

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

May 7, 2008

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

CALL TO ORDER

6:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

WELCOME

Mayor Michael L. Montandon

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Mayor Pro Tempore William E. Robinson
Councilwoman Stephanie S. Smith
Councilwoman Shari Buck
Councilman Robert L. Eliason

STAFF PRESENT

City Manager Gregory E. Rose
Assistant City Manager Sam Chambers
Assistant City Manager Maryann Ustick
City Attorney Carie Torrence
City Clerk Karen L. Storms
Communications Director Brenda Fischer
Deputy Fire Chief Kevin Brame
Business License Manager Lana Hammond
General Services Director Eric Dabney
Information Technology Director Steve Chapin
Library Director Kathy Pennell

Parks and Recreation Manager Jim Stritchko
Acting Planning and Zoning Director Frank Fiori
Assistant Police Chief Joseph Chronister
Public Works Director Dr. Qiong Liu
Redevelopment Manager Larry Bender
Utilities Manger Leslie Long
Senior Assistant to the City Manager Kenny Young
Assistant to the City Manager Michelle Bailey-Hedgepeth
Deputy City Attorney Nicholas Vaskov
Planning and Zoning Manager Marc Jordan
Deputy City Clerk Marie Purcell

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Dr. Percell Church, Jr.
Zion Ministries

PLEDGE OF ALLEGIANCE

Mayor Michael L. Montandon

PUBLIC FORUM

Dean Leavitt, 918 Dawn Valley Drive, North Las Vegas, thanked Judge Stephen Dahl for all he has done for North Las Vegas.

PRESENTATIONS

- ★ **PRESENTATION BY JUDGE STEPHEN J. DAHL, NORTH LAS VEGAS JUSTICE COURT, TO WINNERS OF THE 2008 ART CONTEST.**

ACTION: PRESENTATION GIVEN

Councilman Eliason arrived at 6:15 P.M.

- ★ **PRESENTATION OF A DONATION BY BILL WELTER OF BUFFALO WILD WINGS GRILL AND BAR TO THE NORTH LAS VEGAS FIRE DEPARTMENT.**

ACTION: PRESENTATION GIVEN

PROCLAMATIONS

- ★ **PROCLAMATION RECOGNIZING SATURDAY, MAY 10, 2008 AS NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE DAY.**

ACTION: PROCLAMATION MADE

★ **PROCLAMATION RECOGNIZING MAY 18 - 24 AS NATIONAL PUBLIC WORKS WEEK.**

ACTION: PROCLAMATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MAY 7, 2008.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:15 P.M.

2. **UN-101-04 (MARCELLO'S TAVERN); AN APPLICATION SUBMITTED BY CARL D. MARCELLO ON BEHALF OF THE CLARK COUNTY DEPARTMENT OF AVIATION & MARCELLO AIRPORT CENTER, LLC, PROPERTY OWNERS, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A RESTAURANT/TAVERN ON PROPERTY LOCATED AT 2580 NORTH RANCHO DRIVE.**

Mayor Montandon opened the Public Hearing.

Acting Planning and Zoning Director Frank Fiori explained the use permit for the restaurant/tavern was approved in July 2004. An amended use permit which revised the location was approved in December 2004. A one-year extension of time was approved in September 2005. An additional one-year extension of time was found to be necessary and approval was recommended.

Jennifer Lazovich, Kummer Kaempfer Bonner Renshaw and Ferrario, 3800 Howard Hughes Parkway, Las Vegas, was present on behalf of the applicant.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT, UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER APPROVED METHOD, THE DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT THE RESTROOMS BE LOCATED SUCH THAT PATRONS ARE NOT REQUIRED TO GO THROUGH THE BAR AREA TO ACCESS THOSE FACILITIES.
3. THAT THE FLOOR AREA OF THE BAR SHALL NOT EXCEED 50% OF THE TOTAL PUBLIC RESTAURANT FLOOR AREA.
4. APPROVAL OF A DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
5. CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT (CCRFCD) CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
6. CITY OF LAS VEGAS CONCURRENCE WITH THE RESULTS OF THE DRAINAGE STUDY IS REQUIRED PRIOR TO APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
7. ALL KNOWN GEOLOGIC HAZARDS SHALL BE SHOWN ON THE SITE PLAN AND THE CIVIL IMPROVEMENT PLANS. SUBSEQUENT IDENTIFICATION OF ADDITIONAL HAZARDS MAY SUBSTANTIALLY ALTER THE ORIGINAL SITE PLAN.
8. APPROVAL OF A TRAFFIC STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
9. THE CIVIL IMPROVEMENT PLANS FOR THE PROJECT SHALL INCLUDE SCHEDULE 40 PVC FIBER OPTIC CONDUIT ALONG RANCHO DRIVE AND CAREY AVENUE.
10. THE NUMBER OF DRIVEWAYS AND THEIR LOCATIONS ARE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF NORTH LAS VEGAS TRAFFIC ENGINEER AND MUST MEET THE STANDARDS SET FORTH IN NORTH LAS VEGAS MUNICIPAL CODE 17.24.130. CONFORMANCE MAY REQUIRE MODIFICATIONS TO THE SITE.

11. ROUNDABOUT DESIGN SHALL CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S *ROUNDABOUTS: AN INFORMATIONAL GUIDE* DESIGN CRITERIA AND IS SUBJECT TO APPROVAL OF THE CITY TRAFFIC ENGINEER.
12. COMMERCIAL DRIVEWAYS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH *CLARK COUNTY AREA UNIFORM STANDARD DRAWING* NUMBERS 222A AND 225, WITH MINIMUM WIDTHS OF 32 FEET AS MEASURED FROM LIP OF GUTTER TO LIP OF GUTTER.
13. THE PROPERTY OWNER IS REQUIRED TO GRANT A ROADWAY EASEMENT FOR COMMERCIAL DRIVEWAY(S).
14. THE PROPERTY OWNER IS REQUIRED TO SIGN A RESTRICTIVE COVENANT FOR UTILITIES.
15. THE EXPIRATION DATE FOR THE SPECIAL USE PERMIT SHALL BE MAY 7, 2009.

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

3. **UN-23-08 (DEER SPRINGS TOWN CENTER TAVERN); AN APPLICATION SUBMITTED BY DEER SPRINGS TOWN CENTER, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH 5TH STREET.**

Mayor Montandon opened the Public Hearing.

Acting Planning and Zoning Director Fiori stated approval of the application was recommended, with conditions.

Councilman Eliason stated he needed to abstain from the vote.

Jennifer Lazovich, Kummer Kaempfer Bonner Renshaw and Ferrario, 3800 Howard Hughes Parkway, Las Vegas stated the tavern was located in retail building no. 8 of the development, and added they had recently been approved for another restaurant at the site.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER METHOD, THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
2. THAT UN-23-08 IS SITE-SPECIFIC AND NON-TRANSFERABLE.
3. THAT UN-23-08 COMPLY WITH ALL APPROPRIATE CONDITIONS OF SPR-41-06 AND T-1292.
4. A MINIMUM TWO BICYCLE PARKING SPACES SHALL BE PROVIDED WITHIN 15 FEET OF THE BUILDING. THE BICYCLE PARKING SPACES SHALL NOT BE LOCATED WHERE THEY WOULD INTERFERE WITH REQUIRED LANDSCAPING OR PEDESTRIAN ACCESS.
5. EXTERIOR ROOF LADDERS ARE NOT ALLOWED. ACCESS TO THE ROOF SHALL BE FROM WITHIN THE BUILDING.
6. THE COLORS, DESIGN AND MATERIALS SHALL BE CONSISTENT WITH THOSE APPROVED FOR THE SHOPPING CENTER UNDER SPR-41-06.
7. FOUNDATION LANDSCAPING, OR A SUITABLE ALTERNATIVE, SHALL BE PROVIDED ALONG THE SOUTH AND WEST SIDES OF THE BUILDING WHERE THEY ABUT PARKING STALLS OR DRIVE AISLES. WHEELSTOPS MAY BE REQUIRED WITHIN THE PARKING SPACES THAT ABUT THE BUILDING.
8. THE TRASH ENCLOSURE IS REQUIRED TO MATCH THE BUILDING IN DESIGN, COLORS AND MATERIALS, INCLUDING A ROOF AND SOLID METAL GATES HUNG APPROXIMATELY 8 INCHES ABOVE THE GROUND.
9. THE SITE PLAN SHALL BE REVISED TO IDENTIFY A MINIMUM 20-FOOT SETBACK FROM THE REGIONAL TRAIL.

10. THE 20 FEET OF LANDSCAPING WITHIN THE FRONT SETBACK AREA (SOUTH OF THE REGIONAL TRAIL ALONG DORRELL LANE) MAY BE DESIGNED AS A "HARDSCAPE" AREA WHICH WOULD FACILITATE OUTDOOR SEATING/DINING, DECORATIVE PAVERS, TREE WELLS WITH GRATES AND APPROPRIATE LIGHTING, SUBJECT TO REVIEW AND APPROVAL BY STAFF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
11. IF THE TAVERN RESTAURANT IS CONSTRUCTED PRIOR TO OTHER ADJACENT USES, THEN A SUFFICIENT NUMBER OF PARKING SPACES SHALL BE PROVIDED IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN THE ZONING ORDINANCE AND SAID PARKING SPACES, PARKING LOT LANDSCAPING AND LIGHTING SHALL BE PROVIDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. OUTDOOR SEATING / DINING WOULD REQUIRE ADDITIONAL PARKING.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmembers Smith and Buck

NAYS:None

ABSTAIN: Councilman Eliason

4. VAC-02-08 (CASHMAN RETAIL CENTER); AN APPLICATION SUBMITTED BY CASHMAN EQUIPMENT ON BEHALF OF JR TL LTD., PROPERTY OWNER, TO VACATE AN EXISTING PORTION OF DONOVAN WAY COMMENCING AT CRAIG ROAD AND PROCEEDING SOUTH APPROXIMATELY 1,650 FEET.

Mayor Montandon opened the Public Hearing.

Acting Planning and Zoning Director Fiori stated the Planning Commission unanimously recommended approval with five conditions, and Staff recommended approval as well.

Ray Fredrickson, Per4mance Consulting and Engineering, 1170 Center Point Drive, Henderson appeared on behalf of the applicant and concurred with all of Staff's conditions.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A PUBLIC UTILITY EASEMENT SHALL BE RESERVED OVER THE

ENTIRE AREA TO BE VACATED.

2. ORDER OF VACATION MAY NOT RECORD UNTIL THE CITY OF NORTH LAS VEGAS HAS ACCEPTED THE RE-ALIGNED DONOVAN WAY FOR MAINTENANCE.
3. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO (2) YEARS OF THE APPROVAL DATE, THE VACATION SHALL BE NULL AND VOID.
4. THE DEVELOPER SHALL NOT PLACE ANY STRUCTURE WITHIN THIRTY (30) FEET OF THE EXISTING WATER MAIN PRIOR TO THE WATER MAIN BEING ABANDONED AND RELOCATED, OR OTHERWISE APPROVED BY THE DIRECTOR OF UTILITIES.
5. THE VACATION SHALL RECORD CONCURRENT WITH THE DEDICATION OF DONOVAN WAY AND THE PUBLIC UTILITY EASEMENT AS IDENTIFIED IN CONDITION NO. 1.

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

CONSENT AGENDA

5. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 6, 2008.

ACTION: APPROVED

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

6. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY

6, 2008.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

7. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR TEMEKA R. WILLIAMS, DBA BUSY BUMBLE BEE CHILD CARE, 1005 WINDY FERRELL AVENUE, NORTH LAS VEGAS, NEVADA, 89081 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

8. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR RAE E. CLARK, DBA RAE'S DAY CARE, 3419 KIDD STREET, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

9. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE

FOR DIANA D. DAVIDSON, DBA DIANA'S LIL' DARLINGS, 4621 STEEPLECHASE AVENUE, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

10. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR LEXIE A. GRANTHAM, DBA LEXIE'S DAYCARE, 5035 CACTUS MESA WAY, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

11. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR LOLITA G. DELACRUZ, DBA LITTLE STAR HOME DAY CARE, 2217 KELLER COURT, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF STATE BUSINESS LICENSE OR EXEMPTION, SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

12. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR MICHELLE D. TAYLOR, DBA CHILDREN UNLIMITED, 2121 ROYAL CARIBBEAN AVENUE, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF SOUTHERN NEVADA HEALTH DISTRICT APPROVAL.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

13. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR SHEREZADA N. CIFANI, DBA RUGRATS WORLD, 6221 VILLA EMO STREET, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

14. APPROVAL OF AN APPLICATION FOR A COMMERCIAL NURSERY BUSINESS LICENSE FOR MAGICAL TOTS ACADEMY, LLC, DBA MAGICAL TOTS ACADEMY, 3980 WEST ANN ROAD, SUITE 1, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

15. **APPROVAL OF AN APPLICATION FOR MICHELLE LEE COCCARO AS THE KEY EMPLOYEE FOR THE GENERAL OFF-SALE BUSINESS LICENSE FOR NEVADA CVS PHARMACY, LLC, DBA CVS/PHARMACY #82, 6432 LOSEE ROAD, NORTH LAS VEGAS, NEVADA, 89086.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

16. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM CFT DEVELOPMENTS, LLC, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD & BRUCE STREET/ARCATA WAY IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,625; CRAIG ROAD & LOSEE ROAD IN THE AMOUNT OF 2.4% OF THE TOTAL COST OR \$12,283 AND CRAIG ROAD & LOSEE ROAD - SOUTH LEG/DUAL LEFT IN THE AMOUNT OF 3.3% OF THE TOTAL COST OR \$3,960 FOR THE PANDA EXPRESS @ CRAIG & LOSEE LOCATED ON THE NORTHWEST CORNER OF CRAIG ROAD & LOSEE ROAD.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

17. **FINAL ACCEPTANCE OF THE CRAIG ROAD LANDSCAPING PROJECT, PHASE I & II, BID NUMBER 1263 FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6445)**

ACTION: APPROVED

MOTION: Councilwoman Buck

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

18. APPROVAL OF THE FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT WITH THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE SIMMONS STREET CHANNEL PROJECT WHICH WILL CHANGE THE COMPLETION DATE FOR RIGHT-OF-WAY ACQUISITION, DESIGN AND CONSTRUCTION ENGINEERING, CONSTRUCTION AND ENVIRONMENTAL DOCUMENTS AND LANDSCAPING AND FLOOD INSURANCE RATE MAP AMENDMENTS TO JUNE 30, 2008. (CNLV CONTRACT NO. C-4753)

ACTION: APPROVED

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

19. VAC-04-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY SUMMERSET DEVELOPMENT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, TO VACATE EXCESS DRAINAGE EASEMENTS RELATED TO THE DETENTION BASIN WITHIN PARK HIGHLANDS ON PROPERTY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH 5TH STREET AND LOSEE ROAD. (SET PUBLIC HEARING FOR JUNE 4, 2008)

ACTION: APPROVED

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

Mayor Pro Tempore Robinson asked why there were so many applications for day care nursery businesses. Business License Manager Lana Hammond explained they were pre-existing businesses that were licensed by the state, but not by the City of North Las Vegas. The businesses were given a deadline of April 30, 2008 to become licensed by the City in order to meet the City's code requirements.

BUSINESS

20. **AWARD OF BID NUMBER 1304 AND APPROVAL OF A CONTRACT WITH EAGLE VIEW CONTRACTORS, INC. IN THE AMOUNT OF \$18,507,593.90, FUNDED BY THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT FOR THE CENTENNIAL PARKWAY CHANNEL EAST PROJECT CONSISTING OF A STORM DRAIN SYSTEM WITH ALL ASSOCIATED SUPPLEMENTAL PARTS TO COMPLETE THE CENTENNIAL PARKWAY CHANNEL FROM 500 FEET WEST OF REVERE STREET TO EAST OF LAWRENCE STREET TYING INTO THE EXISTING UPPER LAS VEGAS WASH CHANNEL. (CNLV CONTRACT NO. C-6789)**

ACTION: BID AWARDED; CONTRACT APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

21. **APPROVAL OF A DEED OF DEDICATION FOR THE NORTH 5TH STREET PROJECT, CLARK COUNTY ASSESSOR'S PARCEL NUMBER 139-23-310-001 THROUGH 005 AND 139-23-310-007 THROUGH 009 LOCATED ON THE EAST SIDE OF NORTH 5TH STREET BETWEEN LAKE MEAD BOULEVARD SOUTH AND OXFORD AVENUE.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

22. **ACCEPTANCE OF A PETITION FOR ANNEXATION (ANNEXATION NO. 136); SUBMITTED BY APEX HOLDING COMPANY, LLC, APEX 385, LLC, LAS VEGAS PAVING CORPORATION, APEX CORNERS, LLC, DAB INVESTMENTS, LLC AND U.S.A. TO ANNEX CLARK COUNTY ASSESSOR'S PARCEL NUMBERS 122-04-010-004, 122-08-010-002, 122-08-010-003, 122-09-210-002, 122-09-401-001, 122-04-000-005, 122-05-000-003, 122-07-000-002, 122-08-000-003 AND 122-09-101-001 IN THE APEX INDUSTRIAL PARK, PHASE I, GENERALLY LOCATED WITHIN THE TRANSPORTATION AND UTILITY CORRIDOR, NORTH OF GRAND TETON DRIVE AND INTERSTATE ROUTE 15. (ASSOCIATED ITEM NO. 33, ORDINANCE NO. 2443)**

ACTION: PETITION ACCEPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

23. **APPROVAL OF A RULE 9 LINE EXTENSION AGREEMENT WITH NEVADA POWER COMPANY IN THE AMOUNT OF \$10,201 FROM SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT FUNDS, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PETITTI PARK RENOVATION PROJECT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

24. **AUTHORIZATION TO DONATE THE CITY OWNED 1983 GRUMMAN AIR RESOURCE TO THE ALAMO, NEVADA VOLUNTEER FIRE DEPARTMENT.**

ACTION: AUTHORIZED

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

25. APPROVAL OF A LANDSCAPE WARRANTY AGREEMENT WITH FIFTH AND CENTENNIAL ASSOCIATES, LLC, FOR THE LANDSCAPE MEDIANS, PARKWAY AND TRAIL ON NORTH 5TH STREET, TO BE FUNDED BY THE DEVELOPER FOR ONE YEAR. (CNLV CONTRACT NO. C-6791)

ACTION: APPROVED

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

26. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO KOMPAN, INC., IN THE AMOUNT OF \$111,174, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FOR PETITTI PARK.

ACTION: PURCHASE ORDER AUTHORIZED

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

27. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MUSCO SPORTS LIGHTING, LLC, IN THE AMOUNT OF \$233,000, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF A BALLFIELD LIGHTING SYSTEM FOR PETITTI PARK.

ACTION: PURCHASE ORDER AUTHORIZED

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

28. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO USA SHADE & FABRIC STRUCTURES, INC., IN THE AMOUNT OF \$65,593.82, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE PURCHASE OF SEVEN SHADE SHELTER STRUCTURES FOR PETITTI PARK.

ACTION: PURCHASE ORDER AUTHORIZED

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

29. ACCEPTANCE OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT AWARD PROVIDED THROUGH THE STATE DIVISION OF EMERGENCY MANAGEMENT, IN THE AMOUNT OF \$140,135.27, REQUIRING A CASH MATCH IN THE AMOUNT OF \$140,135.27 FOR FUNDING THE CITY'S EMERGENCY MANAGEMENT PROGRAM EXPENSES.

ACTION: GRANT AWARD ACCEPTED

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

30. APPROVAL OF THE CLEAN WATER COALITION'S TENTATIVE ANNUAL OPERATING AND CAPITAL BUDGET IN THE AMOUNT OF \$159,980,702 FOR FISCAL YEAR 2008-2009.

ACTION: APPROVED

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

31. RESOLUTION NO. 2399; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS ADOPTING AN INTERLOCAL AGREEMENT FOR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

ACTION: PASSED AND ADOPTED

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

32. APPROVAL OF AN INTERLOCAL AGREEMENT WITH CLARK COUNTY FOR THE HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT URBAN COUNTY PROGRAM FOR THE PERIOD JULY 1, 2009 THROUGH JUNE 30, 2012. (CNLV CONTRACT NO. C-6794)

ACTION: APPROVED

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

ORDINANCES
INTRODUCTION ONLY

33. ORDINANCE NO. 2443 (ANNEXATION NO. 136); 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 MAY 21, 2008) (ASSOCIATED ITEM NO. 22, PETITION FOR ANNEXATION)

Ordinance No. 2443 as introduced by the City Clerk:

ORDINANCE NO. 2443 (ANNEXATION NO. 136); 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 MAY 21, 2008) (ASSOCIATED ITEM NO. 22, PETITION FOR ANNEXATION)

ACTION: FINAL ACTION SET FOR MAY 21, 2008

34. **ORDINANCE NO. 2445; AN ORDINANCE REPEALING ORDINANCE 2439 AND AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-05-08); AMENDING SECTION 17.24.080 AND 17.28.050 IN REGARDS TO PROVISIONS FOR ADDITIONAL SECURITY MEASURES FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 21, 2008)**

Ordinance No. 2445 as introduced by the City Clerk:

ORDINANCE NO. 2445; AN ORDINANCE REPEALING ORDINANCE 2439 AND AMENDING TITLE 17 OF THE MUNICIPAL CODE OF

THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-05-08); AMENDING SECTION 17.24.080 AND 17.28.050 IN REGARDS TO PROVISIONS FOR ADDITIONAL SECURITY MEASURES FOR COMMERCIAL AND INDUSTRIAL ZONED PROPERTIES, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MAY 21, 2008)

ACTION: FINAL ACTION SET FOR MAY 21, 2008

35. **ORDINANCE NO. 2446; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 2267 REGARDING THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC AND DRHI, INC. FOR THE DEVELOPMENT OF APPROXIMATELY 2,675 ACRES AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 21, 2008)**

Ordinance No. 2446 as introduced by the City Clerk:

ORDINANCE NO. 2446; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 2267 REGARDING THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NOVEMBER 2005 LAND INVESTORS, LLC AND DRHI, INC. FOR THE DEVELOPMENT OF APPROXIMATELY 2,675 ACRES AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 21, 2008)

ACTION: FINAL ACTION SET FOR MAY 21, 2008

36. **ORDINANCE NO. 2450; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, AMENDING ORDINANCE NO. 304, REVISING THE REGISTRATION REQUIREMENTS FOR PISTOLS FOUND IN SECTION 9.36.100 OF THE NORTH LAS VEGAS MUNICIPAL CODE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 21, 2008)**

Ordinance No. 2450 as introduced by the City Clerk:

ORDINANCE NO. 2450; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, AMENDING ORDINANCE NO. 304, REVISING THE REGISTRATION REQUIREMENTS FOR PISTOLS FOUND IN SECTION 9.36.100 OF THE NORTH LAS VEGAS MUNICIPAL

CODE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MAY 21, 2008)

ACTION: FINAL ACTION SET FOR MAY 21, 2008

ORDINANCES
FINAL ACTION

37. **ORDINANCE NO. 2430; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-08) BY AMENDING TITLE 17 (SECTIONS 17.12.020, 17.20.100, 17.20.110, 17.20.120, 17.20.140, 17.20.230, AND 17.28.050) AND ADDING SECTION 17.24.105 REGARDING DEFINITIONS, TERMINOLOGY AND PROCEDURES FOR BOTH ON-SALE AND OFF-SALE LIQUOR USES AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED MARCH 19, 2008)**

Ordinance No. 2430 as introduced by the City Manager:

ORDINANCE NO. 2430; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-04-08) BY AMENDING TITLE 17 (SECTIONS 17.12.020, 17.20.100, 17.20.110, 17.20.120, 17.20.140, 17.20.230, AND 17.28.050) AND ADDING SECTION 17.24.105 REGARDING DEFINITIONS, TERMINOLOGY AND PROCEDURES FOR BOTH ON-SALE AND OFF-SALE LIQUOR USES AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED MARCH 19, 2008)

Acting Planning and Zoning Director Fiori explained the proposed amendments related to definitions, terminology and procedures for on-sale and off-sale liquor uses. The amendments were directed by Council during a meeting on April 16, 2008 and were agreed to by interested parties.

Jennifer Lazovich, Kummer Kaempfer Bonner Renshaw and Ferrario, 3800 Howard Hughes Parkway, Las Vegas asked that a verbatim transcript of the April 16, 2008 Special City Council Meeting be included in the record as it contained pertinent discussion regarding Ordinance No. 2430. The verbatim transcript is attached as Exhibit A.

Jeff Silver, Gordon and Silver Law Firm, 3960 Howard Hughes Parkway, 9th Floor, Las Vegas, thanked the City's staff for working with him and asked Council to approve the ordinance. Mr. Silver confirmed for Councilwoman Buck that one tavern was allowed per 150,000 square feet of commercial use, and any location with a full bar required a special

use permit. Mr. Silver also agreed to comply with a future condition to post the number of on-sale establishments allowed within a development.

Mayor Montandon thanked Staff for all their work on the ordinance.

ACTION: PASSED AND ADOPTED AS AMENDED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

38. ORDINANCE NO. 2431; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: REPEALING CHAPTER 20 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING GAMING ESTABLISHMENTS AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING GAMING ESTABLISHMENTS, INCLUDING AMENDED OR REVISED REGULATIONS GOVERNING NON-OPERATIONAL STATUS, LICENSE FEES, AND INVESTIGATION REQUIREMENTS AND OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED MARCH 19, 2008)

Ordinance No. 2431 as introduced by the City Manager:

ORDINANCE NO. 2431; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS: REPEALING CHAPTER 20 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGULATING GAMING ESTABLISHMENTS AND REPLACING THE SAME WITH NEW REGULATIONS GOVERNING GAMING ESTABLISHMENTS, INCLUDING AMENDED OR REVISED REGULATIONS GOVERNING NON-OPERATIONAL STATUS, LICENSE FEES, AND INVESTIGATION REQUIREMENTS AND OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED MARCH 19, 2008)

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

City Manager Rose stated he thought it best to read item numbers 39 through 41 together

because they were related, although they required separate votes.

39. **ORDINANCE NO. 2436; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-08); TO AMEND TITLE 17 (SECTION 17.20.040, 17.20.060 AND 17.24.215) TO CHANGE THE MINIMUM LOT AREA FOR HOMES WITHIN THE R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; TO ALLOW SINGLE-FAMILY HOMES AND CHANGE THE MINIMUM LOT AREA FOR HOMES WITHIN THE R-2, TWO-FAMILY RESIDENTIAL DISTRICT; AND TO APPLY AND AMEND THE SMALL LOT-DESIGN STANDARDS FOR SMALL-LOT HOMES WITHIN THE R-1 AND R-2 DISTRICTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED APRIL 2 AND APRIL 16, 2008) (ASSOCIATED ITEMS NO. 40, ORDINANCE NO. 2437 AND NO. 41, ORDINANCE NO. 2438)**

Ordinance No. 2436 as introduced by the City Manager:

ORDINANCE NO. 2436; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-08); TO AMEND TITLE 17 (SECTION 17.20.040, 17.20.060 AND 17.24.215) TO CHANGE THE MINIMUM LOT AREA FOR HOMES WITHIN THE R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT; TO ALLOW SINGLE-FAMILY HOMES AND CHANGE THE MINIMUM LOT AREA FOR HOMES WITHIN THE R-2, TWO-FAMILY RESIDENTIAL DISTRICT; AND TO APPLY AND AMEND THE SMALL LOT-DESIGN STANDARDS FOR SMALL-LOT HOMES WITHIN THE R-1 AND R-2 DISTRICTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED APRIL 2 AND APRIL 16, 2008) (ASSOCIATED ITEMS NO. 40, ORDINANCE NO. 2437 AND NO. 41, ORDINANCE NO. 2438)

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

40. **ORDINANCE NO. 2437; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO**

ZONING (ZOA-02-08) BY ADDING SECTION 17.24.225 IMPLEMENTING THE CRITERIA FOR DEVELOPMENTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED APRIL 2 AND APRIL 16, 2008) (ASSOCIATED ITEMS NO. 39, ORDINANCE NO. 2436 AND NO. 41, ORDINANCE NO. 2438)

Ordinance No. 2437 as introduced by the City Manager:

ORDINANCE NO. 2437; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-02-08) BY ADDING SECTION 17.24.225 IMPLEMENTING THE CRITERIA FOR DEVELOPMENTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED APRIL 2 AND APRIL 16, 2008) (ASSOCIATED ITEMS NO. 39, ORDINANCE NO. 2436 AND NO. 41, ORDINANCE NO. 2438)

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

41. **ORDINANCE NO. 2438; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-03-08) BY ADDING SECTION 17.28.067 IMPLEMENTING APPLICATION AND REVIEW PROCEDURES FOR DEVELOPMENTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED APRIL 2 AND APRIL 16, 2008) (ASSOCIATED ITEMS NO. 39, ORDINANCE NO. 2436 AND NO. 40, ORDINANCE NO. 2437)**

Ordinance No. 2438 as introduced by the City Manager:

ORDINANCE NO. 2438; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS,

RELATING TO ZONING (ZOA-03-08) BY ADDING SECTION 17.28.067 IMPLEMENTING APPLICATION AND REVIEW PROCEDURES FOR DEVELOPMENTS USING THE RESIDENTIAL DESIGN INCENTIVE SYSTEM AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED APRIL 2 AND APRIL 16, 2008) (ASSOCIATED ITEMS NO. 39, ORDINANCE NO. 2436 AND NO. 40, ORDINANCE NO. 2437)

Acting Planning and Zoning Director Fiori explained Ordinance No. 2436 reduced minimum lot sizes in R-1 and R-2 districts, increased maximum density to comply with the 2006 Comprehensive Plan, proposed changes to the small lot design guidelines and addressed frequent waivers to help streamline the review procedure for small lot projects.

Ordinance No. 2437 created the Residential Design Incentive System (RDIS) to help implement some of the ideas expressed in the Comprehensive Plan which acknowledged the need for greater density and flexibility for better integrated communities. It was to be used as an alternative to current regulations and did not replace current regulations.

Ordinance No. 2438 contained the procedures for the Residential Design Incentive System, for which final action was determined by the Planning Commission.

The Planning Commission recommended approval of all three ordinances.

Councilman Eliason was concerned about residents who originally bought homes in R-1 districts and asked if there would be notifications of zone changes. Acting Planning and Zoning Director Fiori said there were no notifications or public hearings. Planning and Zoning Manager Marc Jordan clarified under the RDIS system an R-1 density zone could not change to an R-2 density zone without a public hearing.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

42. ORDINANCE NO. 2442; 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 5.1+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-06-08, LONE MOUNTAIN'S 5TH LLC), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LONE

MOUNTAIN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 2442 as introduced by the City Manager:

ORDINANCE NO. 2442; 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 5.1+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-06-08, LONE MOUNTAIN'S 5TH LLC), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND NORTH 5TH STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning and Zoning Director Fiori stated the Planning Commission originally denied the reclassification of the land from an R-E District to a C-1 District. The decision was appealed and Council overturned the Planning Commission's decision. Therefore the ordinance was now before Council for approval.

Councilwoman Buck abstained from the vote because her brother lived in the neighborhood.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilwoman Smith

NAYS: Councilman Eliason

ABSTAIN: Councilwoman Buck

43. **ORDINANCE NO. 2444; 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 1.03+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (ZN-08-08, TOM AND KATHLEEN COLLINS), FOR PROPERTY LOCATED AT 4216 NORTH DECATUR BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2444 as introduced by the City Manager:

ORDINANCE NO. 2444; 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 1.03+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (ZN-08-08, TOM AND KATHLEEN COLLINS), FOR PROPERTY LOCATED AT 4216 NORTH DECATUR BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning and Zoning Director Fiori stated the proposed zone change and land use were consistent with the Master Plan, and the Planning Commission and Staff recommended approval.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

APPOINTMENT

44. APPOINTMENT BY COUNCILMAN ELIASON OF A MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD TO FILL AN UNEXPIRED TERM ENDING JUNE 30, 2009.

ACTION: TABLED TO MAY 21, 2008

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Buck recommended residential notification of uses such as the cell tower at Aliante.

CITY MANAGER'S REPORT

There was no additional report.

PUBLIC FORUM

Scott Sauer, 770 W. Lone Mountain Road, # 2026, North Las Vegas, recommended that major modification amendments to Public Hearing items be continued to allow for public input. Mayor Montandon replied Council was also concerned about the issue and made every attempt to notify the public of any upcoming events whenever possible. Mr. Sauer also requested the Planning Commission review the conditions for the split off-sites on the hospital site.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:08 P.M.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

APPROVED: July 2, 2008

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

ATTEST:

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