

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

April 2, 2003

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

CITY COUNCIL MEETING

CALL TO ORDER

6:00 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 L. Eliason

STAFF PRESENT

City Manager Kurt Fritsch
Assistant City Manager Gregory Rose
Assistant City Manager Dan Tarwater
City Attorney Sean McGowan
City Clerk Eileen Sevigny
Finance Director Phil Stoeckinger
Human Resources Director Vince Zamora
Police Chief Mark Paresi
Detention Services Chief Ken Ellingson
Fire Chief Jim Stubler

Director Public Works Jim Bell
Administrative Services Director Eric Dabney
Code Enforcement Manager Sheldon Klain
Parks & Recreation Maintenance
Manager Al Brown
Planning Manager Steve Baxter
Redevelopment Manager Kenny Young
Assistant to the City Manager Brenda Johnson
Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Sevigny, CMC
City Clerk

INVOCATION

Pastor Lou Grillo
Wellspring Ministries

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie Smith

PRESENTATION

- ★ **PRESENTATION OF A HEROISM AWARD TO JEFF GOODRICH FOR HIS HEROIC EFFORTS IN SAVING THE LIFE OF 7 YEAR OLD AUSTIN BECHTEL ON SUNDAY, FEBRUARY 23, 2003.**

Mayor Montandon presented the North Las Vegas Heroism Award to Jeff Goodrich. He explained that Jeff Goodrich saved the life of a neighborhood boy, Austin Bechtel, as Austin was being attacked by the pit bull dogs that lived in the neighborhood.

ACTION: AWARD PRESENTED

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF APRIL 2, 2003.**

ACTION: APPROVED AS AMENDED; ITEM NOS. 2 AND 3 CONTINUED TO APRIL 16, 2003

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

7. **APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF MARCH 19, 2003.**

ACTION: APPROVED

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

8. APPROVAL TO AMEND THE 2002-2003 STAFFING PATTERN AS FOLLOWS:

(All staffing pattern changes will be processed when administratively feasible)

FINANCE

Customer Service

Transfer one (1) Fiscal Technician TNS 15 from Accounting to Customer Service

Accounting

Add one (1) Fiscal Technician TNS 15

Reclassify one (1) Payroll Technician TNS 15 to Financial Statistical Analyst APT 17

Upgrade one (1) Payroll Coordinator TNS 16 to TNS 17

PUBLIC WORKS

Transportation Services - Fleet Services

Add one (1) Automotive & Equipment Mechanic 1 TNS 17

ACTION: APPROVED

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

9. APPROVAL OF PRIVILEGED LICENSE: (EXHIBIT A)

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<u>NEW LIQUOR</u>		
Cheyenne Chevron LLC Chet & Karla Cox, Members Ray P. Zobrist, Ptnr.	Liquor	Beer & Wine Off Sale Within Convenience Food Store

DBA: Cheyenne Chevron Police Investigations Completed
1415 W Cheyenne Ave
North Las Vegas, Nevada

Pending Final Building, Fire & Environmental Inspection Approvals

ACTION: APPROVED

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

10. APPROVAL TO SUBMIT AN APPLICATION TO THE NEVADA DIVISION OF CHILD AND FAMILY SERVICES FOR THE FEDERAL VICTIMS OF CRIME ACT GRANT IN THE AMOUNT OF \$250,000 (\$200,000 FEDERAL FUNDS AND \$50,000 IN-KIND OR CASH MATCH) FOR A THREE YEAR PERIOD, OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2006, WHICH WOULD ENABLE THE POLICE DEPARTMENT TO EXPAND THE CURRENT VICTIMS ADVOCATE PROGRAM AND PAY THE SALARY OF A FULL-TIME VICTIMS ADVOCATE.

ACTION: APPROVED

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

11. **APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF NORTH LAS VEGAS AND NEVADA STATE HISTORIC PRESERVATION OFFICE AND AUTHORIZATION FOR THE COMMUNITY DEVELOPMENT DIRECTOR TO SIGN AND EXECUTE DOCUMENT AND ONCE FULLY EXECUTED, AUTHORIZATION FOR STAFF TO UTILIZE THE PROGRAMMATIC AGREEMENT IN THE PREPARATION OF ENVIRONMENTAL REVIEWS FOR EXTERIOR IMPROVEMENTS TO STRUCTURES OVER 50 YEARS OF AGE OR THOSE THAT APPEAR TO HAVE HISTORICAL SIGNIFICANCE. (CNLV CONTRACT NO. C-5346)**

ACTION: APPROVED

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

12. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH BEAZER HOMES NEVADA FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CENTENNIAL PARKWAY AND NORTH 5TH STREET IN THE AMOUNT OF 0.53% OF THE TOTAL COST OR \$2,817.07, TROPICAL PARKWAY AND NORTH 5TH STREET IN THE AMOUNT OF 4.66% OF THE TOTAL COST OR \$21,243.99, ANN ROAD AND NORTH 5TH STREET IN THE AMOUNT OF 5.14% OF THE TOTAL COST OR \$23,416.99, ANN ROAD AND COMMERCE STREET IN THE AMOUNT OF 0.95% OF THE TOTAL COST OR \$4,693.15 AND ANN ROAD AND BRUCE STREET IN THE AMOUNT OF 0.53% OF THE TOTAL COST OR \$3,284.41 FOR THE FIFTH/FARM RESIDENTIAL SUBDIVISION (184 UNITS) LOCATED ON THE NORTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND NORTH 5TH STREET.**

ACTION: APPROVED

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

13. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH HARDY CONSTRUCTION, INC. FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ALEXANDER ROAD AND MARTIN LUTHER KING BOULEVARD IN THE AMOUNT OF 4.8% OF THE TOTAL COST OR \$12,000 AND GOWAN ROAD AND MARTIN LUTHER KING BOULEVARD IN THE AMOUNT OF 3.0% OF THE TOTAL COST OR \$5,056 FOR THE DEL PRADO HIGHLANDS (APARTMENTS), LOCATED ON THE SOUTHEAST CORNER OF ALEXANDER ROAD AND MARTIN LUTHER KING BOULEVARD.**

ACTION: APPROVED

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

14. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH DERMODY PROPERTIES FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT GOWAN ROAD AND CIVIC CENTER DRIVE IN THE AMOUNT OF 11.7% OF THE TOTAL COST OR \$57,918.44 FOR THE LOGISTICENTER COMMERCIAL PROJECT LOCATED ON THE NORTHEAST CORNER OF GOWAN ROAD AND BELMONT STREET.**

ACTION: APPROVED

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

15. APPROVAL OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH AZURE FARMS, LLC FOR THEIR SHARE OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CENTENNIAL PARKWAY AND NORTH 5TH STREET IN THE APPROXIMATE AMOUNT OF 0.47% OF THE TOTAL COST OR \$2,499.93, TROPICAL PARKWAY AND NORTH 5TH STREET IN THE APPROXIMATE AMOUNT OF 4.14% OF THE TOTAL COST OR \$18,839.01, ANN ROAD AND NORTH 5TH STREET IN THE APPROXIMATE AMOUNT OF 4.56% OF THE TOTAL COST OR \$20,766.01, ANN ROAD AND COMMERCE STREET IN THE APPROXIMATE AMOUNT OF 0.85% OF THE TOTAL COST OR \$4,161.85 AND ANN ROAD AND BRUCE STREET IN THE APPROXIMATE AMOUNT OF 0.47% OF THE TOTAL COST OR \$2,912.59 FOR THE FIFTH/FARM RESIDENTIAL SUBDIVISION (160 UNITS) LOCATED ON THE NORTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND NORTH 5TH STREET. (CNLV CONTRACT NO. C-5347)

ACTION: APPROVED

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

16. APPROVAL OF REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA INTERLOCAL CONTRACTS: SUPPLEMENTAL INTERLOCAL CONTRACT NO. 420A MERGING THE SIMMONS STREET BRIDGE OVER THE GOWAN OUTFALL CHANNEL WITH THE CLAYTON STREET PROJECT AND INCREASING THE FUNDING BY \$300,000 FOR A TOTAL COMBINED PROJECT AMOUNT OF \$2,340,000; (CNLV CONTRACT NO. C-5195) SUPPLEMENTAL INTERLOCAL CONTRACT NO. 376A FOR THE CHEYENNE AVENUE RESTRIPIING PROJECT REVISING THE LIMITS OF RESTRIPIING TO SIX LANES AND RELATED STREET IMPROVEMENTS ALONG CHEYENNE AVENUE TO I-15 AND VAN DER MEER AVENUE AND INCREASING FUNDING FROM \$235,000 TO AN AMOUNT NOT TO EXCEED \$355,000 TO COVER INCREASED COSTS FOR RIGHT-OF-WAY ACQUISITION. (CNLV CONTRACT NO. C-4978)

ACTION: APPROVED

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

17. **APPROVAL OF INTERLOCAL CONTRACT NO. 431, 2002/03 TRAFFIC CAPACITY AND SAFETY IMPROVEMENT PROGRAM, BETWEEN THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA, CLARK COUNTY AND THE CITIES OF LAS VEGAS, HENDERSON, AND NORTH LAS VEGAS FOR TRAFFIC CAPACITY AND SAFETY IMPROVEMENT PROJECTS WITHIN THE ENTITIES IN AN AMOUNT NOT TO EXCEED \$3,413,152 FOR THE COST OF PRELIMINARY ENGINEERING, DESIGN, RIGHT-OF-WAY ACQUISITION, CONTRACT ADMINISTRATION, CONSTRUCTION, AND RELATED COSTS OF WHICH THE CITY OF NORTH LAS VEGAS HAS BEEN ALLOCATED \$331,952 FOR NEW TRAFFIC SIGNALS AT THE CHEYENNE AVENUE/VALLEY DRIVE AND ALLEN LANE/GOWAN ROAD INTERSECTIONS AS PART OF THE CITY'S 16TH YEAR TRAFFIC CAPACITY AND SAFETY IMPROVEMENT PROJECT TO BE COMPLETED BY JULY 1, 2006. (CNLV CONTRACT NO. C-5348)**

ACTION: APPROVED

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

18. **VAC-06-03 (CRAIG COMMERCE "A" CHANNEL); AN APPLICATION SUBMITTED BY CRAIG KING NEVADA, INC., ON BEHALF OF CRAIG COMMERCE PLAZA, NO. 2, 3, 4, 5, 6, 7, 8, 9, 10 AND 11 LIMITED PARTNERSHIPS, PROPERTY OWNERS, FOR A VACATION OF A BLANKET DRAINAGE EASEMENT ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND COMMERCE STREET. (SET PUBLIC HEARING FOR MAY 7, 2003)**

ACTION: PUBLIC HEARING SET FOR MAY 7, 2003

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

BUSINESS

19. **APPROVAL TO AWARD THE CONSTRUCTION CONTRACT FOR BID NO. 1132, UNPAVED ROAD/PECOS ROAD PAVING PROJECT, IN THE AMOUNT OF \$92,999.99 TO SOUTHERN NEVADA PAVING, INC. (CNLV CONTRACT NO. C-5349)**

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

20. **APPROVAL TO AWARD THE CONSTRUCTION CONTRACT FOR BID NO. 1133, THE PAVEMENT REHABILITATION PROGRAM - FY 2002/03, INCLUDING ADDITIVE ALTERNATE NOS. 1, 2, AND 3 IN THE AMOUNT OF \$1,975,760.86 TO LAS VEGAS PAVING, INC. (CNLV CONTRACT NO. C-5350)**

City Manager Kurt Fritsch stated the amount fell below the City's Engineer's estimate. Approximately two more streets could be rehabilitated with the remaining funds.

Mayor Montandon stated Mitchell Street would be included in the rehabilitation program.

ACTION: APPROVED

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

21. RESOLUTION NO. 2265; A RESOLUTION OF SUPPORT FOR THE COYOTE CANYON GOLF CLUB CONCEPT PROPOSED BY DIVERSE SPORTS, INC. A MINORITY ENTERPRISE TO SECURE BLM LAND FOR THE PROJECT.

Resolution No. 2265 as introduced by the City Manager:

A RESOLUTION OF SUPPORT FOR THE COYOTE CANYON GOLF CLUB CONCEPT PROPOSED BY DIVERSE SPORTS, INC. A MINORITY ENTERPRISE TO SECURE BLM LAND FOR THE PROJECT.

ACTION: PASSED & 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

ORDINANCES

INTRODUCTION ONLY

22. ACCEPTANCE OF PETITION FOR ANNEXATION (ANNEXATION NO. 121) SUBMITTED BY WILLIAM AND MARY JACKSON TO ANNEX APPROXIMATELY 10 NET ACRES OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF TROPICAL PARKWAY AND DONNA STREET. (ASSOCIATED ITEM NO. 23; ORDINANCE NO. 1776)

ACTION: PETITION FOR ANNEXATION ACCEPTED

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

23. **ORDINANCE NO. 1776 (ANNEXATION NO. 121); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY, DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2003) (ASSOCIATED ITEM NO. 22)**

Ordinance No. 1776 as introduced by the City Manager:

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY, DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR APRIL 16, 2003

24. **ORDINANCE NO. 1778; 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 APPROXIMATELY 12 ACRES THEREIN FROM A RANCH ESTATES (R-E) DISTRICT TO A SINGLE FAMILY COMPACT LOT RESIDENTIAL (R-CL) DISTRICT (ZN-04-90, RANCHO MIRAGE UNIT 1), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2003)**

Ordinance No. 1778 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 APPROXIMATELY 12 ACRES THEREIN FROM A RANCH ESTATES (R-E) DISTRICT TO A SINGLE FAMILY COMPACT LOT RESIDENTIAL (R-CL) DISTRICT (ZN-04-90, RANCHO MIRAGE UNIT 1), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR APRIL 16, 2003

25. **ORDINANCE NO. 1779; 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 APPROXIMATELY 10± ACRES THEREIN FROM A RANCH ESTATES (R-E) DISTRICT TO A SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND BRUCE STREET (ZN-15-03, TROPICAL AND BRUCE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2003)**

Ordinance No. 1779 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 APPROXIMATELY 10± ACRES THEREIN FROM A RANCH ESTATES (R-E) DISTRICT TO A SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND BRUCE STREET (ZN-15-03, TROPICAL AND BRUCE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR APRIL 16, 2003

26. **ORDINANCE NO. 1780; 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LA MADRE WAY AND FERRELL STREET (ZN-16-03, LA MADRE/FERRELL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 16, 2003)**

Ordinance No. 1780 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 AN R-E, RANCH ESTATES RESIDENTIAL DISTRICT TO AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LA MADRE WAY AND FERRELL STREET (ZN-16-03, LA MADRE/FERRELL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR APRIL 16, 2003

ORDINANCES

FINAL ACTION

27. **ORDINANCE NO. 1753 (ZOA-10-02, SECURED FIBRES); AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.12.20, SECTION 17.20.140, SECTION 17.20.150, AND SECTION 17.24.020C OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO INCLUDE RECYCLING CENTERS, WITH OUTSIDE ACTIVITIES OR STORAGE IN THE LIST OF SPECIAL USES IN THE M-2 GENERAL INDUSTRIAL DISTRICT AND IN THE M-3 HEAVY INDUSTRIAL DISTRICT, AND PROVIDING CRITERIA THAT MUST BE MET BEFORE A RECYCLING CENTER WITH OUTSIDE ACTIVITIES CAN BE APPROVED, AND RENUMBERING THE REMAINDER OF THE LIST OF CONDITIONS FOR SPECIFIED SPECIAL USES, FROM 17 TO 21 IN SECTION 17.24.020C AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1753 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.12.20, SECTION 17.20.140, SECTION 17.20.150, AND SECTION 17.24.020C OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO INCLUDE RECYCLING CENTERS, WITH OUTSIDE ACTIVITIES OR STORAGE IN THE LIST OF SPECIAL USES IN THE M-2 GENERAL INDUSTRIAL DISTRICT AND IN THE M-3 HEAVY INDUSTRIAL DISTRICT, AND PROVIDING CRITERIA THAT MUST BE MET BEFORE A RECYCLING CENTER WITH OUTSIDE ACTIVITIES CAN BE APPROVED, AND RENUMBERING THE REMAINDER OF THE LIST OF CONDITIONS FOR SPECIFIED SPECIAL USES, FROM 17 TO 21 IN SECTION 17.24.020C AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Councilwoman Smith stated she did not support the Ordinance. She stated a primary reason for annexation of county areas was to clean up the areas and enforce the City of North Las Vegas' compliance ordinances. Recycling businesses in the City were becoming problem areas and she did not think this Ordinance would be in the best interest of the City.

Councilman Eliason asked Planning Manager Steve Baxter if the recycling business could store items higher than their fences. Planning Manager Baxter replied no, the storage of items higher than the fences would be prohibited under normal screening requirements.

ACTION: PASSED & ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: Councilwoman Smith

ABSTAIN: None

28. **ORDINANCE NO. 1768; 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 A MASTER PLANNED COMMUNITY TO A PUBLIC/SEMIPUBLIC MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY GENERALLY LOCATED NORTH OF ELKHORN ROAD APPROXIMATELY 961 FEET EAST OF SIMMONS STREET (ZN-11-03, NORTH VALLEY ENTERPRISES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 29, ORDINANCE NO.1769, ZN-12-03)**

Ordinance No. 1768 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 A MASTER PLANNED COMMUNITY TO A PUBLIC/SEMIPUBLIC MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY GENERALLY LOCATED NORTH OF ELKHORN ROAD APPROXIMATELY 961 FEET EAST OF SIMMONS STREET (ZN-11-03, NORTH VALLEY ENTERPRISES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED & 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. 1769; 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 A MASTER PLANNED COMMUNITY TO A PUBLIC/SEMIPUBLIC MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY GENERALLY LOCATED NORTH OF ELKHORN ROAD APPROXIMATELY 350 FEET EAST OF SIMMONS STREET (ZN-12-03, NORTH VALLEY ENTERPRISES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO 28, ORDINANCE NO. 1768, ZN-11-03)**

Ordinance No. 1769 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 A MASTER PLANNED COMMUNITY TO A PUBLIC/SEMIPUBLIC MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY GENERALLY LOCATED NORTH OF ELKHORN ROAD APPROXIMATELY 350 FEET EAST OF SIMMONS STREET (ZN-12-03, NORTH VALLEY ENTERPRISES) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED & 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

30. **ORDINANCE NO. 1770; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1387 WHICH RECLASSIFIED CHEYENNE PROMENADE (ZN-08-97) TO A PLANNED UNIT DEVELOPMENT, BY ADDING SIX CONDITIONS**

AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1770 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1387 WHICH RECLASSIFIED CHEYENNE PROMENADE (ZN-08-97) TO A PLANNED UNIT DEVELOPMENT, BY ADDING SIX CONDITIONS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED & 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

COUNCIL ITEMS

There were no additional Council items.

CITY MANAGER'S REPORT

Assistant to the City Manager Brenda Johnson stated the Taste & Tunes Festival was scheduled for May 17, 2003. The event would occur from 10:00 A.M. to 8:00 P.M. on the City Hall Campus and was a partnership between the North Las Vegas Chamber of Commerce and the City. The three confirmed sponsors were Lake Mead Hospital, Jerry's Nugget, and The Cannery Hotel & Casino for \$5,000 each and other sponsors were being approached. The North Las Vegas Chamber of Commerce obtained a grant that would partially pay for a portion of the marketing expenses for the event. Multiple sources would be utilized within the next month to publicize the event and the Spanish population was included in this marketing strategy. Ms. Johnson was also working on securing two possible media outlets to broadcast live from the event. The car show would not be a part of the event this year.

Two stages would be set up with one stage featuring entertainment for children and the second featuring entertainment geared toward adults. The event would feature a children's

area, food and arts and crafts. Designated parking would be on the future site of the Justice Facility and at the shopping center across Civic Center Drive. Approximately 5000 people were expected to attend the event. Ms. Johnson thanked the Parks & Recreation Staff and the North Las Vegas Chamber of Commerce staff for their contributions to the organization of the event.

PUBLIC FORUM

Josephine Bryant spoke about a possible increase in property taxes and water bills. She also spoke about insurance fraud and theft at the Police Department and added she felt the police officer's salaries were too high.

Ernest Smith spoke of the business Fort Cheyenne Casino across the street from his home located at 3133 Carroll Street which played loud music on Fridays, Saturdays, and Sundays. He stated the Police Department reported they could not help him but unfortunately, the loud music continued. The music was disrupting his family and he requested the City help him with this problem. Mr. Smith stated he had been complaining about the problem for six months.

City Manager Fritsch stated the problem seemed to be some type of conduit, possibly a sewer line or water line, between the business and the home which allowed the music to vibrate inside of Mr. Smith's residence but not be heard standing in Mr. Smith's front yard.

Police Chief Paresi stated the vibration problem inside the Mr. Smith's home could possibly be a structural engineering issue. The Police Department had exhausted resources to address the audible issue. The business was complying with the noise ordinance.

Councilwoman Smith stated the noise ordinances should be rewritten to address the vibration issue.

Mr. Smith stated the noise caused by the Fort Cheyenne Casino caused his residence to become uninhabitable. He asked the City to please address the issue and enforce the noise ordinance.

Councilman Buck stated the Council and Staff were aware of the ongoing noise issue. She stated the City would take appropriate steps to resolve the problem.

Mayor Pro Tempore Robinson stated if the business continued to hold parties that produced the vibration in Mr. Smith's residence the City should conduct a Show Cause Hearing. The problem needed to stop.

PUBLIC HEARINGS - 6:30 P.M.

2. **AN APPEAL, SUBMITTED BY THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-44-02 (OUTBACK STEAKHOUSE); AN APPLICATION SUBMITTED BY JOHN T. MORAN III ON BEHALF OF OUTBACK STEAKHOUSE, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VERY LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED APPROXIMATELY 300 FEET SOUTH OF CRAIG ROAD AND EAST OF FUSELIER DRIVE. (CONTINUED FROM MARCH 19, 2003) (ASSOCIATED ITEM NO. 3, ZN-85-02)**

ACTION: CONTINUED TO APRIL 16, 2003

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

3. **AN APPEAL, SUBMITTED BY THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-85-02 (OUTBACK STEAKHOUSE); AN APPLICATION SUBMITTED BY JOHN T. MORAN III ON BEHALF OF OUTBACK STEAKHOUSE, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY LOCATED APPROXIMATELY 300 FEET SOUTH OF CRAIG ROAD AND EAST OF FUSELIER DRIVE. (CONTINUED FROM MARCH 19, 2003) (ASSOCIATED ITEM NO. 2, AMP-44-02)**

ACTION: CONTINUED TO APRIL 16, 2003

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

4. **AMP-07-03 (NORTH MESA ESTATES); AN APPLICATION SUBMITTED BY THE JOAN L. MILLER 1993 TRUST, THE HIPWELL 1990 TRUST AND JULIA CARTER, PROPERTY OWNERS, TO AMEND THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO MDR MEDIUM DENSITY RESIDENTIAL FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ALEXANDER ROAD AND SCOTT ROBINSON BOULEVARD. (ASSOCIATED ITEM NO. 5, ORDINANCE NO. 1767, ZN-10-03)**

Mayor Montandon opened the Public Hearing.

Planning Manager Baxter stated the Planning Commission recommended approval.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the applicant.

Councilman Buck stated she would like to see the project occupy the entire corner since the project would be a planned unit development with 4500 square foot lots. Planning Manager Baxter stated the item could be studied further and brought back before Council.

Wes Kiser, 1516 Bluestar Drive, North Las Vegas, stated he was the president of the Home Owners Association for Hidden Canyon and would like single family homes built on the property and not town homes.

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

5. **ORDINANCE NO. 1767; 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 APPROXIMATELY 12.96± ACRES THEREIN FROM R-1 TO PUD (ZN-10-03, NORTH MESA ESTATES), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ALEXANDER ROAD AND SCOTT ROBINSON BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-07-03)**

Planning Manager Baxter stated the Planning Commission recommended approval.

Mayor Montandon opened the Public Hearing.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the applicant. Ms. Lazovich requested condition number 24 be amended to include the phrase "if applicable."

Mayor Montandon closed the Public Hearing.

ACTION: PASSED & ADOPTED AS AMENDED; CONDITION NO. 24 TO READ:

24. MEASURES TO ACHIEVE NOISE LEVEL REDUCTION OF 25 DECIBELS FROM OUTDOOR TO INDOOR MUST BE INCORPORATED INTO THE DESIGN AND CONSTRUCTION OF THE HOMES IF APPLICABLE.

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

6. **APPEAL, SUBMITTED BY GEORGE GARCIA ON BEHALF OF PORTOLA DEVELOPMENT COMPANY LC, PROPERTY OWNER, OF THE DECISION OF THE**

PLANNING COMMISSION TO APPROVE FDP-05-03 (CORTEZ HEIGHTS) SUBJECT TO 11 CONDITIONS; AN APPLICATION SUBMITTED BY WOODSIDE HOMES, ON BEHALF OF PORTOLA DEVELOPMENT COMPANY LC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW THE DEVELOPMENT OF A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 5TH STREET AND WASHBURN ROAD.

Planning Manager Baxter stated the streets in the property were narrow and due to Fire Department regulations, no parking would be allowed on the street. The main street of the development would allow parking on one side of the street only. A condition of approval was a guest parking requirement of one space per every five homes.

Mayor Montandon opened the Public Hearing.

Mayor Montandon questioned how the guest parking condition was formulated. Planning Manager Baxter stated the Planning Commission had been concerned that without a condition, parking in the development would be a problem even with the two car garages and large driveway space. Mayor Montandon asked if the condition could be reworded. Councilman Eliason stated the on street parking issue had been brought up in the recent small lot discussions. Mayor Montandon stated other subdivisions required a lot to be designated for offsite parking. He stated the one guest parking space for every five homes did not make sense and would be difficult to build into the development. Planning Manager Baxter stated cluster parking lots would be more common, possibly five parking spaces would periodically interrupt the street scape. Mayor Montandon stated if the lots were approximately 40 or 50 feet wide and the guest parking space was required within 300 feet of the home, then extra parking spaces would have to be required for every five homes. Planning Manager Baxter stated the purpose of the wording was to deter persons from parking on the street due to the distance of the guest parking from the residence.

Councilman Eliason questioned the width of the street for street parking. Planning Manager Baxter stated the street was too small by 6 inches on each side.

Councilman Buck was concerned about adding conditions after the development had been approved. Mayor Pro Tempore Robinson agreed with Councilman Buck.

Councilman Eliason questioned if the Fire Department's requirement for the width of a street was the same as the width requirement adopted by the City.

Fire Chief Stubler stated the requirement was adopted under the Uniform Fire Code. It was a minimum fire access lane. He stated the minimum accepted street width required by the

Uniform Fire Code was 32 feet. He believed the Uniform Fire Code required 24 to 31 feet for no parking on both sides of the street, 32 to 36 feet for parking on only one side of the street, and 40 feet allowed for parking on both sides of the street.

George Garcia, 2501 Green Valley Parkway Suite 108, Henderson, stated Council had approved the project in November subject to 55 conditions. He stated the applicant provided adequate areas for parking and asked the Council to modify condition eight.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION APPROVAL MODIFIED; CONDITION NO. 8 TO
READ:

8. ON STREET PARKING PROHIBITED.

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

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 6:58 P.M.

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

APPROVED: May 7, 2003

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

Attest:

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