

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

July 3, 2002

**CITY COUNCIL MEETING**

**CALL TO ORDER**

5:00 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	Deputy Fire Chief Jim Stubler
Assistant City Manager Gregory Rose	Parks & Recreation Director Ken Albright
Assistant City Manager Dan Tarwater	Human Resources Director Vince Zamora
Chief Deputy City Attorney Leslie Nielsen	Police Chief Mark Paresi
City Clerk Eileen Sevigny	Public Works Director Jim Bell
Acting Development Services Director Steve Baxter	Detention/Corrections Chief Ken Ellingson
Community Development Director Jacque Risner	Deputy City Clerk JoAnn Lawrence
Finance Director Phil Stoeckinger	

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Eileen M. Sevigny, CMC  
City Clerk

**INVOCATION**

Dean Leavitt

**PLEDGE OF ALLEGIANCE**

Councilwoman Stephanie Smith

**PROCLAMATION**

***PROCLAIMING THE MONTH OF JULY 2002 AS FLASH FLOOD AWARENESS MONTH***

ACTION: JULY 2002 PROCLAIMED FLASH FLOOD AWARENESS MONTH.

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JULY 3, 2002.**

ACTION: APPROVED AS AMENDED; ITEM NO. 16 TABLED TO JULY 17, 2002 AND CORRECTION TO ITEM NO. 30 TO NOTE THAT STAFF RECOMMENDED DENIAL OF ITEM.

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

**CONSENT AGENDA**

**2. APPROVAL OF PRIVILEGED LICENSE (Exhibit A):**

<b><u>BUSINESS NAME</u></b>	<b><u>LICENSE TYPE</u></b>	<b><u>ACTIVITY</u></b>
<b><u>CHANGE OWNER - LIQUOR</u></b>		
1. BP West Coast Products LLC Donald Strenk, Managing Member <b>DBA:</b> Arco AM/PM Mini Market #5064 2000 E Cheyenne Ave North Las Vegas, Nevada	LIQUOR Within a Convenience Food Store  <u>Former Owners: Prestige Stations Inc</u>	Beer & Wine Off Sale
<u>Police Investigations Completed</u> <u>Pending Final Building &amp; Fire Inspection Approvals</u>		

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

3. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH HALFERTY DEVELOPMENT COMPANY, LLC FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CRAIG ROAD AND ALLEN LANE IN THE AMOUNT OF \$3,315 OR 3.9% OF THE TOTAL COST, CRAIG ROAD AND SIMMONS STREET IN THE AMOUNT OF \$36,277 OR 19.2% OF THE TOTAL COST, CRAIG ROAD AND CLAYTON STREET IN THE AMOUNT OF \$4,807 OR 5.8% OF THE TOTAL COST, AND ALEXANDER ROAD AND SIMMONS STREET IN THE AMOUNT OF \$8,013 OR 1.9% OF THE TOTAL COST FOR THE COMMERCIAL PROJECT LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD AND SIMMONS STREET.**

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

4. **APPROVAL OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT WITH CLARK COUNTY SOCIAL SERVICE TO MAKE DETERMINATIONS OF FINANCIAL HARDSHIP REGARDING ASSESSMENT DISTRICT PAYMENTS FOR THE PERIOD JULY 1, 2002 THROUGH JUNE 30, 2003. (CNLV Contract No. C-4931)**

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

**5. APPROVAL OF THE SECOND SUPPLEMENTAL INTERLOCAL CONTRACT WITH CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE UPPER LAS VEGAS WASH TO INCREASE THE TOTAL NOT-TO-EXCEED COST OF THE CONTRACT TO \$3,450,500. (CNLV Contract No. C-4755)**

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

**6. APPROVAL OF THE SECOND SUPPLEMENTAL INTERLOCAL CONTRACT WITH CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE CENTENNIAL PARKWAY CHANNEL EAST PROJECT TO INCREASE THE TOTAL NOT-TO-EXCEED COST OF THE CONTRACT TO \$2,869,100. (CNLV Contract No. C-4754)**

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

**7. APPROVAL OF AMENDMENT NO. 1 TO THE CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES CONSTRUCTION MANAGERS, INC. FOR A FEE INCREASE IN AN AMOUNT NOT TO EXCEED \$268,568 (\$191,834 RTC, \$42,411 SID NO. 58, AND \$34,323 CCRFCD) FOR ADDITIONAL CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE CRAIG ROAD IMPROVEMENT PROJECT, PHASE I. (CNLV Contract No. C-4918)**

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

**8. AMP-29-02 (AZURE/STATZ III); AN APPLICATION SUBMITTED BY NIGRO ASSOCIATES; STANTEC, STEVE YOUNGBERG AND JOE GENOVESE ON BEHALF OF KAVOOSI FAMILY TRUST (KAVOOSI ROSTAM & MITRA, TRS) PROPERTY OWNERS, TO AMEND THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ON 20.0± ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF AZURE AVENUE AND STATZ STREET. (SET PUBLIC HEARING FOR JULY 17, 2002)**

ACTION: PUBLIC HEARING SET FOR JULY 17, 2002

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

9. **AMP-30-02 (AZURE/STATZ); AN APPLICATION SUBMITTED BY NIGRO ASSOCIATES; STANTEC, STEVE YOUNGBERG AND JOE GENOVESE ON BEHALF OF NEVCAN DEVELOPMENT LTD., ETAL, PROPERTY OWNERS, TO AMEND THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR APPROXIMATELY 41.8± ACRES LOCATED ON THE NORTHWEST CORNER OF TROPICAL PARKWAY AND STATZ STREET. (SET PUBLIC HEARING FOR JULY 17, 2002)**

ACTION: PUBLIC HEARING SET FOR JULY 17, 2002

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

10. **AMP-32-02 (FRED SADRI); AN APPLICATION SUBMITTED BY STAR LIVING TRUST, PROPERTY OWNER, TO AMEND THE COMPREHENSIVE PLAN FROM MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR APPROXIMATELY 10± ACRES GENERALLY LOCATED ON CENTENNIAL PARKWAY APPROXIMATELY 680 FEET WEST OF PECOS ROAD. (SET PUBLIC HEARING FOR JULY 17, 2002) (ASSOCIATED ITEM NO. 23, ORDINANCE NO. 1667)**

ACTION: PUBLIC HEARING SET FOR JULY 17, 2002

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

11. **AMP-34-02 (ANN AND COMMERCE); AN APPLICATION SUBMITTED BY SPECIALTY HOLDINGS INC.; WRG DESIGN, INC., REPRESENTATIVE, ON BEHALF OF GEORGE AND LORENE YOUNGHANS, PROPERTY OWNERS, TO AMEND THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL, FOR APPROXIMATELY 25.0± ACRES GENERALLY LOCATED ON THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. (SET PUBLIC HEARING FOR JULY 17, 2002)**

ACTION: PUBLIC HEARING SET FOR JULY 17, 2002

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

12. **AMP-39-02 (CENTENNIAL VILLAGE CENTER); AN APPLICATION SUBMITTED BY ROYAL INVESTORS GROUP LLC, JIM GOLTSCHE, REPRESENTATIVE ON BEHALF OF 40 ACRES @ CENTENNIAL LLC, STAN WASSERKRUG, PROPERTY OWNERS, TO AMEND THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR APPROXIMATELY 13 ACRES GENERALLY LOCATED ON THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. (SET PUBLIC HEARING FOR JULY 17, 2002) (ASSOCIATED ITEM NO. 19, ORDINANCE NO. 1663)**

ACTION: PUBLIC HEARING SET FOR JULY 17, 2002

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

13. **VAC-12-02 (MADERA); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN, PROPERTY OWNER, TO VACATE A FIVE-FOOT-WIDE PUBLIC UTILITY EASEMENT AND TEN FEET OF RIGHT-OF-WAY NORTH OF WASHBURN ROAD COMMENCING AT CAMINO AL NORTE AND EXTENDING WEST APPROXIMATELY 350 FEET. (SET PUBLIC HEARING FOR AUGUST 7, 2002)**

ACTION: PUBLIC HEARING SET FOR AUGUST 7, 2002

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

14. **VAC-15-02 (DESERT MESA); AN APPLICATION SUBMITTED BY DWYER ENGINEERING ON BEHALF OF THE HOUSING AUTHORITY OF THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, TO VACATE MCNEIL STREET BEGINNING AT CAREY AVENUE AND PROCEEDING NORTH APPROXIMATELY 135 FEET. (SET PUBLIC HEARING FOR AUGUST 7, 2002)**

ACTION: PUBLIC HEARING SET FOR AUGUST 7, 2002

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

### **BUSINESS**

15. **APPROVAL OF A CONTRACT WITH TIBERTI FENCING COMPANY IN AN AMOUNT NOT TO EXCEED \$50,000 UTILIZING CITY OF LAS VEGAS BID NO. 4395-01 TO PROVIDE FENCING ON AN AS NEEDED BASIS AT VARIOUS FLOOD CONTROL MAINTENANCE PROJECTS WITHIN THE CITY FOR THE PERIOD JULY 18, 2002 THROUGH JULY 17, 2003 WITH AN OPTION TO RENEW FOR FOUR ADDITIONAL ONE-YEAR PERIODS. (CNLV Contract No. C-5145)**

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

**16. APPROVAL FOR FINAL ACCEPTANCE OF THE CIVIC CENTER DRIVE AND LAS VEGAS BOULEVARD LANDSCAPING PROJECTS, BID NO. 1110 FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (TABLED JUNE 19, 2002) (CNLV Contract No. C-5036)**

ACTION: TABLED TO JULY 17, 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. RESOLUTION NO. 2238; A RESOLUTION OF THE CITY COUNCIL OF NORTH LAS VEGAS WHEREBY THE CITY IS IN OPPOSITION TO YUCCA MOUNTAIN BEING IDENTIFIED AS THE NATION'S HIGH-LEVEL NUCLEAR WASTE REPOSITORY, AND OPPOSITION TO THE TRANSPORTATION AND STORAGE OF HIGH-LEVEL RADIOACTIVE WASTE IN NEVADA.**

City Manager Fritsch explained the resolution was submitted by the Nevada League of Cities and had been adopted by ten or eleven other communities throughout the State.

Mayor Montandon explained several years ago there was a similar resolution but the League of Cities was collecting new resolutions.

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

## ORDINANCES

### INTRODUCTION ONLY

18. **ORDINANCE NO. 1661; 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 SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD (ZN-04-02, CENTENNIAL MARKET PLACE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 17, 2002)**

Ordinance No. 1661 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 SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD (ZN-04-02, CENTENNIAL MARKET PLACE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

19. **ORDINANCE NO. 1663; 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-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET (ZN-67-02, CENTENNIAL VILLAGE CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 17, 2002) (ASSOCIATED ITEM NO. 12, AMP-39-02)**

Ordinance No. 1663 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-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET (ZN-67-02, CENTENNIAL VILLAGE CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

20. **ORDINANCE NO. 1664; 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 SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND REVERE STREET (ZN-68-02, CENTURY ONE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 17, 2002)**

Ordinance No. 1664 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 SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND REVERE STREET (ZN-68-02, CENTURY ONE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

21. **ORDINANCE NO. 1665; 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-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LA MADRE WAY AND DONNA STREET (ZN-69-02, LA MADRE & DONNA) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 17, 2002)**

Ordinance No. 1665 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-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LA MADRE WAY AND DONNA STREET (ZN-69-02, LA MADRE & DONNA) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

22. **ORDINANCE NO. 1666; 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 CENTENNIAL PARKWAY AND GOLDFIELD STREET (ZN-71-02, CENTENNIAL AND NORTH 5<sup>TH</sup>) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 17, 2002)**

Ordinance No. 1666 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 CENTENNIAL PARKWAY AND GOLDFIELD STREET (ZN-71-02, CENTENNIAL AND NORTH 5<sup>TH</sup>) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

23. **ORDINANCE NO. 1667; 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 C-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF CENTENNIAL PARKWAY, APPROXIMATELY 680 FEET WEST OF PECOS ROAD (ZN-56-02, FRED SADRI) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 17, 2002) (ASSOCIATED ITEM NO. 10, AMP-32-02)**

Ordinance No. 1667 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 C-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF CENTENNIAL PARKWAY, APPROXIMATELY 680 FEET WEST OF PECOS ROAD (ZN-56-02, FRED SADRI) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

24. **ORDINANCE NO. 1668; 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 40± ACRES THEREIN FROM R-E TO PUD (ZN-61-01, CENTENNIAL & LOSEE CENTER), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 17, 2002)**

Ordinance No. 1668 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 40± ACRES THEREIN FROM R-E TO PUD (ZN-61-01, CENTENNIAL & LOSEE CENTER), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

25. **ORDINANCE NO. 1670; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE 1531 IN PART TO ESTABLISH THE FOLLOWING ADDITIONAL BENEFITS TO THE TERMS AND CONDITIONS OF EMPLOYMENT OF CERTAIN KEY PERSONNEL OF THE CITY: (I) INCREASED ANNUAL LEAVE ACCRUAL; (II) ANNUAL PHYSICAL EXAM; AND (III) LONG TERM DISABILITY INSURANCE; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR JULY 17, 2002)**

Ordinance No. 1670 as introduced by the City Manager:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE 1531 IN PART TO ESTABLISH THE FOLLOWING ADDITIONAL BENEFITS TO THE TERMS AND CONDITIONS OF EMPLOYMENT OF CERTAIN KEY PERSONNEL OF THE CITY: (I) INCREASED ANNUAL LEAVE ACCRUAL; (II) ANNUAL PHYSICAL EXAM; AND (III) LONG TERM DISABILITY INSURANCE; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 17, 2002

**ORDINANCES**

**FINAL ACTION**

26. **ORDINANCE NO. 1656; 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-2 TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ALEXANDER ROAD AND KINGS HILL ROAD (ZN-63-02, CITY OF NORTH LAS VEGAS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1656 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-2 TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ALEXANDER ROAD AND KINGS HILL ROAD (ZN-63-02, CITY OF NORTH LAS VEGAS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING 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

27. **ORDINANCE NO. 1657; AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.20.100, PARAGRAPH C AND SECTION 17.24.140 (B) OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO ALLOW THE CONVERSION OF GARAGES TO LIVING AREA WITHOUT MEETING THE OFF-STREET PARKING PROVISION OF TITLE 17 SECTION 17.24.140(B)(2C) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1657 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.20.100, PARAGRAPH C AND SECTION 17.24.140 (B) OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO ALLOW THE CONVERSION OF GARAGES TO LIVING AREA WITHOUT MEETING THE OFF-STREET PARKING PROVISION OF TITLE 17 SECTION 17.24.140(B)(2C) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Acting Development Services Director Steve Baxter explained the ordinance was directed by City Council. If approved, the ordinance would allow for the conversion of garages in areas where the conversion was compatible with surrounding uses, and there would be a requirement for a special use permit to be considered by the Planning Commission. The applicant must show at least three examples of garage conversions within 300 feet of the subject property that had already occurred legally or present three examples of property on which a garage or carport was never constructed. He stated the Planning Commission and Staff recommended approval.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: Councilman Eliason

ABSTAIN: None

**28. ORDINANCE NO. 1658; 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 MPC TO MPC R-1 FOR PROPERTY GENERALLY LOCATED 555± FEET EAST OF SIMMONS STREET AND 2,530± FEET SOUTH OF GRAND TETON DRIVE (ZN-64-02, NORTH VALLEY ENTERPRISES, LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1658 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 MPC TO MPC R-1 FOR PROPERTY GENERALLY LOCATED



555± FEET EAST OF SIMMONS STREET AND 2,530± FEET SOUTH OF GRAND TETON DRIVE (ZN-64-02, NORTH VALLEY ENTERPRISES, LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

29. **ORDINANCE NO. 1659; 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 MPC TO MPC R-1 FOR PROPERTY GENERALLY LOCATED 555± FEET EAST OF SIMMONS STREET AND 1,500± FEET SOUTH OF GRAND TETON DRIVE (ZN-65-02, NORTH VALLEY ENTERPRISES, LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1659 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 MPC TO MPC R-1 FOR PROPERTY GENERALLY LOCATED 555± FEET EAST OF SIMMONS STREET AND 1,500± FEET SOUTH OF GRAND TETON DRIVE (ZN-65-02, NORTH VALLEY ENTERPRISES, LLC) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

**30. ORDINANCE NO. 1660; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE 1474 BY CHANGING CONDITION NO. 18 OF SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE THAT RECLASSIFIED A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF CRAIG ROAD AND VALLEY DRIVE (ZN-11-98, CRAIG VALLEY PROFESSIONAL PLAZA); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1660 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE 1474 BY CHANGING CONDITION NO. 18 OF SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE THAT RECLASSIFIED A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF CRAIG ROAD AND VALLEY DRIVE (ZN-11-98, CRAIG VALLEY PROFESSIONAL PLAZA); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Steve Baxter explained the proposed amendment was to allow a church to operate in one of the office buildings located within ten feet of residential property to the north. The Planning Commission recommended approval of the amendment to the Planned Unit Development (PUD). Acting Director Baxter stated Staff was opposed to the amendment due to the hours of operation of a church not being consistent with those of office buildings and also because the church would be within ten feet of residential property rather than the normal 50 feet which was required by the zoning ordinance.

Mayor Montandon stated he recalled the meeting regarding ZN-11-98. After much discussion it was determined the uses would be office buildings only, no other uses. Acting Director Baxter stated that was correct. The original application was for retail for the entire

site but because of the concern of the impact of retail uses on the adjacent residential property, the northern section of the property was to be used exclusively for office buildings. Councilman Eliason stated he also recalled that meeting and the concerns of residents in the neighborhood.

Councilman Buck asked if notification had been sent out for Planning Commission and City Council meetings for the hearings. Acting Director Baxter stated notification had been sent for the PUD amendment and there was no one present at the Planning Commission meeting opposed to the PUD.

Mayor Pro Tempore Robinson asked Acting Director Baxter if Staff also recommended denial at the Planning Commission meeting based on the fact the church was in close proximity to the residential area. Acting Director Baxter stated Staff had recommended denial.

Mayor Pro Tempore Robinson asked for clarification if denying condition 18 was to deny whether a church could operate there or if it was designating certain hours the church could operate. Acting Director Baxter explained Condition No. 18 would set the stage for a special use permit application which would then make the church legal. The church was currently in operation and not aware it was not allowed at that location. The church would only be allowed to stay with the elimination of Condition No. 18.

Councilman Buck asked if Council was voting on a special use permit that would give the church the ability to stay or a PUD. Mayor Montandon clarified they were voting on a PUD eliminating Condition No. 18. Acting Director Baxter stated Condition No. 18 stated only office uses were allowed. The applicant wanted to add a church to the allowable uses in the office buildings. Mayor Pro Tempore Robinson questioned whether denying the item would give them that opportunity. City Manager Kurt Fritsch stated by denying the change, the special use permit could not be processed. If Planning Commission's decision was upheld, then the applicant could go forward with a special use permit. If Council were to go along with Staff's position of denial, then there would be no avenue to pursue the special use permit and another location would need to be found. Acting Director Baxter stated the applicant could find a different location in a commercial zone.

Mayor Pro Tempore Robinson asked why the church was initially allowed there. It was stated the church use was not allowed. Assistant City Manager Gregory Rose stated a complaint was received from a resident in the area and that was when Code Enforcement and Planning became aware the church was operating at that location.

**ACTION: DENIED**

**MOTION: Councilwoman Smith**  
**SECOND: Mayor Montandon**

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

### **APPOINTMENTS**

**31. APPOINTMENT OF FINANCE DIRECTOR PHIL STOECKINGER AS CHAIRMAN OF THE NORTH LAS VEGAS DEFERRED COMPENSATION PLAN COMMITTEE.**

ACTION: FINANCE DIRECTOR PHIL STOECKINGER APPOINTED

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

### **COUNCIL ITEMS**

There were no items.

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

City Manager Kurt Fritsch invited everyone to Seastrand Park for the fireworks show at 9 p.m.

### **PUBLIC FORUM**

**Pastor Betty Smith, 4116 West Craig Road, Suite 101, North Las Vegas**, spoke on Ordinance No. 1660. She explained they did not know a church was not allowed to operate in an office complex and she understood Council's position. She stated the church had been operating at that location for one year and five months and had not had any complaints from the residents. They had a three year lease. Mayor Montandon explained there had been several hearings on the zoning of the office complex and the landlord worked with Planning Staff drafting the conditions and knew a church use was not allowed. He stated he understood she was an innocent victim but Council was left in a position to uphold their word to the residents in the area.

Mayor Pro Tempore Robinson asked if the church must discontinue their operation. Chief Deputy City Attorney Leslie Nielsen stated there might be a Code Enforcement action initiated as a result of tonight's action. Mayor Pro Tempore Robinson asked if the church would have to find another location. Ms. Nielsen stated that was correct.

Councilwoman Smith asked if Staff could be directed to give the church some time to find a new location. Assistant City Manager Gregory Rose stated Staff was willing to work with the church to find a new location with the understanding they would have to relocate.

Mayor Montandon explained to Pastor Smith that it was frustrating not to see the landlord at the meeting. Great American Capital Corporation had originally developed the property and signed the leases. He stated, technically, they signed an illegal lease they could not hold the church to. City Manager Fritsch directed Community Development Director Jacque Risner to work with Pastor Smith to find another location for the church in the City.

**Dean Leavitt, 917 E. Taylor, North Las Vegas**, stated his concern with the recreation facilities operating with different hours. He felt the facilities should all operate the same days and same hours.

**Bob Borgersen, 4751 Possum Berry, North Las Vegas**, stated he agreed with staff on their decision of Ordinance No. 1660 but felt bad the church had to move and hoped the City gave them more time and assistance in finding another location.

## **ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 5:37 P.M.

MOTION: Councilman Buck

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**APPROVED: August 7, 2002**

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

Attest:

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