

**CITY OF NORTH LAS VEGAS  
SPECIAL CITY COUNCIL  
STUDY SESSION MINUTES**

August 18, 2004

**CALL TO ORDER:** 4:30 P.M.  
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 Gregory Rose  
Assistant City Manager Dan Tarwater  
City Attorney Sean McGowan  
City Clerk Karen L. Storms  
Finance Director Phil Stoeckinger  
Planning and Zoning Director Jory Stewart  
Code Enforcement Manager Sheldon Klain  
Code Enforcement Officer Tom Martens  
Code Enforcement Officer Rodney McDaniels

**VERIFICATION:** Karen L. Storms, CMC, City Clerk

**BUSINESS:**

**1.    DISCUSSION AND/OR ACTION REGARDING STANDARD CONDITIONS FOR  
NEW TAVERNS.**

Planning and Zoning Director Jory Stewart stated various conditions had randomly been applied to establishments such as taverns and Staff recommended the implementation of standard conditions for the various applications. Director Stewart suggested three

categories of applications for use permits; bar, restaurant/tavern and supper club. Mayor Montandon stated applicants had to apply for a tavern/restaurant permit instead of a supper club or bar in order to be competitive and believed this gave applicants more options.

Councilman Eliason asked for an explanation of the difference between bar and tavern. Senior Deputy City Attorney Jim Lewis explained any business that sold alcohol for consumption on the premises was a tavern, and there was no differentiation between tavern and bar in the City's code. Senior Deputy City Attorney Lewis explained any application for a tavern permit had to have a restaurant connected with it and one of Staff's suggestions was to create a third choice. Director Stewart explained the City used to receive applications for bars, but none for restaurants so the tavern designation was created to encourage more restaurant applications.

Councilman Buck commented the suggested changes created some control over what type and how many establishments would be allowed. Councilman Buck stated applicants benefitted from the new process because the conditions would be applied uniformly. Mayor Montandon stated he wanted the City to be able to decide whether the location was appropriate for a bar or a tavern/restaurant use. City Manager Gregory Rose said Staff would present Council with an ordinance creating three categories of businesses. City Manager Rose suggested the establishment of standard conditions, such as percentage of food sales versus alcohol, would give Council an indication of what the applicant intended for the establishment and whether the location was appropriate.

**ACTION: STAFF DIRECTED TO PREPARE CONDITIONS FOR THREE CATEGORIES; BAR, TAVERN/RESTAURANT AND SUPPER CLUB**

**2. DISCUSSION AND/OR ACTION REGARDING OFF-PREMISE BILLBOARD SIGNS.**

Planning and Zoning Director Jory Stewart explained all of the billboards outside of the I-15 and Rancho Drive corridors were legally non-conforming and all new billboards were required to be located within one of those corridors. Some subdivisions had development agreements and placed billboards on their lots.

Councilman Buck asked how many billboard sites were on the I-15 corridor. Director Stewart stated the number was difficult to determine because of the allowable separations on each site. Director Stewart advised there was substantial opportunity for additional billboards to be requested. Councilman Eliason and Councilman Buck stated they wanted a moratorium placed on billboards. Mayor Montandon preferred an ordinance be drafted prohibiting new billboards. Senior Deputy City Attorney Jim Lewis advised new billboards could be prohibited, but the prohibition needed to be effective as of the ordinance date and

no new billboards approved by development agreement or otherwise. Director Stewart advised there were four applications pending which needed to be addressed.

ACTION: STAFF DIRECTED TO PREPARE AN ORDINANCE ELIMINATING NEW BILLBOARDS

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**3. DISCUSSION AND/OR ACTION REGARDING PROACTIVE RENTAL ENFORCEMENT PROGRAM (PREP).**

City Manager Gregory Rose stated the three goals of this program were to protect the public from hazardous conditions, encourage re-investment in property and spur economic development. The majority of the rental units in the City were located in mature areas and this program encouraged redevelopment. The proposed budget was the minimal amount to implement the program and would need to be modified in the future. City Manager Rose explained the program allowed inspection of any rental property in the City.

Code Enforcement Manager Sheldon Klain introduced Senior Code Enforcement Officers Rodney McDaniels and Tom Martens who presented the program. Officer Martens explained Staff reviewed operational rental housing programs from eight different states before designing the City's program. All current residential rental units fell under the program and new units were exempt for the first two years after receiving their certificate of occupancy. The program was supported by quarterly fees of \$12.50 per unit and not intended to generate surplus revenue. The Platinum Properties Program offered monetary and marketing incentives to owners who kept their properties maintained. Two benefits of the program were alleviating health/safety issues and ensuring owners had business licenses.

Mayor Montandon asked if this program would affect single-family rentals and Officer Martens explained single-family units were not required to have a business license unless the owner had four or more properties. Mayor Pro Tempore Robinson asked how the City knew whether a single-family unit was a rental and Officer Martens stated tracking was done through utility billing.

City Manager Rose explained the next step was to hold two public meetings to give owners an opportunity to ask questions and proposed the program be operational this year. Councilman Buck asked if there were funds available to assist owners in bringing their properties up to code. City Manager Rose stated there was not, but as long as owners were making reasonable progress, the City would work with them on the time frame.

**Dean Leavitt, 918 Dawn Valley Drive, North Las Vegas**, asked for clarification on the fees. Code Enforcement Manager Klain explained it was \$50 per unit per year.

**Bob Borgersen, 4751 Possum Berry Lane, North Las Vegas** stated he believed the charges would be a punishment to property owners who already took care of their properties.

**Mike Levin, 1750 East Sahara Avenue, Las Vegas**, introduced himself as the Government Affairs Director for the Greater Las Vegas Association of Realtors and represented nearly 12,000 members throughout southern Nevada. Mr. Levin stated he preferred to have this issue associated with business license renewals and applied to owners of four or more units. He reminded Staff that inspections were conducted by insurance companies or qualified inspectors whenever property changed hands. He further stated there were already ordinances in place which covered some of these issues. Mayor Montandon explained this program gave the City the resources to manage the code enforcement. City Manager Gregory Rose confirmed Staff would continue to move forward with implementation of the program.

ACTION: STAFF DIRECTED TO MOVE FORWARD

**4. DISCUSSION AND/OR ACTION REGARDING PROPOSED CHANGES TO THE BUSINESS LICENSING FUNCTION.**

Mayor Montandon requested this item be tabled until the next available study session.

ACTION: TABLED TO SEPTEMBER 15, 2004

**PUBLIC FORUM**

There was no public participation.

## ADJOURNMENT

The meeting adjourned at 5:50 P.M.

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

**APPROVED: DECEMBER 1, 2004**

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

Attest:

/s/ Karen L. Storms  
Karen L. Storms, CMC  
City Clerk