established facility would have an 8-foot block wall and adequate landscaping.

Mayor Montandon questioned the time frame for the development of the rail spur. Mr. Seger stated the project was currently being designed. Preliminary studies had been completed and City staff had been contacted. Full design for the project would begin once approval of the waivers was granted.

Councilwoman Smith commented the standards Council had set should apply to everyone. While she was sympathetic to the applicant's argument, it was important to enforce the City's standards. She felt it was the Council's obligation to be consistent with the application of all standards. She pointed out the applicant had the option of using the berm as an alternative to the fence and landscaping requirements.

Councilman Eliason asked if the required block wall was an interior wall or a perimeter wall. Mr. Stubler stated the property consisted of the entire 40 acres. Councilman Eliason clarified that the wall would be on an interior lot line. Mr. Stubler responded that was correct, however the City could have required a block wall around the entire perimeter of the 40 acres, instead it was limited to the 20 acres that were developed.

Councilman Buck stated she appreciated the standards set by the City but questioned the applicability of 20 feet of landscaping in an industrial area. She felt a maximum of 15 feet of landscaping was adequate. She was in favor of a review of the industrial design standards with regard to landscaping requirements.

Mayor Montandon stated there was more flex-space, or business park development in the City than true industrial development. He recalled that Drescher Foods was the only true industrial development in the City. He also questioned the 20 feet of landscaping requirement for industrial areas. He felt a more clear delineation of pure industrial and flex space industrial was necessary in the design standards.

Councilwoman Smith felt if there was a concern that the landscaping requirement was inappropriate, it would be in the best interest in the City to review the standards before acting upon the waivers. Mr. Seger stated this approval was necessary in order to move forward with the project.

Mayor Montandon felt a discussion of the ordinance regarding landscaping in industrial areas was appropriate. City Attorney Sean McGowan cautioned that Council should not legislate new standards during a public hearing.

Acting Development Services Director Jim Stubler pointed out the established design standards were an attempt to improve the look of the community. As with the standard of 24-inch box trees, at maturity, the trees would hide the truss yard from the public view. The long term effect was to aesthetically improve the area but obscure the working yard from view.

Councilwoman Smith questioned if the applicant was opposed to creating a berm in addition to the chain-link fence. Mr. Seger responded it required the movement of dirt and the subsequent removal of the same dirt. He felt the chain-link fence was not detrimental to the area and the road to the south was unimproved until the applicant completely developed the entire 40 acres. Mayor Montandon asked if when the entire project was complete, would there be a block wall. Mr. Seger stated there would and the project would possibly be built out in approximately three to four years.

Mayor Montandon closed the Public Hearing.

Councilwoman Smith made a motion to deny the appeal of the waiver of the 20 foot landscaping requirement and grant the waiver for a chain-link fence for the south side of the property for a period of four years. The motion died for the lack of a second.

ACTION: WAIVERS GRANTED; BLOCK WALL ALONG THE SOUTH SIDE OF THE PROJECT NOT REQUIRED; FIVE-FOOT SIDEWALKS AND FIVE FEET OF LANDSCAPING ALONG BRUCE AND GILMORE STREET WITH A FIVE-FOOT SIDEWALK AND TEN FEET OF LANDSCAPING IN FRONT OF THE PARKING LOT ALLOWED.

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: Councilwoman Smith

ABSTAIN: None

### **CONSENT AGENDA**

#### **5. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JANUARY 16, 2002.**

ACTION: APPROVED

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

**6. APPROVAL TO RENEW THE CONTRACT WITH CDS OF NEVADA, INC., FOR ONE YEAR WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWELVE MONTH PERIODS, COMMENCING FEBRUARY 1, 2002, FOR THIRD-PARTY ADMINISTRATIVE SERVICES FOR SELF-INSURING WORKERS' COMPENSATION, IN THE AMOUNT OF \$38,110 FOR THE FIRST 200 CLAIMS FILED DURING THE CONTRACT YEAR. (CNLV Contract No. C-4602)**

**Heidi Liebelt, 2744 Ballinger Drive, Las Vegas** was not in favor of approving the contract with CDS of Nevada, Inc. She stated she had filed three workers' compensation claims for carpal tunnel syndrome in both wrists and was denied all claims. Since that time, she was terminated from the North Las Vegas Police Department and still required two operations on her left wrist which she could not afford without insurance.

Human Resources Director Vincent Zamora stated CDS of Nevada provided the City with third-party workers' compensation claims examinations. The City had contracted with CDS of Nevada for the past six years. Mayor Montandon clarified that the third-party services reviewed and analyzed claims such as Ms. Liebelt's and questioned what other types of companies offered those services. Mr. Zamora responded there were a variety of organizations such as Sierra Health Services, and a State organization specializing in workers' compensation claims. Mayor Montandon then asked how CDS of Nevada compared to other companies with respect to services. Assistant City Manager Dan Tarwater responded CDS had been a very good provider to the City. Because the City was self-insured, the City was required to obtain a licensed third party administrator to provide workers' compensation coverage. Ms. Liebelt felt all claims submitted to CDS of Nevada were denied.

Councilman Buck stated she was in favor of holding the item to research the amount of denied claims. Assistant City Manager Tarwater stated 90% of all claims were approved. He pointed out the denial process was regulated by the State. Councilman Buck then asked if the criteria for denial was from the State. Mr. Tarwater stated CDS kept the City in compliance with State regulations. Once a claim was filed, it was reviewed by the third party administrator.

Mayor Montandon asked if the CDS processed more than 200 claims for the City. Mr. Tarwater responded not usually.

Human Resources Director Zamora added CDS of Nevada was one of the best organizations with respect to the heart and lung issues that faced the North Las Vegas Fire Department.

ACTION: TABLED TO FEBRUARY 20, 2002

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**7. APPROVAL TO RENEW THE AGREEMENT WITH ENTERASYS NETWORKS FOR THE SERVICING AND TROUBLESHOOTING OF THE CITY'S NETWORK EQUIPMENT IN THE AMOUNT OF \$23,838.83 FOR THE PERIOD MARCH 1, 2002 THROUGH JULY 31, 2002. (CNLV Contract No. C-4654)**

ACTION: APPROVED

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

**8. APPROVAL OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH MENDENHALL-MILLENNIUM, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND BERG STREET IN THE ESTIMATED AMOUNT OF \$10,480 OR 5.3% OF THE TOTAL COST, CRAIG ROAD AND LOSEE ROAD IN THE ESTIMATED AMOUNT OF \$10,900 OR 7.8% OF THE TOTAL COST, CRAIG ROAD AND I-15 SOUTHBOUND RAMP IN THE ESTIMATED AMOUNT OF \$21,153 OR 7.6% OF THE TOTAL COST, CRAIG ROAD AND I-15 NORTHBOUND RAMP IN THE ESTIMATED AMOUNT OF \$20,750 OR 8.3% OF THE TOTAL COST, CRAIG ROAD AND I-15 NORTHBOUND DUAL LEFT TURN STORAGE IN THE ESTIMATED AMOUNT OF \$7,500 OR 3.0% OF THE TOTAL COST, AND CRAIG ROAD AND LAWRENCE STREET IN THE ESTIMATED AMOUNT OF \$491,931 OR 100.0% OF THE TOTAL COST ASSOCIATED WITH THE CRAIG/LOSEE**



**HOTEL-CASINO PROJECT LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD AND LOSEE ROAD. (CNLV Contract No. C-5072)**

ACTION: APPROVED

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

9. **APPROVAL OF A CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CENTEX HOMES FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ANN ROAD AND ALLEN LANE IN THE ESTIMATED AMOUNT OF \$4,218 OR 1.0% OF THE TOTAL COST AND ANN ROAD AND VALLEY DRIVE IN THE ESTIMATED AMOUNT OF \$13,774 OR 2.8% OF THE TOTAL COST ASSOCIATED WITH CREEKSIDE 1, UNIT 5 SUBDIVISION LOCATED ON THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND VALLEY DRIVE.**

ACTION: APPROVED

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

10. **APPROVAL FOR FINAL ACCEPTANCE OF THE DETENTION CENTER DORMITORY PROJECT, BID NO. 1100 FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV Contract No. C-4920)**

ACTION: APPROVED

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

**11. APPROVAL OF AS-BUILT CHANGE ORDER IN THE AMOUNT OF \$17,587.02, FINAL ACCEPTANCE FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION OF THE WARRANTY REPAIR PROGRAM, PHASE II IMPROVEMENTS, BID NO. 1097. (CNLV Contract No. C-4932)**

ACTION: APPROVED

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

**12. APPROVAL OF REGIONAL TRANSPORTATION COMMISSION SUPPLEMENTAL INTERLOCAL CONTRACT NO. 319A - ANN ROAD - US 95 TO DECATUR BOULEVARD FOR AN ADDITIONAL "AUTHORIZATION TO PROCEED" FOR ENGINEERING DESIGN AT A COST NOT TO EXCEED \$30,000; RIGHT-OF-WAY ENGINEERING AT A COST NOT TO EXCEED \$30,000; CONSTRUCTION ENGINEERING AT A COST NOT TO EXCEED \$937,000; AND CONSTRUCTION AT A COST NOT TO EXCEED \$11,524,000. (CNLV Contract No. C-4488)**

Councilwoman Smith disclosed that her husband was an employee of a sub-contractor for this project.

ACTION: APPROVED

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

**13. AMP-11-02 (CENTENNIAL COMMERCE AMENDMENT), AN APPLICATION TO AMEND DESIGNATED LAND USES ON THE COMPREHENSIVE PLAN LAND USE PLAN ALONG CENTENNIAL PARKWAY AND THE BELTWAY BETWEEN**

**REVERE STREET AND LAMB BOULEVARD. (SET PUBLIC HEARING FOR FEBRUARY 20, 2002)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 20, 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

**14. AMP-05-02; AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS TO AMEND THE MASTER PLAN OF STREETS AND HIGHWAYS BY CHANGING DORRELL LANE FROM THE CURRENT DESIGNATION OF A SIXTY (60) FOOT COLLECTOR STREET TO AN EIGHTY (80) FOOT MINOR ARTERIAL STREET, BETWEEN CLAYTON STREET AND NORTH 5<sup>TH</sup> STREET. (SET PUBLIC HEARING FOR FEBRUARY 20, 2002)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 20, 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

**15. AMP-30-01 (CENTENNIAL/PECOS); AN APPLICATION SUBMITTED BY CENTENNIAL PECOS LLC, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM OPEN SPACE TO MEDIUM DENSITY RESIDENTIAL, ON THE NORTHWEST CORNER OF PECOS ROAD AND TROPICAL PARKWAY. (SET PUBLIC HEARING FOR FEBRUARY 20, 2002) (ASSOCIATED ITEM NO. 28; ORDINANCE NO. 1592)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 20, 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

**16. VAC-01-02 (LAMB ASPHALT OFFICE WAREHOUSE); AN APPLICATION SUBMITTED BY MICHAEL CASEY, PROPERTY OWNER, TO VACATE A UTILITY EASEMENT IN ASPHALT COURT COMMENCING AT GOWAN ROAD AND PROCEEDING SOUTH APPROXIMATELY 420 FEET. (SET PUBLIC HEARING FOR MARCH 6, 2002)**

ACTION: PUBLIC HEARING SET FOR MARCH 6, 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

**17. VAC-02-02; AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS TO VACATE A PORTION OF THE CRAIG ROAD RIGHT-OF-WAY COMMENCING APPROXIMATELY 350 FEET WEST OF PECOS ROAD AND EXTENDING 50 LINEAR FEET EAST IN EXCHANGE FOR 6,786 SQUARE FEET GRANTED TO THE CITY OF NORTH LAS VEGAS. (SET PUBLIC HEARING FOR MARCH 6, 2002)**

ACTION: PUBLIC HEARING SET FOR MARCH 6, 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

**18. VAC-03-02 (CRAIG/SIMMONS COMMERCIAL CENTER), AN APPLICATION SUBMITTED BY THE HALFERTY DEVELOPMENT COMPANY; WRG DESIGN, INC., REPRESENTATIVE ON BEHALF OF THE MARY KAY ROBINSON 12-10-73 TRUST, PROPERTY OWNER, TO VACATE AND ABANDON AN EXISTING STORM DRAINAGE EASEMENT SOUTH OF CRAIG ROAD COMMENCING AT SIMMONS STREET AND PROCEEDING IN A WESTERLY DIRECTION APPROXIMATELY 1,275 FEET TO FERRELL STREET. (SET PUBLIC HEARING FOR MARCH 6, 2002)**

ACTION: PUBLIC HEARING SET FOR MARCH 6, 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

### **BUSINESS**

**19. APPROVAL OF A REQUEST FOR A THREE MONTH EXTENSION OF NON-OPERATIONAL STATUS, TO EXPIRE MAY 17, 2002, FOR THE WINN-DEE BAR & COCKTAIL LOUNGE, LOCATED AT 2440 LAS VEGAS BOULEVARD NORTH, NORTH LAS VEGAS.**

Acting Development Services Director Jim Stubler explained Chapter 5.26.220 of the North Las Vegas Municipal Code stated, "the Council may approve non-operation of the business for additional three month periods, but in no event shall the Council approve any non-operation of a business beyond any one year period."

Mayor Pro Tempore Robinson questioned how many extensions had been applied for. Director Stubler responded technically this was the second request since the establishment had been opened for an eight hour period. Overall, this was the fifth extension of time requested.

Councilwoman Smith felt the applicant was attempting to circumvent the law as no building permits had been applied for and this was a stall tactic until the business was sold.

ACTION: THREE MONTH EXTENSION OF NON-OPERATIONAL STATUS DENIED.

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

**20. APPROVAL OF THE CONTRACT WITH MARVIN LEAVITT TO PROVIDE THE NEVADA URBAN GOVERNMENT CONSORTIUM WITH GOVERNMENTAL TAXATION AND FINANCE CONSULTING SERVICES AND CONSULTING SERVICES DURING THE 2003 NEVADA STATE LEGISLATURE IN AN AMOUNT**

**NOT TO EXCEED \$33,000 (ONE FIFTH OF THE TOTAL CONTRACTUAL COST OF \$165,000), FOR THE PERIOD JANUARY 1, 2002 THROUGH JUNE 30, 2003. (CNLV Contract No. C-5073)**

City Manager Fritsch stated the Nevada Urban Consortium was comprised of the cities of Las Vegas, North Las Vegas, Henderson, Sparks and Reno.

ACTION: APPROVED

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

**21. APPROVAL TO PURCHASE A TEN-WHEEL DUMP TRUCK FOR THE MAINTENANCE OPERATIONS DIVISION OF THE PUBLIC WORKS DEPARTMENT FROM TRUCK CENTER OF NEVADA IN THE AMOUNT \$95,638 USING NEVADA STATE CONTRACT NO. 6611.**

ACTION: APPROVED

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

**22. APPROVAL OF AMENDMENT NO. 2 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH MONTGOMERY WATSON HARZA AMERICAS, INC., FOR A FEE INCREASE NOT TO EXCEED \$65,011, FOR AN UPDATED HYDRAULIC EVALUATION, PREPARATION OF PLAN REVISIONS TO REFLECT RECENT REPAIRS IN GOLDCREST PARK, AND THE DESIGN OF HALF-STREET IMPROVEMENTS ALONG ALEXANDER ROAD AND REVERE STREET FRONTING CITY-OWNED PROPERTIES, FOR THE "A" CHANNEL - CRAIG CONFLUENCE PROJECT. (CNLV Contract No. C-4484)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson  
SECOND: Councilwoman Smith

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

**23. APPROVAL TO PURCHASE THE KOVIS RECORDS MANAGEMENT SYSTEM FROM SOUTHERN NEVADA MICROGRAPHICS IN THE AMOUNT OF \$71,310.00, UTILIZING STATE OF NEVADA REQUEST FOR PROPOSAL NUMBER 1063, FOR THE DEVELOPMENT AND FLOOD CONTROL DIVISION OF THE PUBLIC WORKS DEPARTMENT TO ENABLE DIGITAL ARCHIVING, RETRIEVAL AND TRANSFER OF DOCUMENTS, INCLUDING CIVIL PLANS, ENGINEERING REPORTS, PROJECT FILES AND MAPS. (CNLV Contract No. C-5074)**

ACTION: APPROVED

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

**24. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT #58 (CRAIG ROAD) APPORTIONMENT REPORT.**

Public Works Director Jim Bell explained this procedure was enacted when lots were divided. He stated parcel number 139-05-601-019 was originally assessed at \$73,522.21. The parcel was then split into two lots with assessed amounts of \$60,475.37 and \$13,046.84.

ACTION: APPROVED

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

**25. RESOLUTION NO. 2223; A RESOLUTION CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 58 (CRAIG ROAD); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED**

**INSTALLMENTS OF ASSESSMENTS IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE CITY CONCERNING THE DISTRICT; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

Resolution No. 2223 as introduced by the City Manager:

A RESOLUTION CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 58 (CRAIG ROAD); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF ASSESSMENTS IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE CITY CONCERNING THE DISTRICT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Public Works Director Jim Bell explained there was a bid opening for the project. The amended ordinance to read:

**“WHEREAS**, the Council adopted an ordinance (the “Bond Ordinance”) authorizing the issuance and sale of the City of North Las Vegas, Nevada, Special Assessment District No. 58 (Craig Road) Local Improvement Bonds, Series 2002 (“Bonds”) at the interest rate and other terms set forth in the Certificate of the Finance Director (as defined therein), and the highest interest rate on the Bonds, as authorized and provided by such ordinance and Certificate, is **4.50%** per annum”

**“Section 2.** The Council has determined and does hereby determine that the interest rate on the unpaid and deferred installments of assessments for the District shall be **5.50%** per annum from the effective date of the Assessment Ordinance for the District. The Council has determined and does hereby determine that the City Treasurer or the City Finance Director may waive the 2% delinquency penalty if such delinquency is paid within 15 calendar days of the due date of the assessment.”

Director Bell explained the difference in percentages covered the 1% administration fee.

**ACTION: PASSED AND ADOPTED AS AMENDED**



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

**26. DISCUSSION AND/OR ACTION REGARDING THE PROPOSED AMENDMENTS TO THE EXISTING SIGN REQUIREMENTS IN THE NORTH LAS VEGAS MUNICIPAL CODE.**

ACTION: STAFF DIRECTED TO PREPARE AN ORDINANCE INCORPORATING PROPOSED AMENDMENTS.

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

**ORDINANCES**

**INTRODUCTION ONLY**

**27. ORDINANCE NO. 1591; 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-P FOR PROPERTY LOCATED AT 4308 NORTH DECATUR BOULEVARD (ZN-01-02, WENDY HIGEL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 20, 2002)**

Ordinance No. 1591 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-P FOR PROPERTY LOCATED AT 4308 NORTH DECATUR BOULEVARD (ZN-01-02, WENDY HIGEL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR FEBRUARY 20, 2002

28. **ORDINANCE NO. 1592; 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 M-1 TO PUD FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND PECOS ROAD (ZN-48-01, CENTENNIAL PECOS, L.L.C.) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 20, 2002) (ASSOCIATED ITEM NO. 15; AMP-30-01)**

Ordinance No. 1592 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 M-1 TO PUD FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND PECOS ROAD (ZN-48-01, CENTENNIAL PECOS, L.L.C.) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR FEBRUARY 20, 2002

## **ORDINANCES**

### **FINAL ACTION**

29. **ORDINANCE NO. 1588; 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 AMENDING CONDITIONS OF ORDINANCE NUMBER 1511 (ZN-15-01, MLK-HIGHLANDS BUSINESS PARK), FOR PROPERTY LOCATED WEST OF MARTIN LUTHER KING BOULEVARD, APPROXIMATELY 795 FEET SOUTH OF BROOKS**

**AVENUE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1588 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 AMENDING CONDITIONS OF ORDINANCE NUMBER 1511 (ZN-15-01, MLK-HIGHLANDS BUSINESS PARK), FOR PROPERTY LOCATED WEST OF MARTIN LUTHER KING BOULEVARD, APPROXIMATELY 795 FEET SOUTH OF BROOKS AVENUE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**30. ORDINANCE NO. 1589; 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-1 TO C-P FOR PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD (ZN-60-01, CAMINO AL NORTE BUSINESS PLAZA) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1589 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-1 TO C-P FOR PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD (ZN-60-01, CAMINO AL NORTE BUSINESS PLAZA) AND PROVIDING FOR OTHER

MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

31. **ORDINANCE NO. 1590; 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-P FOR PROPERTY LOCATED AT 4316 N. DECATUR BOULEVARD (ZN-44-94, JOHN THOMSON) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1590 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-P FOR PROPERTY LOCATED AT 4316 N. DECATUR BOULEVARD (ZN-44-94, JOHN THOMSON) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**APPOINTMENT**

32. **APPOINTMENT BY COUNCILMAN ELIASON TO THE CIVIL SERVICE BOARD OF TRUSTEES FOR THE TERM ENDING JUNE 30, 2005. (TABLED DECEMBER**

**19, 2001 AND JANUARY 16, 2002)**

ACTION: ONA JONES APPOINTED BY COUNCILMAN ELIASON FOR THE TERM ENDING JUNE 30, 2005.

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

**COUNCIL ITEMS**

City Manager Fritsch stated, through the course of the meeting, a review of the campaign sign section of the sign ordinance had been requested as well as a review of landscaping requirements for industrial areas.

Mayor Montandon requested a review of the animal control ordinance with regard to persistent offenders, leash/lead laws and where animals can be kept in relation to yard boundaries.

Councilwoman Smith requested a review of the shopping cart ordinance. City Manager Fritsch stated it would be brought before Council at the next meeting. She then requested the parking problem at the Police Department be addressed.

**CITY COUNCIL BOARD UPDATES**

- **Las Vegas Convention & Visitors Authority**

Had not met.

- **Clark County District Board of Health**

Councilman Eliason stated the focus of the meeting was recycling centers and how to distinguish between recovery centers from recycling centers.

- **Southern Nevada Regional Planning Coalition**

Councilman Buck stated the Coalition had met and discussed compliance with the regional plan with second tier groups that included the power company and the Regional Transportation Commission. A preliminary budget was reviewed and would possibly be approved in April.

- **Clark County Regional Transportation Commission**

Had not met. Mayor Montandon stated there were a group of people considering naming the new beltway the Bruce Woodbury Beltway.

- **Clark County Regional Flood Control District**

Had not met.

- **North Las Vegas Housing Authority**

Had not met.

- **Southern Nevada Water Authority**

Had not met.

- **Colorado River Commission**

Had not met.

- **Nevada Development Authority**

Mayor Pro Tempore Robinson stated the proposed medical research facility came closer to becoming a reality. Global Network presented a strategic plan related to attracting new businesses to the State and the City.

- **Debt Management Commission**

Had not met.

### **CITY MANAGER'S REPORT**

City Manager Fritsch stated a Department Director retreat was scheduled for February 7, 2002.

### **PUBLIC FORUM**

Nelson White stated he was having a problem with barking dogs and questioned the City's

Code in relation to the inhumane treatment of animals.

Mr. Gregory Kamer, managing partner for Kamer, Zucker & Abbott, Law Firm spoke of labor negotiation issues and on-going litigation issues.

Bill Dolan presented Council with a Neighborhood Partnership Program from the City of Henderson and urged Council to consider a similar program. He then stated the City's air ambulance service was inadequate because of recent reductions in service.

Mike Thomas spoke of on-going litigation, arbitration issues and some challenges faced by patrol officers who brought their patrol cars home.

Heidi Liebelt spoke of a denied workers compensation claim and requested Police Department records relative to her case.

Mike Winne spoke of the liability for on-going litigation.

### **PERSONNEL SESSION**

#### **33. NON-ACTION ITEM: CLOSED PERSONNEL SESSION FOR THE CITY ATTORNEY'S BIENNIAL PERFORMANCE AND SALARY REVIEW.**

ACTION: CITY COUNCIL MEETING RECESSED AT 8:27 P.M. TO A CLOSED PERSONNEL SESSION FOR THE PURPOSE OF DISCUSSING THE CITY ATTORNEY'S BIENNIAL PERFORMANCE AND SALARY REVIEW.

The meeting reconvened at 8:53 p.m.

#### **34. ACTION PERTAINING TO THE CLOSED PERSONNEL SESSION.**

ACTION: DIRECTION WAS GIVEN TO PREPARE THE CITY ATTORNEY'S CONTRACT WITH THE FOLLOWING AMENDMENTS:

ADD CITY ATTORNEY TO THE CITY'S DEFERRED COMPENSATION PROGRAM (MATCHING CONTRIBUTION)

TWO YEARS OF PHYSICAL EXAMINATIONS ALLOWED WITH NO INCREASE IN AMOUNT FROM CURRENT CONTRACT

50/50 PARTICIPATION IN THE BUY-BACK OF FIVE YEARS OF PERS FROM THE CITY ATTORNEY'S PREVIOUS EMPLOYMENT

WITH THE STATE OF NEVADA

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

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 9:06P.M.

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

**APPROVED: March 6, 2002**

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

Attest:

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