

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

June 21, 2000

**CITY COUNCIL
INFORMATION
SESSION**

6:00 P.M., City Manager's Conference Room

1. Discussion of City Council Agenda
2. Order Out Ordinance
3. Mass Solicitation for Consultant Qualifications

CALL TO ORDER

7:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

PRESENT

Mayor Michael L. Montandon
Mayor Pro Tempore William E. Robinson
Councilman John K. Rhodes
Councilwoman Stephanie S. Smith
Councilman Shari Buck

STAFF PRESENT

Acting City Manager Kurt Fritsch
Assistant City Manager Michele F. Richardson
City Clerk Eileen M. Sevigny
City Attorney Sean T. McGowan
Finance Director Vytas Vaitkus
Director of Human Resources Dan Tarwater
Director of Public Works Jim Bell
Development Services Director Tom Bell
Planning Manager Steve Baxter
Building Safety Manager Phil Coggins
Community Development Director Jacque Risner
Director of Administrative Services Eric V. Dabney
Acting Director of Parks & Recreation Ken Albright
Chief of Police Joe Tillmon
Deputy Fire Chief Jim Stubler
Detention Services Chief Ken Ellingson
Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael Montandon

VERIFICATION

Eileen M. Sevigny, CMC, City Clerk

INVOCATION Pastor Dick Jorgensen
Canyon Ridge Christian Church

PLEDGE OF ALLEGIANCE Mayor Michael L. Montandon

PROCLAMATION

- **Proclaiming June 25, 2000 “*Korean War Remembrance Day*”**

ACTION: June 25, 2000 proclaimed “Korean War Remembrance Day”

- **Proclaiming July 2000 *National Parks and Recreation Month***

ACTION: July 2000 proclaimed National parks and Recreation Month

AGENDA

1. REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JUNE 21, 2000.

ACTION: APPROVED AS AMENDED; ITEM NO. 18 STRICKEN; ITEM NO. 37 CONTINUED TO JULY 19, 2000.

MOTION: Councilwoman Smith

SECOND: Councilman Rhodes

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS

7:05 P.M.

2. SHOW CAUSE HEARING (CHEYENNE SALOON & GAMBLING HALL, INC.) - TO SHOW CAUSE WHY GAMING LICENSE SHOULD NOT BE DECLARED “NULL AND VOID” AND LIQUOR LICENSE SHOULD NOT BE REVOKED.

Mayor Pro Tempore Robinson opened the Public Hearing.

ACTION: CONTINUED UNTIL 7:30 P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

Development Services Director Tom Bell explained in 1994, the applicant, Boyd Bulloch received a use permit for the Fort Las Vegas site. After various extensions and amendments, the use permit carried certain conditions that had not been fulfilled as of this date. As a matter of local ordinance, use permit and business license conditions usually required construction of a 100-room hotel and related facilities. Consequently, the hearing was to show cause as to why the business license should or should not be revoked.

City Attorney Sean McGowan re-emphasized that the proceedings were not to authorize new uses in portions of the property not certified for occupancy or to amend or modify the use permit. It was only to determine if the gaming and liquor licenses were to be allowed to continue. Mr. McGowan suggested Council had at their disposal the following options for consideration:

1. Vote to deem the licenses as having lapsed or been revoked;
2. (a) Continue the show cause hearing with conditions that a new use permit application be filed to request further extension of the deadline to build the 100-room hotel.

(b) Continue the show cause with the condition that a new use permit application be filed showing the entire use for the premises which may or may not include a hotel.

Councilwoman Buck explained she would abstain to vote on the item because of her relationship to the Bulloch family.

Dave Crosby, 711 South 8th Street, Las Vegas, representing the licensee, had responded to the Order to Show Cause by means of an answer and believed that answer was sufficient to satisfy the questions raised. However, it was understood Council and Staff were not in agreement with Mr. Crosby. In order to move forward and address all

issues raised, Mr. Crosby requested a continuance to allow the licensee to meet with Staff to review the use permit application process and to submit an amended or revised use permit to deal with the present requirements. Mr. Crosby felt Council had broad discretion to decide the matter in a manner that would meet the needs of the business community as well as to address the safety and health needs of the residents.

Mayor Montandon stated there was an existing use permit with an actual use that did not match. An additional option was to make the physical facility match the existing use permit. A new use permit would be applied for to be more consistent with the actual plan for the site; keeping in mind that a new use permit would also be subject to Council approval.

Mr. Crosby felt a new use permit would be the most adequate method to deal with the problem. It was understood that the hearing would be continued while the new use permit was in process. Mr. Crosby added at one point every condition placed on the development was complied with, except building the hotel rooms. He agreed to work with Staff to develop a workable use permit plan. He felt that 60 days was an appropriate amount of time to develop the new plan.

City Attorney McGowan added a discussion was appropriate to determine if Council was open to the option of approving a new use permit application that did not include the construction of the required hotel rooms. Mr. McGowan felt the law was clear; hotel rooms were required at the subject site.

Mayor Montandon questioned whether Council had the discretion to determine if a new use permit would be allowed without the hotel rooms. Mr. Crosby responded by saying he and Mr. McGowan agreed that it was at Council's discretion to determine if hotel rooms were required. Mr. McGowan reiterated again that the law was clear; hotel rooms were required at the subject location. He added if Council wished to exercise its implied powers to govern for the public welfare, it would be incumbent upon Staff to develop an ordinance amendment to make it explicitly clear that hotel rooms would not be required at the subject location.

Councilman Rhodes asked if SB208 (1997) would apply in this instance. City Attorney McGowan stated the property was grand fathered by its status as a pre-July 1, 1992 application. But the City of North Las Vegas had a 100 room hotel requirement since 1984. That requirement was imposed on the applicant at the time of licensing. Councilman Rhodes clarified the City was superseding what was mandated by the State by requiring the applicant to comply with a more stringent standard. City Attorney McGowan stated that was correct. Councilman Rhodes then asked if the original

application was approved with the requirement of the construction of the 100 hotel rooms and City Attorney responded it was. In addition, in 1997, Council reaffirmed the earlier approval as to gaming and also extended a liquor license with the condition that a 100 room hotel be completed within two years.

Mayor Montandon asked if an application were received today, a 200 room hotel was required. City Attorney McGowan responded that was correct under both State and local law. If a hotel was not to be built, the establishment was restricted to a 15 machine bar/tavern permit.

Mayor Pro Tempore Robinson asked if Council gave approval to eliminate the hotel room requirement, what precedent would be set for future approvals. City Attorney McGowan responded Council had broad, implied powers to act on behalf of the community and if a subsequent application was received under similar conditions, Council could weigh the merits of that application at that time. Mayor Pro Tempore Robinson stated that in 1992, when the original application was approved, the cost for building the hotel would have been significantly lower. Currently, he did not feel the economy would bear out a hotel establishment at that location and was in favor of reviewing all options available to Council.

Councilwoman Smith stated the licensee had been extended every possible consideration to comply with the stated conditions and the requirements should be adhered to to avoid a dangerous precedent.

Mr. Crosby felt each application needed to be handled on a case by case basis and if given the opportunity, a unique site plan would be delivered to the City. Councilwoman Smith asked if it would include the 100 hotel rooms and Mr. Crosby responded it would not.

City Attorney McGowan pointed out if Option 2b were selected, the review would include a recommendation whether an ordinance change was required to make the processing of a use permit application that did not include hotel rooms lawful.

ACTION: CONTINUED UNTIL THE MEETING OF AUGUST 16, 2000 WITH THE CONDITION THAT A NEW USE PERMIT APPLICATION BE FILED SHOWING THE ENTIRE USES OF THE PROPERTY.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes and Smith

NAYS: None

ABSTAIN: Councilman Buck

CONSENT AGENDA

3. APPROVAL OF THE SPECIAL CITY COUNCIL MEETING MINUTES OF MAY 31, 2000.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

4. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JUNE 7, 2000.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

5. PRIVILEGED LICENSE(Exhibit A)

BUSINESS NAME

LICENSE TYPE

ACTIVITY

GEORGE C. CONGDON
DBA: CARDIVAN CO
1110 PALMS AIRPORT DR.
LAS VEGAS, NEVADA

GAMING (5) SLOT MACHINES
SLOT ROUTE OPERATOR

LOCATION: RITE AID DRUG STORE #6322
1920 LAS VEGAS BLVD N

PENDING FINAL GAMING COMMISSION APPROVAL SCHEDULE IN JUNE 2000

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

6. **APPROVAL OF AN ADDENDUM TO THE PROFESSIONAL SERVICES PROPOSAL FOR THE CITY OF NORTH LAS VEGAS, NEVADA, DATED AUGUST 9, 1994, WITH BOOK PUBLISHING COMPANY TO DEFINE THE TIME ALLOWABLE TO PROCESS SUPPLEMENTS TO THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BOOK. (Contract No. C-3307)**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

7. **APPROVAL TO PURCHASE 800 MHZ RADIO SYSTEM EQUIPMENT FOR THE POLICE DEPARTMENT USING A COMPETITIVE BIDDING EXCEPTION FROM COM-NET ERICSSON CRITICAL RADIO SYSTEMS IN THE AMOUNT OF \$86,604.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None
ABSTAIN: None

8. **APPROVAL OF AN AGREEMENT FOR MUTUAL ASSISTANCE WITH NELLIS AIR FORCE MEDICAL GROUP IN THE EVENT OF NATURAL DISASTER.**

ACTION: APPROVED

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

9. **ACCEPTANCE OF A UTILITY EASEMENT GRANTED BY LAS VEGAS AUCTION, INC., PROPERTY OWNER OF A PARCEL OF LAND LOCATED ON NELLIS BOULEVARD SOUTH OF GLENDALE ROAD IN THE SUNRISE MANOR TOWNSHIP, TO ALLOW FOR MAINTENANCE OF THE DOUBLE CHECK DETECTOR ASSEMBLY AND REDUCED PRESSURE PRINCIPLE ASSEMBLY BEING INSTALLED AS PART OF THE CONSTRUCTION OF NEW FACILITIES.**

ACTION: APPROVED
MOTION: Councilwoman Smith
SECOND: Councilman Buck
AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith
NAYS: None
ABSTAIN: None

10. **ACCEPTANCE OF A UTILITY EASEMENT GRANTED BY SILVER DOLLAR RECYCLING, PROPERTY OWNER OF A PARCEL OF LAND LOCATED NEAR NELLIS BOULEVARD AND EL CAMPO GRANDE AVENUE IN THE SUNRISE MANOR TOWNSHIP, TO ALLOW FOR MAINTENANCE OF THE REDUCED**

PRESSURE PRINCIPLE ASSEMBLY BEING INSTALLED AS PART OF THE CONSTRUCTION OF NEW FACILITIES.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

11. **ACCEPTANCE OF A UTILITY EASEMENT GRANTED BY T. AND J. FALLON FAMILY TRUST, PROPERTY OWNER OF A PARCEL OF LAND LOCATED NEAR SLOAN LANE SOUTH OF ANN ROAD IN THE SUNRISE MANOR TOWNSHIP, TO ALLOW FOR MAINTENANCE OF THE REDUCED PRESSURE PRINCIPLE ASSEMBLY BEING INSTALLED AS PART OF THE CONSTRUCTION OF NEW FACILITIES.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

BSTAIN: None

12. **ACCEPTANCE OF A UTILITY EASEMENT GRANTED BY VINCENT FRANCO III, PROPERTY OWNER OF A PARCEL OF LAND LOCATED NEAR MEIKLE LANE NEAR CASTLEBERRY LANE IN THE SUNRISE MANOR TOWNSHIP, TO ALLOW FOR MAINTENANCE OF THE REDUCED PRESSURE PRINCIPLE ASSEMBLY BEING INSTALLED AS PART OF THE CONSTRUCTION OF NEW FACILITIES.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

13. **ACCEPTANCE OF A UTILITY EASEMENT GRANTED BY CITY STOP IV, L.L.C., PROPERTY OWNER OF A PARCEL OF LAND LOCATED NEAR CHEYENNE AVENUE AND WALNUT STREET IN THE SUNRISE MANOR TOWNSHIP, TO ALLOW FOR MAINTENANCE OF THE REDUCED PRESSURE PRINCIPLE ASSEMBLY BEING INSTALLED AS PART OF THE CONSTRUCTION OF NEW FACILITIES.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

14. **ACCEPTANCE OF A UTILITY EASEMENT GRANTED BY SOUTHWEST LAND DEVELOPMENT, L.L.C., PROPERTY OWNER OF A PARCEL OF LAND LOCATED NEAR RANGE ROAD AND REGENA AVENUE IN THE SUNRISE MANOR TOWNSHIP, TO ALLOW FOR MAINTENANCE OF THE REDUCED PRESSURE PRINCIPLE ASSEMBLY AND A DOUBLE CHECK DETECTOR ASSEMBLY BEING INSTALLED AS PART OF THEIR CONSTRUCTION OF A NEW LUMBER YARD.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

15. **APPROVAL OF REGIONAL TRANSPORTATION COMMISSION SUPPLEMENTAL INTERLOCAL CONTRACTS: NO. 228B - SAHARA AVENUE, ORCHARD VALLEY PARKWAY TO TREELINE DRIVE (Contract No. C-3556); NO. 238A - WASHINGTON AVENUE, MARTIN L. KING BOULEVARD TO I-15 (Contract No.**

C-3577); AND NO. 327A - TWAIN AVENUE, RAINBOW BOULEVARD TO POLARIS (Contract No. C-4528).

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

16. **APPROVAL OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH THE DEVELOPERS OF NEVADA, LLC., (DOVE CANYON) FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND DECATUR BOULEVARD (1.5% OF THE TOTAL COST, OR \$5,858 BASED ON CURRENT CONSTRUCTION COSTS) AND WASHBURN ROAD AND DECATUR BOULEVARD (4.3% OF THE TOTAL COST, OR AN ESTIMATED \$22,845 BASED ON CURRENT CONSTRUCTION COSTS) (Contract No. C-4707).**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

17. **APPROVAL OF AN AMENDMENT TO THE 1999-2000 STAFFING PATTERN AS FOLLOWS:**

ADMINISTRATIVE SERVICES:

ADD:

2 NETWORK ANALYST II GRADE 23

1 SYSTEMS DEVELOPER GRADE 22

1 SYSTEMS TECHNICIAN GRADE 21

FIRE DEPARTMENT:

DELETE:

1 FIRE DIVISION CHIEF GRADE 67 CFC

ADD:

1 FIRE PREVENTION INSPECTOR GRADE 54FFA

HUMAN RESOURCES:

CHANGE OF TITLE:

FROM SAFETY SPECIALIST - GRADE 20

TO SAFETY OFFICER/TRAINING MANAGER - GRADE 23

PUBLIC WORKS:

CHANGE OF TITLE:

FROM SUPERVISOR, ROADWAY MAINTENANCE

TO ASSISTANT MANAGER, ROADWAY OPERATIONS

FROM SUPERVISOR, TRAFFIC OPERATIONS

TO ASSISTANT MANAGER, TRAFFIC OPERATIONS

ADD:

1 AUTO MECHANIC II GRADE 18

UPGRADE:

1 AUTO MECHANIC I GRADE 16 TO

1 AUTO MECHANIC II GRADE 18

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

18. **APPROVAL OF THE RENEGOTIATED ARTICLE 15, MEDICAL BENEFITS, OF THE AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND THE NON-SUPERVISOR UNIT OF THE NORTH LAS VEGAS POLICE OFFICERS ASSOCIATION, IN THE APPROXIMATE AMOUNT OF \$144,000 OVER THE TWO YEAR PERIOD ENDING JUNE 30, 2002.**

ACTION: STRICKEN

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

19. **APPROVAL OF AN APPLICATION FOR WINDSOR PARK HOUSING REVITALIZATION PROJECT FUNDS AND RELOCATION ASSISTANCE IN THE AMOUNT OF \$51,050 FOR MR. AND MS. JOE TURNER, WHOSE PROPERTY IS LOCATED AT 2721 SABER DRIVE IN THE WINDSOR PARK SUBDIVISION TO ASSIST IN ACQUIRING A REPLACEMENT HOME WITHIN THE NORTH LAS VEGAS CITY LIMITS.**

ACTION: APPROVED

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

20. **APPROVAL OF AN APPLICATION FOR WINDSOR PARK HOUSING REVITALIZATION PROJECT FUNDS AND RELOCATION ASSISTANCE IN THE AMOUNT OF \$51,050 FOR MR. JIMMIE TOWNSEL, WHOSE PROPERTY IS LOCATED AT 2624 STANTON DRIVE IN THE WINDSOR PARK SUBDIVISION TO ASSIST IN ACQUIRING A REPLACEMENT HOME WITHIN THE NORTH LAS VEGAS CITY LIMITS.**

ACTION: APPROVED

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

21. **APPEAL OF THE PLANNING COMMISSION DECISION TO DENY AMP-06-00; AN APPLICATION SUBMITTED BY ELKCOM INVESTMENTS, LLC, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN FROM OFFICE AND**

**MEDIUM DENSITY RESIDENTIAL TO MEDIUM-HIGH DENSITY RESIDENTIAL.
(SET PUBLIC HEARING FOR JULY 19, 2000.)**

ACTION: PUBLIC HEARING SET FOR JULY 19, 2000.

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

BUSINESS

22. CONSIDERATION OF AN OFFER TO PURCHASE 6.69 ACRES AT TONOPAH AVENUE FROM YALE SENIORS, LTD. IN THE AMOUNT OF \$480,000 TO DEVELOP A 104-UNIT SENIOR, LOW-INCOME HOUSING COMPLEX. (TABLED JUNE 7, 2000)

Jacque Risner, Director of Community Development, explained at Council's request, Staff reviewed the offer to purchase from Davis Street Corporation. Staff contented the overriding issues continued to be that the area was already densely populated and there was a distinct lack of services in the area specific to the senior population. Staff continued to recommend rejection of the offer by Davis Street Corporation; reclassification of the property from R-4 to R-2 and reappraisal of the property to be made available to sale once again.

Ms. Risner added a letter had been submitted by Don England, Director of the North Las Vegas Housing Authority in support of Staff's recommendation. (Exhibit B)

ACTION: OFFER REJECTED; STAFF DIRECTED TO SEEK RECLASSIFICATION OF THE SUBJECT PROPERTY FROM R-4 TO R-2, TO HAVE THE PROPERTY REAPPRAISED AND MADE AVAILABLE FOR SALE.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

23. APPROVAL OF A DECORATIVE BLOCK WALL FOR ALEXANDER STATION NO. 3 (T-781).

Development Services Director Tom Bell explained Staff recommended approval of the proposed design because it was consistent with the adjacent block wall designs.

ACTION: APPROVED AS PROPOSED.

MOTION: Councilman Rhodes

SECOND: Councilwoman Smith

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

24. CONSIDERATION OF AN APPEAL OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE CONDITION NO. 5 REGARDING HALF STREET IMPROVEMENTS ON LONE MOUNTAIN ROAD FOR UN-25-00; AN APPLICATION SUBMITTED BY HAROLD P. FOSTER FOR A USE PERMIT IN AN M-2 DISTRICT TO ALLOW AN AUTO WRECKING YARD, LOCATED AT 4810 NORTH LAMB BOULEVARD.

Development Services Director Tom Bell explained on May 10, 2000, the Planning Commission approved UN-25-00 subject to twelve conditions. Condition No. 5, a standard condition, required the applicant to improve adjacent street roadways. The applicant was appealing that condition.

Mr. Harold P. Foster, the applicant, requested the item be held after the Show Cause Hearing, to be deliberated by the full Council.

ACTION: CONTINUED TO FOLLOW AGENDA ITEM NO. 2.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None
ABSTAIN: None

Development Services Director Tom Bell explained on May 10, 2000 the Planning Commission approved UN-25-00 subject to twelve conditions. The applicant, Harold P. Foster, filed an appeal of Condition No. 5; a standard condition imposed by Public Works that half-street improvements be installed. This standard condition was required of all developers and Staff as well as the Planning Commission recommended approval as originally approved, subject to the original twelve conditions, including Condition No. 5.

Mayor Montandon pointed out the south end of the property abutted Lone Mountain Road at the point where it dead ended into Nellis Air Force Base. It was determined there was one other potential user of the portion east of Lone Mountain Road. Mayor Montandon pointed out there was no reason for any other traffic on that portion of the street. He asked what the ramifications would be if the applicant was directed to post a bond for the full amount that the City could exercise if it was necessary to construct Lone Mountain Road. Public Works Director Jim Bell explained that bonding could become a potential problem when the time for performance was undetermined. He pointed out there would be no good time to construct the road if it was deferred indefinitely. Mr. Bell's experience was that when a bond was utilized without a valid reason for delaying construction, it becomes an issue with neighboring properties in that it could set a dangerous precedent for other property owners in the area. Mr. Bell pointed out that air quality issues posed a problem as well. Counties and cities were required to install improvements in undeveloped areas to mitigate the dust problem. The developer was proposing partial development, with the use of access points. Mr. Bell pointed out the real impact would be on future projects not yet developed; many of which were currently being platted. He pointed out the area was a gateway for the new 7500 acre project and if the street improvements were deferred, the landscaping requirements would be deferred as well.

Harold P. Foster, 3230 Polaris Avenue, Suite 23, Las Vegas, represented the applicant and pointed out they were not asking for the condition to be deleted; just delayed. They preferred to have the road constructed in conjunction with development on the south side of Lone Mountain Road unless there was a need for it to be constructed sooner to accommodate adjacent properties.

Mr. Foster stated the applicant had been studying the subject property for many years and had just recently determined the community could possibly support the proposed use of a wrecking yard. However, since he still had reservations, he signed a two year lease with an option to purchase. He felt that within one to two years, he would know if it would be a successful operation. There would be a substantial expenditure for on-site

improvements such as the steel wall and landscaping requirements. He felt the cost for installing Lone Mountain Road, which did not serve any access currently should be deferred because the costs associated with street construction were substantial. Concerns such as dust control could be mitigated by installing a temporary barricade on Lone Mountain Road on the east side of Lamb Boulevard.

Mr. Foster pointed out Condition No. 5 included the requirement of a turnaround on the east end of the property. In researching the surroundings, it was determined the County was constructing an industrial park and it was recommended that Lone Mountain be a thirty foot right-of-way in that location. It was further determined the area requiring a turnaround would be in the vicinity of the industrial park. Mr. Foster stated they intended to submit a petition to vacate the north twenty feet of the fifty foot dedication that presently existed on the south side of the property.

Mr. Foster concluded that the applicant was requesting cooperation from Council to delay the installation of the half street improvements until it was determined his business would succeed. He assured Council that when the street improvements were needed, they would be installed.

Mayor Montandon pointed out if they were allowed to bond for the street, as soon as development of the industrial park began the bond would be called and the street improvements would have to be constructed. Acting City Manager Fritsch pointed out that in the spirit of cooperation, a one year bond would be appropriate.

Councilwoman Smith pointed out new EPA requirements would mandate all unpaved roads be paved. The new requirements would most probably take effect in January of 2001. She concurred with a one year bond.

Mr. Doney asked if the road could be barricaded since it was not to be accessed. Mayor Montandon stated he was willing to support bonding for the street improvements but it was imperative that the applicant realize it was a very temporary remedy. He pointed out that Mr. Siroonian, President of Ecology Auto Wrecking, had an excellent record with that type of business. The Mayor also pointed out when the EPA set their new standards, the street would have to be paved immediately. When other streets in the vicinity were constructed, it would have to be paved; or, it would have to be paved at the end of the one year bonding period.

Councilman Rhodes asked how much of the road would be used. Public Works Director responded approximately three-quarters of the road would be used covering approximately one-half of the property. The road extended approximately one-half mile past the property

to Lamb Boulevard.

Mr. Paul Doney, property owner, requested a two year bond because of all the property improvements necessary. Mayor Montandon stated that either the requirements of other property owners or the EPA requirements would necessitate calling the bond sooner than two years. Mr. Doney stated he was aware of the extenuating circumstances but there would be a lot of costly improvements added to the site that would require time.

Councilwoman Smith asked if the motion needed to include the requirement regarding the turnaround. She then asked if the bond were called, how would the road be built. Public Works Director Jim Bell stated the provisions in the bond would require a performance agreement as a promise the improvements would be completed. He suggested the bond carry a time limit for completion of the improvements and that engineering and all pre-construction design be in place immediately so there would be no cause for delay before construction. Mr. Bell pointed out the turnaround was needed because otherwise they would be traveling on dirt.

ACTION: APPROVED AS AMENDED TO INCLUDE A ONE YEAR BOND.
ENGINEERING FOR THE STREET IMPROVEMENTS MUST BE IN PLACE
IMMEDIATELY.

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

25. **CONSIDERATION OF A REQUEST FOR A CHANGE TO CONDITION NO. 24 TO REDUCE THE NUMBER OF COVERED PARKING SPACES FROM 60 TO 34, FOR RESOLUTION NO. 2065 (ZN-30-98); AN APPLICATION SUBMITTED BY THE SALVATION ARMY, TO REZONE A TRACT OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 100 FEET EAST OF CRAWFORD STREET, FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT.**

Development Services Director Tom Bell explained the applicant was requesting a reduction in the number of covered parking spaces from 60 to 34. On May 10, 2000, the Planning Commission considered and recommended approval of the request to change Condition No. 24 of Resolution of Intent No. 2065. Staff recommended approval as well.

ACTION: APPROVED.

MOTION: Councilman Rhodes

SECOND: Councilman Buck

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

26. RESOLUTION NO. 2181; A RESOLUTION TRANSFERRING 2000 PRIVATE ACTIVITY BOND STATE CEILING OF THE CITY OF NORTH LAS VEGAS, NEVADA TO THE STATE OF NEVADA IN CONNECTION WITH THE FINANCING OF CENTENNIAL PARK, A LOW-INCOME HOUSING REHABILITATION PROJECT.

Resolution No. 2181 as introduced by the City Clerk:

RESOLUTION TRANSFERRING 2000 PRIVATE ACTIVITY BOND STATE CEILING OF THE CITY OF NORTH LAS VEGAS, NEVADA TO THE STATE OF NEVADA IN CONNECTION WITH THE FINANCING OF CENTENNIAL PARK, A LOW-INCOME HOUSING REHABILITATION PROJECT.

Community Development Director Jacque Risner explained the City had received bond cap allocation funds in the amount of \$4,469,164. A total of four applications were received requesting all, or part of the bond cap. The four applications were as follows:

1. Sweet Delights, Inc., a manufacturing project - \$2,000,000 (Withdrawn)
2. Centennial Park, a housing rehabilitation project - \$5,800,000
3. Yale Seniors, a senior affordable housing project - \$4,071,500
4. Southwest Gas Corporation, a public utility - any unused portion of the allocation

Of the four applications received, Sweet Delights, Inc. had withdrawn their application. Yale Seniors was dependent upon approval of Agenda Item No. 22 regarding the sale of the Tonopah property. Since the property sale was rejected, Yale Seniors did not have control of the property thereby nullifying the application for bond cap ceiling funds.

Staff recommended the entire bond cap allocation amount be allocated to Centennial Park housing rehabilitation project; which was an affordable multi-family project located at 2605 Donna Street. The City received a letter of support from the regional HUD office recommending this project for funding and the project fit into the policy and guidelines as established by City Council for the dispersal of the bond cap funds.

Ms. Risner explained if the State was unable to fund the project before November 30, 2000, the bond cap would then revert to the City of North Las Vegas for distribution to Southwest Gas Company through Clark County.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Rhodes

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

27. RESOLUTION NO. 2183; A RESOLUTION BY THE CITY COUNCIL OF NORTH LAS VEGAS FOR THE INSTALLATION OF LIGHTED FLAG POLES AT ALL NEWLY CONSTRUCTED PARK FACILITIES.

Resolution No. 2183 as introduced by the City Clerk:

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS FOR THE INSTALLATION OF LIGHTED FLAG POLES AT ALL NEWLY CONSTRUCTED PARK FACILITIES.

Councilwoman Smith explained she was made aware that there were few flags in the area by the Veterans' Association and Clark County. She felt that as new parks were being designed and park standards were being developed for the City, it was the perfect

opportunity to ensure the symbols of the country for displayed for all residents to see. Councilwoman Smith stated it was a small token of respect to our country.

Mayor Pro Tempore asked why each illuminated flag pole cost approximately \$5,000. He felt that in a time when there were so many other needs the City should be addressing, it did not seem fiscally responsible to expend funds for flag poles. Councilwoman Smith responded the cost was to allow the flags to remain raised permanently. If they were not illuminated, each flag would have to be lowered daily, costing more money in staffing and maintenance.

Councilman Buck recommended the cost not be borne by the City; that it should be absorbed by the developer of the park and become part of the park development standards.

The following persons spoke in favor of the resolution:

Ed Gobel, President of Nevada Veterans Organizations
Lee Keyser, 4628 Casa Bonita Drive, North Las Vegas
Pauline Wehrben, 6548 Lombard Drive, Las Vegas
Raymond E. Spiegg, 4318 Hempsted Glen Avenue, North Las Vegas
Art Morsch, 3940 Extenso Drive, North Las Vegas

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Rhodes

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

28. CONSIDERATION OF ZOA-08-00; A REQUEST SUBMITTED BY DEVELOPED CONCEPTS, INC., ON BEHALF OF BENEVOLENT PROTECTIVE ORDER OF ELKS, NORTH LAS VEGAS LODGE #2353, TO AMEND TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY AMENDING SECTION 110 OF CHAPTER 20 TO ALLOW RECREATIONAL VEHICLE PARKS AS A SPECIAL USE IN C-2 GENERAL COMMERCIAL DISTRICTS.

Development Services Director Tom Bell explained the Planning Commission considered

the request on May 10, 2000 and voted against the request to amend the Zoning Ordinance to allow recreational vehicle parks as a special use in C-2 Districts. Both Staff and the Planning Commission felt it would be detrimental to allow recreational vehicle parks in C-2 zoning districts. They were, however, allowed in both C-3 General Service Commercial Districts and M-2 General Industrial Districts which Staff felt were more appropriate for that type of use. Mr. Bell pointed out if Council was inclined to support just this request from the Elks, Staff could be directed to prepare an amendment to Chapter 17 of the Municipal Code which would allow, by special use permit, recreational vehicle parks as accessory uses to non-profit, fraternal organizations.

Kyle Kacy, 4613 Gonzales Drive, Las Vegas, explained the Elks' Lodge had been in its current location on Van Der Meer Street near Las Vegas Boulevard for over thirty years. Mr. Kacy pointed out the Elks Lodge sat on a parcel that was approximately 2.75 acres, with most of the property vacant. The Elks Lodge desired to upgrade the property by constructing a recreational vehicle park for overnight stays restricted to members only. Although the use was allowed under M-2 zoning, Mr. Kacy felt that use was not appropriate for the subject property.

Councilman Rhodes asked if Staff had reviewed the request. Development Services Director Tom Bell restated the request was to change the Zoning Code to allow recreational vehicle parks as a special use in all C-2 districts. Staff and the Planning Commission were not in favor of the amendment. As an alternative, Staff recommended an amendment to Title 17 to allow a recreational vehicle park as an accessory use to an existing fraternal organization by special use permit that would give the Elks the ability to utilize the property as desired. It would also give the Planning Commission the opportunity to review site plans and landscaping requirements.

Councilman Rhodes commented the additional traffic generated by the proposed use would be minimal. He felt the use would provide some much needed development and aesthetic value to the area.

ACTION: DENIED; STAFF DIRECTED TO PREPARE AN AMENDMENT TO TITLE 17 TO ALLOW BY SPECIAL USE PERMIT RECREATIONAL PARKS AS ACCESSORY USES FOR NON-PROFIT FRATERNAL ORGANIZATIONS IN C-2 GENERAL COMMERCIAL DISTRICTS.

MOTION: Councilman Rhodes
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith
NAYS: None

ABSTAIN: None

Mayor Montandon entered chambers at 7:33 p.m. Acting City Manager Fritsch stated it would be appropriate to conduct the Public Hearings at that time.

29. **INTRODUCTION ONLY - ORDINANCE NO. 1415; 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 A CERTAIN PROPERTY THEREIN FROM R-1 TO C-2 (ZN-10-98) GENERALLY LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND DECATUR BOULEVARD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 5, 2000)**

Ordinance No. 1415 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM R-1 TO C-2 (ZN-10-98) GENERALLY LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND DECATUR BOULEVARD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 5, 2000.

30. **INTRODUCTION ONLY - ORDINANCE NO. 1416 (ZOA-10-00); AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 020 OF CHAPTER 20, PARAGRAPH D OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING FARM ANIMALS OTHER THAN HORSES IN RANCH ESTATES DISTRICTS; AND PROVIDING FOR OTHER MATTERS**

PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JULY 5, 2000)

Ordinance No. 1416 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 020 OF CHAPTER 20, PARAGRAPH D OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING FARM ANIMALS OTHER THAN HORSES IN RANCH ESTATES DISTRICTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR JULY 5, 2000.

31. **FINAL ACTION - ORDINANCE NO. 1404; AN ORDINANCE TO AMEND TITLE 9 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY ADDING A NEW CHAPTER 9.18 ENTITLED MISDEMEANOR DRUG ACTIVITY ORDER OUT CORRIDOR, DEFINING THE TERMS MISDEMEANOR DRUG RELATED ACTIVITY AND ORDER OUT CORRIDOR, PROVIDING FOR THE SUSPENSION OF SENTENCE FOR THE CONVICTION OF MISDEMEANOR DRUG RELATED OFFENSES SUBJECT TO SPECIFIED CONDITIONS, INCLUDING STAYING OUT OF THE AREA DEFINED AS THE ORDER OUT CORRIDOR, MAKING IT UNLAWFUL TO WILLFULLY VIOLATE AN ORDER TO STAY OUT OF THE ORDER OUT CORRIDOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JUNE 7, 2000)**

Ordinance No. 1404 as introduced by the City Clerk:

AN ORDINANCE TO AMEND TITLE 9 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY ADDING A NEW CHAPTER 9.18 ENTITLED MISDEMEANOR DRUG ACTIVITY ORDER OUT CORRIDOR DEFINING THE TERMS MISDEMEANOR DRUG RELATED ACTIVITY AND ORDER OUT CORRIDOR, PROVIDING FOR THE SUSPENSION OF SENTENCE FOR THE CONVICTION OF MISDEMEANOR DRUG RELATED OFFENSES SUBJECT TO SPECIFIED CONDITIONS, INCLUDING STAYING OUT OF THE AREA DEFINED AS THE ORDER OUT CORRIDOR, MAKING IT UNLAWFUL TO WILLFULLY VIOLATE AN ORDER TO STAY OUT OF THE ORDER OUT CORRIDOR; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Councilman Rhodes requested more analysis and asked Police Chief Tillmon to identify

some strategies to eradicate narcotic crimes in the area to be used in conjunction with the Order Out Corridor.

Chief Tillmon stated the analysis had been completed and a program would be instituted in July. Councilman Rhodes requested to review the plan. Councilman Rhodes then made a motion to table the item for two weeks.

Mayor Pro Tempore Robinson stated he had been dealing with the residents in the area for over twenty years and it was time to move forward. It was necessary to pass the ordinance to give the police and the judge a tool to deal with habitual criminals that frequented that area.

Councilman Buck stated she went on a ride along with the police in the area and was well aware of what the department was attempting to accomplish in the area. The point was the citizens in the area were afraid. They lived in fear and until programs were instituted to help them, the residents would not participate in a solution. She was against tabling the item for any length of time.

Councilman Rhodes stated he felt the ordinance was a partial measure than needed to be analyzed further to enhance its effectiveness. He requested the Chief communicate more fully with Council.

Councilwoman Smith stated it would be in the best interest of the City to table the item for two weeks in order present a united front from Council.

Councilman Buck stated the request for more information should not preclude approving the current ordinance and moving forward. A comprehensive plan could be requested and reviewed at a later date.

ACTION: TABLE UNTIL JULY 5, 2000

MOTION: Councilman Rhodes

SECOND: Councilwoman Smith

AYES: Councilman Rhodes, Councilwoman Smith

NAYS: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Buck

ABSTAIN: None

County Commissioner Yvonne Atkinson-Gates, stated the item was before Council not at her request but at the request of the residents in the area. She concurred with Councilman Buck in that the ordinance could be approved and further enhancements could be brought back at a later date. Commissioner Gates stated the residents of the area had been living in fear for a very long time and they contacted her because they were not receiving any satisfaction from the City. The reason the residents were not at the

meeting was because they were afraid to speak out against the illegal activities occurring in the neighborhood. Commissioner Gates urged Council to move forward with the ordinance to protect the citizens they were elected to serve.

Councilman Rhodes requested Chief Tillmon develop a comprehensive plan and communicate that information to Council.

ACTION: PASSED AND ADOPTED AS AMENDED.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

32. **FINAL ACTION - ORDINANCE NO. 1405; 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 A CERTAIN PROPERTY THEREIN FROM R-1 TO C-1 (ZN-15-96) GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD AND COMMERCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1405 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM R-1 TO C-1 (ZN-15-96) GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD AND COMMERCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED.

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

33. FINAL ACTION - ORDINANCE NO. 1406, AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 160 OF CHAPTER 24, PARAGRAPH N OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING THE DEVELOPMENT SERVICES DIRECTOR OR HIS OR HER DESIGNEE TO APPROVE TEMPORARY USES FOR A SPECIFIED PERIOD OF TIME, NOT TO EXCEED THIRTY (30) DAYS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1406 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 160 OF CHAPTER 24, PARAGRAPH N OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY ALLOWING THE DEVELOPMENT SERVICES DIRECTOR OR HIS OR HER DESIGNEE TO APPROVE TEMPORARY USES FOR A SPECIFIED PERIOD OF TIME, NOT TO EXCEED THIRTY (30) DAYS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

34. FINAL ACTION - ORDINANCE NO. 1407, 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 A CERTAIN PROPERTY THEREIN FROM R-1 TO PUD (ZN-02-89) GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1407 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM R-1 TO PUD (ZN-02-89) GENERALLY LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

35. FINAL ACTION - ORDINANCE NO. 1410 (ANNEXATION NO. 103); 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.

Ordinance No. 1410 as introduced by the City Clerk:

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: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

36. **FINAL ACTION - ORDINANCE NO. 1411; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO PUD (ZN-34-97) GENERALLY LOCATED ON THE NORTHWEST CORNER OF TROPICAL PARKWAY AND LOSEE ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1411 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM R-E TO PUD (ZN-34-97) GENERALLY LOCATED ON THE NORTHWEST CORNER OF TROPICAL PARKWAY AND LOSEE ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Councilman Rhodes stated the condition requiring a hospital be built was a requirement that was not imposed on other developments in the area and he requested it be removed. Mayor Pro Tempore Robinson voiced his preference that the requirement remain in the ordinance.

John McDonald, J. W. M. Investments, Inc. stated the hospital would not be built first.

Councilwoman Smith asked what guarantee the City could have that the hospital would be built if the requirement that it had to be built first were removed. Mr. McDonald responded the hospital was a very integral part of the development and it was the developer's desire to see it built.

Councilman Rhodes stated if the hospital were not to be built, the applicant would have to return to Council for rezoning the land and the zoning would dictate what types of uses could be built there. He felt that requiring the hospital to be built first was an unnecessary handicap against the developer and the other portions of the development would be very beneficial to the area with or without the addition of the hospital.

Councilwoman Smith asked if Mountain View Hospital was built before the other medical establishments. Mr. McDonald stated the medical buildings were constructed first. He pointed out numerous hospitals were contacted to develop the site but there was no interest in building in an area that was undeveloped. Councilwoman Smith asked if the requirement to build the hospital were removed, what would be built first. Mr. McDonald responded the developer had been working with the City continuously to begin development, including starting an SID, and agreements to pay for traffic signals. Councilwoman Smith asked if the hotel could be built before the hospital and Mr. McDonald responded the hotel would most likely be built after the hospital. Mr. McDonald stated that the senior apartments would be built first.

Councilman Buck asked if in the process of hard zoning a PUD, the qualities of the development could be changed. Development Director Tom Bell explained the item before Council was a hard zoning, a zoning classification to a Planned Unit Development District. The Resolution of Intent previously approved expired, requiring hard zoning. If it was

desired to change the conditions of the PUD, which included the hospital, it would require re-advertising and amending the PUD through the Planning Commission. The hard zoning could be approved by Council and Staff could be directed to apply for an amendment to the PUD.

Mayor Montandon clarified if the ordinance was approved as is, the applicant would have to apply for an amendment to the PUD and go through the Planning Commission to remove the hospital. If the ordinance was denied, the applicant would no longer have entitlement to the zoning.

Mayor Pro Tempore Robinson voiced his concerns about placing a senior development in an area that did not have the proper amenities to serve them. He felt that once the senior apartments were built, no other development would take place on the site. Mayor Pro Tempore Robinson stated his preference that the hospital requirement remain in the ordinance.

Councilman Rhodes stated Mr. McDonald had completed other projects in the City and had demonstrated his willingness to follow through on commitments.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

37. FINAL ACTION - ORDINANCE NO. 1412; 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 A CERTAIN PROPERTY THEREIN FROM R-E TO M-1 (ZN-09-00) LOCATED AT 3500 WEST CORAN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1412 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM R-E TO M-1 (ZN-09-00) LOCATED AT 3500 WEST CORAN LANE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: TABLED TO JULY 19, 2000.

MOTION: Councilwoman Smith

SECOND: Councilman Rhodes

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

38. **FINAL ACTION - ORDINANCE NO. 1414 (ANNEXATION NO. 104); 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.**

Ordinance No. 1414 as introduced by the City Clerk:

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: PASSED AND ADOPTED

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

APPOINTMENTS

39. APPOINTMENT OF TWO PLANNING COMMISSIONERS. (TABLED MAY 17 & JUNE 7, 2000)

ACTION: L. DEAN LEAVITT AND MARILYN KIRKPATRICK APPOINTED FOR THE
TERMS JULY 1, 2000 TO JUNE 30, 2004.

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

MAYOR'S TASK FORCES

- Crime Prevention Task Force Advisory Committee

COUNCIL ITEMS

No additional items.

CITY MANAGER'S REPORT

There was no report.

PUBLIC FORUM

Dorothy Walker spoke of Walker Park residency violations.

Frank Azbell urged Council to complete the Owens Avenue improvements and various Police Department issues. Councilman Rhodes responded the Owens Avenue improvements were slated for 2001.

L. Dean Leavitt thanked Council for his Planning Commission appointment.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 9:07 P.M.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Pro Tempore Robinson, Councilman Rhodes, Buck, and Smith

NAYS: None

ABSTAIN: None

Approved: July 5, 2000

Mayor Michael L. Montandon

Attest:

Eileen M. Sevigny, CMC

City Clerk