

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

October 2, 2002

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:04 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**ROLL CALL**

**COUNCIL PRESENT**

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

**STAFF PRESENT**

City Manager Kurt Fritsch	Administrative Services Director Eric Dabney
Assistant City Manager Gregory Rose	Deputy Fire Chief Jim Stubler
Assistant City Manager Dan Tarwater	Parks Planner Tony Taylor
City Attorney Sean McGowan	Human Resources Director Vince Zamora
City Clerk Eileen Sevigny	Police Chief Mark Paresi
Acting Development Services Director Steve Baxter	Assistant Public Works Director Laurnal Gubler
Finance Director Phil Stoeckinger	Assistant to the City Manager Brenda Johnson
Deputy City Attorney Jim Lewis	Assistant City Clerk Karen L. Storms

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Eileen M. Sevigny, CMC  
City Clerk

**INVOCATION**

Pastor Dick Jorgensen  
Canyon Ridge Christian Church

**PLEDGE OF ALLEGIANCE**

Boy Scout Troop 259

## **AGENDA**

### **1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF OCTOBER 2, 2002.**

ACTION: APPROVED AS AMENDED; ITEM NOS. 14 & 15 SET FOR PUBLIC HEARING NOVEMBER 6, 2002; ITEM NO. 25 TABLED TO OCTOBER 16, 2002; ITEM NO. 26. CONTINUED TO OCTOBER 16, 2002.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

## **CONSENT AGENDA**

### **5. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF SEPTEMBER 4, 2002.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

### **6. RATIFICATION OF PAYMENT OF A PERMANENT PARTIAL DISABILITY AWARD, IN THE AMOUNT OF \$27,936.29, TO AN INJURED EMPLOYEE.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**7. APPROVAL TO AMEND THE 2002-2003 STAFFING PATTERN AS FOLLOWS:**  
(All staffing pattern changes will be processed when administratively feasible)

**HUMAN RESOURCES**

Administration

Upgrade one (1) Human Resources Specialist from APT 19 to APT 20

Reclassify one (1) Compensation Specialist APT 21 to Compensation and Recruitment Administrator APT 24

Title change only: One (1) Safety Officer/Training Manager TA 23 to Safety Officer/Training Administrator TA 23

Reclassify one (1) Trainer TA 19 to Human Resources Trainer TA 20

Recruitment

Title change only: One (1) Human Resources Analyst TA 23 to Principal Recruiter TA 23

Reclassify one (1) Senior Office Assistant TNS 14 to Human Resources Technician TNS 16

Employee Benefits

Title change only: One (1) Benefits Technician TA 20 to Senior Benefits Technician TA 20

Reclassify one (1) Senior Office Assistant TNS 14 to Human Resources Technician TNS 16

Services and Support

Reclassify one (1) Human Resources Analyst CNF 23 to Employee Relations Manager APT 25

Title change only: One (1) Workers Compensation Specialist TA 20 to Senior Workers Compensation Specialist TA 20

**PUBLIC WORKS**

Engineering Services Core Group

Title change only: One (1) Project Coordinator TS 21 to Engineering Project Coordinator TS 21

**ADMINISTRATIVE SERVICES**

Information Technology

Title change only: One (1) Manager, MIS APT 25 to Manager Information Technology APT 25

Title change only: One (1) Network Support Supervisor TS 24 to Network Supervisor TS 24

Title change only: One (1) Applications Development & Support Supervisor TS 24 to Business Applications Supervisor TS 24

Title change only: Two (2) Data Administrator & Systems Developer TA 24 to Database Administrator TA 24

Title change only: Three (3) Network Analyst II TA 23 to Senior Network Analyst TA 23

Reclassify one (1) Human Resources Analyst TA 23 to Senior Business Systems Analyst TA 23

Title change only: Two (2) Information Services Support Specialist TA 22 to System Support Analyst TA 22

Title change only: Four (4) Systems Developer TA 22 to Senior Business Systems Analyst TA 22

**LIBRARY**

Upgrade one (1) Assistant Director, Library DD 22 to DD 24

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

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

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<b><u>NEW GAMING</u></b>		
North Blvd, LLC <b><u>DBA:</u></b> Winn-Dee Bar & Cocktail Lounge 2440 Las Vegas Blvd N North Las Vegas, Nevada	GAMING Owner/Operator	(15) Slot machines

Pending Final Gaming Commission Approval Scheduled for September 26, 2002

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**9. APPROVAL OF A PROPOSAL IN AN AMOUNT BETWEEN \$4,000 AND \$6,000**

**INCLUDING EXPENSES, SUBMITTED BY REALTY SERVICES INTERNATIONAL, INC. (RSI), FOR UPDATED APPRAISAL SERVICES ON NORTH VALLEY PLANNED COMMUNITY PHASE I TO PROVIDE A "NOT LESS THAN" VALUE FOR THE PROJECT. (CNLV Contract No. C-5094)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**10. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT #57 (WESTERN TRIBUTARY LAS VEGAS WASH) APPORTIONMENT REPORT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**11. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT #58 (CRAIG ROAD PHASE 1) APPORTIONMENT REPORT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

12. **ACCEPTANCE OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CLARK COUNTY SCHOOL DISTRICT FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ALEXANDER ROAD AND SIMMONS STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$4,218; ALEXANDER ROAD AND CLAYTON STREET IN THE AMOUNT OF 4.0% OF THE TOTAL COST OR \$16,870; AND GOWAN ROAD AND CLAYTON STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$5,313 FOR THE RICHARD C. PRIEST ELEMENTARY SCHOOL LOCATED ON THE SOUTHWEST CORNER OF SAN MIGUEL AVENUE AND COLEMAN STREET.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

13. **AMP-42-02 (TROPICAL & LAMB); AN APPLICATION, SUBMITTED BY INSIGHT DEVELOPMENT ON BEHALF OF 30 TROPICAL PARKWAY LLC, ANDREW S. KATZ REVOCABLE TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO ADD TROPICAL PARKWAY AS A 100 FOOT ARTERIAL STREET COMMENCING AT PECOS ROAD AND PROCEEDING EASTWARD TO LAMB BOULEVARD. (SET PUBLIC HEARING FOR OCTOBER 16, 2002)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 16, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

14. **APPEAL, SUBMITTED BY JENNIFER LAZOVICH OF KUMMER, KAEMPFER, BONNER, & RENSHAW, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-53-02; AN APPLICATION SUBMITTED BY KEVIN THISTLE ON BEHALF OF EMIL AND MARIA FIORANTE, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF M-HDR MEDIUM - HIGH DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND CENTENNIAL PARKWAY. (SET PUBLIC HEARING FOR OCTOBER 16, 2002) (ASSOCIATED ITEM NO. 15, ZN-103-02)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 16, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

15. **APPEAL, SUBMITTED BY JENNIFER LAZOVICH OF KUMMER, KAEMPFER, BONNER, & RENSHAW, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-103-02; AN APPLICATION SUBMITTED BY KEVIN THISTLE ON BEHALF OF EMIL AND MARIA FIORANTE, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND CENTENNIAL PARKWAY. (SET PUBLIC HEARING FOR OCTOBER 16, 2002) (ASSOCIATED ITEM NO. 14, AMP-53-02)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 16, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

16. **GED-02-02 (NORTH VALLEY CASINO); AN APPLICATION SUBMITTED BY NORTH VALLEY ENTERPRISES LLC, PROPERTY OWNER, FOR A PETITION TO ESTABLISH A GAMING ENTERPRISE DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND THE I-215 BELTWAY. (SET PUBLIC HEARING FOR OCTOBER 16, 2002) (ASSOCIATED ITEM NO. 38, ORDINANCE NO. 1716, ZN-105-02 FOR INTRODUCTION ONLY)**

ACTION: PUBLIC HEARING SET FOR OCTOBER 16, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

17. **VAC-21-02 (LOGISTICENTER @ NORTH LAS VEGAS); AN APPLICATION, SUBMITTED BY TANEY ENGINEERING ON BEHALF OF THE PETERSEN 1994 TRUST, PROPERTY OWNER, TO VACATE PRIVATE STREETS AND UTILITY EASEMENTS IN THE COLLINS BUSINESS PARK II ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF BELMONT STREET AND ALEXANDER ROAD. (SET PUBLIC HEARING FOR NOVEMBER 6, 2002) (ASSOCIATED ITEM NO. 18, VAC-22-02)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 6, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

18. **VAC-22-02 (LOGISTICENTER @ NORTH LAS VEGAS); AN APPLICATION, SUBMITTED BY DP PARTNERS ON BEHALF OF JL BEAM, LLC, PROPERTY OWNER, TO VACATE THE PUBLIC DRAINAGE EASEMENT IN COLLINS BUSINESS PARK II ON PROPERTY GENERALLY LOCATED AT THE**

**SOUTHEAST CORNER OF BELMONT STREET AND GOWAN ROAD. (SET PUBLIC HEARING FOR NOVEMBER 6, 2002) (ASSOCIATED ITEM NO. 17, VAC-21-02)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 6, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**19. VAC-23-02 (ELDORADO 14 R-1 60 #9); AN APPLICATION, SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, TO VACATE A PORTION OF LITTLE CANYON STREET RIGHT-OF-WAY COMMENCING AT CAMINO ELDORADO AND EXTENDING SOUTH APPROXIMATELY 44 FEET. (SET PUBLIC HEARING FOR NOVEMBER 6, 2002)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 6, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**20. VAC-24-02 (CARMENA); AN APPLICATION, SUBMITTED BY CENTEX HOMES - REAL HOMES ON BEHALF OF GARY AND CARMENA N. O'KEEFE, PROPERTY OWNERS, TO VACATE APPROXIMATELY 631 FEET OF REISS LANE RIGHT-OF-WAY ALIGNMENT BETWEEN DONNA STREET AND BRUCE STREET AND APPROXIMATELY 649 FEET OF DORIS STREET RIGHT-OF-WAY ALIGNMENT BETWEEN REISS LANE AND AZURE AVENUE. (SET PUBLIC HEARING FOR NOVEMBER 6, 2002) (ASSOCIATED ITEM NO. 41, ORDINANCE NO. 1719, ZN-109-02 FOR INTRODUCTION ONLY)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 6, 2002

MOTION: Mayor Pro Tempore Robinson

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

## **BUSINESS**

### **21. PRESENTATION OF THE METROPOLITAN AREA EXPRESS (MAX) TRANSIT SERVICE BY THE CLARK COUNTY REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA.**

Jacob Snow, from the Regional Transportation Commission (RTC), stated the Commission had received \$5 million from the Senate Transportation Appropriations Committee for stations and platforms for the Metropolitan Area Express System (MAX). \$1 million was appropriated by the House. It was expected Senator Reid would be named to the conference committee and encouraged the City's lobbyist assist with the RTC's efforts to receive the funding for the stations and platforms. Mr. Snow stated the American Public Transportation Association held their annual conference and exposition in Las Vegas this year. He commented the Metropolitan Express system was the hit of the conference and stated MAX would be the first system in the western hemisphere to demonstrate the new technology.

June Duval, Project Manager for the Metropolitan Area Express explained the project encompassed more than just bus service. A bus only lane would be provided along Las Vegas Boulevard North. The Civis bus, the cornerstone of the MAX system, would receive transit signal priority and would offer off-vehicle fair collection. The system would run as a train and the vehicle had been designated as a national demonstration project.

Ms. Duval stated CAT bus routes 801 and 113, through North Las Vegas, were the busiest routes in the CAT system and served approximately 8,000 residents per day. She stated the MAX system would run from the downtown transportation center out to Nellis Air Force Base. The bus only lane would run from Bruce Street to Craig Road. Ms. Duval explained the Civis bus was brought to the Las Vegas valley for specific testing with regard to the heat.

Ms. Duval explained there would be a total of eighteen MAX stations; eight north bound and ten south bound. Ticket vending machines would be placed on the station platforms. It was the intent that all four access doors would open simultaneously for quicker boarding and exiting. She added the stations would offer advertising space for revenues to offset operation and maintenance costs and would provide dynamic messaging to apprise riders of the locations of the buses.

Ms. Duval stated there were ten vehicles in production. The first vehicle was due in the area in June of 2003. There was a training agreement for personnel prior to the arrival of all buses. The civil works, infrastructure and roads would be completed by July of 2003 and the stations would be completed by October of 2003. Revenue service would begin in November of 2003.

Councilwoman Smith questioned if bus tracking would be available. Ms. Duval stated the feature had not yet been considered for the ridership but the capability was there. Mr. Snow added the feature would be available on all three hundred vehicles for tracking purposes.

ACTION: PRESENTATION GIVEN

**22. APPROVAL OF REGIONAL TRANSPORTATION COMMISSION INTERLOCAL CONTRACT #420 FOR THE CLAYTON STREET IMPROVEMENT PROJECT, (CRAIG ROAD TO LONE MOUNTAIN ROAD) IN AN AMOUNT NOT EXCEED \$2,040,000 FOR THE PRELIMINARY AND RIGHT-OF-WAY ENGINEERING, FINAL DESIGN, CONSTRUCTION MANAGEMENT SERVICES, ACQUISITION OF RIGHT-OF-WAY, AND CONSTRUCTION TO BE COMPLETED BY DECEMBER 31, 2005. (CNLV Contract No. C-5195)**

ACTION: APPROVED

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**23. APPROVAL OF CONDEMNATION OF REAL PROPERTY NEEDED FOR THE CLAYTON STREET WIDENING PROJECT, LONE MOUNTAIN ROAD TO CRAIG ROAD, AND AUTHORIZATION TO THE CITY ATTORNEY TO INITIATE A FORMAL COMPLAINT IN CLARK COUNTY DISTRICT COURT TO CONDEMN A PORTION (58,787 SQUARE FEET) OF THE PROPERTY OWNED BY MARILYN ROBINSON AND MARY KAY ROBINSON LIVING TRUST, APN 139-04-101-001. (CONTINUED FROM SEPTEMBER 18, 2002)**

ACTION: APPROVED

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

**24. APPROVAL OF REGIONAL TRANSPORTATION COMMISSION INTERLOCAL CONTRACT #422 FOR THE ANN ROAD IMPROVEMENT PROJECT, (DECATUR BOULEVARD TO CAMINO AL NORTE) FOR PRELIMINARY RIGHT-OF-WAY ENGINEERING, FINAL DESIGN, CONSTRUCTION MANAGEMENT SERVICES, ACQUISITION OF RIGHT-OF-WAY, AND CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$7,228,000 TO BE COMPLETED BY DECEMBER 31, 2005. (CNLV Contract No. C-5196)**

Councilwoman Smith disclosed her husband worked for a company that was a potential subcontractor for the project.

ACTION: APPROVED

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

**25. DECLARATION OF BREACH OF CONTRACT BY ANN ALLEN LLC OF THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN ANN ALLEN LLC AND THE CITY OF NORTH LAS VEGAS DATED AUGUST 2, 2000. (CONTINUED FROM SEPTEMBER 18, 2002) (ASSOCIATED ITEM NO. 26, ORDINANCE NO. 1713) (CNLV Contract No. C-4746)**

ACTION: TABLED TO OCTOBER 16, 2002

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

26. **FINAL ACTION ORDINANCE NO. 1713; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS REPEALING ORDINANCE NUMBER 1429 WHICH APPROVED A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND ANN ALLEN, LLC FOR THE DEVELOPMENT OF LAND AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; CANCELLATION OF THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND ANN ALLEN LLC PURSUANT TO THE TERMS OF SUCH AGREEMENT AND NRS § 278.0205. (ASSOCIATED ITEM NO. 25)**

ACTION: CONTINUED TO OCTOBER 16, 2002

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

27. **APPROVAL TO RENEW THE ANNUAL TECHNICAL SUPPORT AND MAINTENANCE AGREEMENT WITH COREL IN THE AMOUNT OF \$93,240 FOR THE PERIOD SEPTEMBER 9, 2002 THROUGH SEPTEMBER 8, 2003. (CNLV Contract No. C-4210)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

28. **APPROVAL TO PURCHASE CISCO TELECOMMUNICATIONS EQUIPMENT SUPPORT THROUGH REDROCK COMMUNICATIONS IN THE AMOUNT OF \$36,539.92 TO COVER MAINTENANCE SUPPORT FOR THE CITY'S ROUTERS, SWITCHES, FIREWALL AND BACKUP FIREWALL THROUGH JUNE 30, 2003. (CNLV Contract No. C-4917)**

ACTION: APPROVED

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

**29. APPROVAL OF PROFESSIONAL LANDSCAPE ARCHITECTURAL AND PLANNING SERVICES AGREEMENT WITH THE POGGEMEYER DESIGN GROUP IN THE AMOUNT OF \$95,000 FOR THE COMPREHENSIVE UPDATE OF PARKS AND RECREATION MASTER PLAN AND FACILITY DEVELOPMENT PROGRAM. (CNLV Contract No. C-5183)**

ACTION: APPROVED

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

**30. APPROVAL OF A CONTRACT IN THE AMOUNT OF \$115,000 WITH CH2M HILL TO PERFORM A VULNERABILITY ASSESSMENT OF THE CITY OF NORTH LAS VEGAS WATER DISTRIBUTION SYSTEM. (CNLV Contract No. C-5197)**

ACTION: APPROVED

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

**PUBLIC HEARINGS - 6:30 P.M.**

2. **APPEAL, SUBMITTED BY DONALD DENMAN, PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-26-02 (DONALD DENMAN, TRACKED VEHICLE STORAGE) AND REQUESTING A WAIVER FROM THE REQUIREMENTS TO PROVIDE 20 FEET OF LANDSCAPING NEXT TO I-15 AND PROVIDING ADDITIONAL DRIVE AISLES. (CONTINUED FROM AUGUST 7, AUGUST 21, SEPTEMBER 4, AND SEPTEMBER 18, 2002)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter explained Staff and the Planning Commission recommended the conditions of approval remain in place. He added the twenty feet of landscaping was a requirement in the Commercial and Industrial Design Guidelines as well as a condition of the application. There were environmental concerns regarding two areas in the tracked vehicle yard that had the potential for causing a dust problem.

**Mark Kincaid, 4444 Cinderwood Court, North Las Vegas,** introduced Donald Denman and stated the use of the subject property for the loading and unloading of tracked equipment would destroy pavement. The applicant was willing to install MC-70 and asphalt chips to keep the dust to a minimum. He added with regard to the landscaping, the applicant proposed to add a block wall at the property line with trees for additional screening.

Mayor Montandon stated the site was very visible from the freeway. He was not comfortable waiving any type of screening. He stated there was a chain link fence dividing the State owned land from the applicant's that could not be removed. He was in favor of a block wall with trees. He questioned what MC-70 was. Mr. Denman responded MC-70 was oil that was placed on streets before paving. It was also called a prime oil. It was used to hold grade in place in areas where weather and other conditions caused a delay in paving. He added MC-70 eventually hardened to almost a pavement like consistency. It was not as thick as asphalt but it was also not as expensive to replace as asphalt.

Mayor Pro Tempore Robinson questioned if the item were approved, what guarantee did the City have the damaged areas would be repaired right away. Mr. Denman responded they desired to keep the dust levels to a minimum.

Councilwoman Smith questioned whether the use of MC-70 was acceptable to Staff. Acting Development Services Director Baxter responded it had not been acceptable in the past. He stated pavement in areas where flatbed trucks would haul equipment in and out

was acceptable. The trucks then unloaded the tracked vehicles onto the non-asphalt areas. She then asked if the applicant was willing to comply with all landscaping requirements. Mr. Kincaid responded they wanted to install a block wall at the property line abutting the chain link fence and adding landscaping inside the block wall. Councilwoman Smith questioned if the concept of landscaping was to buffer the external area so the block wall was not visible. Acting Development Services Director Baxter agreed and stated the purpose of the landscaping was to provide visual relief. Mayor Montandon pointed out there was approximately 100 feet of property owned by Nevada Department of Transportation (NDOT) from the freeway to the back of the applicant's property. NDOT also managed the chain link fence at the edge of the right-of-way. He stated the requirement meant there would be 100 feet of NDOT landscaping, a chain link fence, twenty feet of landscaping from the applicant and then their block wall. The applicant was requesting the block wall be against the chain link fence with the landscaping on the interior. Councilwoman Smith then questioned whether the landscaping on the NDOT land would meet the City's requirements. Acting Development Services Director Baxter responded the landscaping was sparse and it would not meet the City's requirements. Mayor Montandon pointed out the chain link fence would remain no matter what Mr. Denman was required to do. Mr. Kincaid pointed out approximately two-thirds of the NDOT property was sloped so only trees would be visible from the freeway. Acting Development Services Director Baxter reiterated it was Staff's desire to have the landscaping behind the block wall instead of in front of it.

Mayor Pro Tempore Robinson questioned how often NDOT maintained their property. He felt it would be more practical to allow the applicant to abut NDOT's fence and plant trees as buffers. With regard to the drive aisles, he commented the tracked vehicles would destroy asphalt. He asked Mr. Denman keep his word with regard to dust mitigation.

Councilman Eliason questioned if MC-70 was an approved Environmental Protection Agency (EPA) dust control method. Acting Development Services Director Baxter responded he was not aware that MC-70 was a suitable alternative for pavement. He stated the City required pavement and clarified the tracked equipment would not be operating on the pavement. The wheeled vehicles hauling the tracked equipment would use the pavement and the tracked equipment would only be allowed to be operated on the non-paved areas of the property. Councilman Eliason recalled a list of approved dust controlled methods issued by the EPA. Mr. Kincaid added MC-70 would be used in addition to the asphalt chips to suppress dust.

Councilwoman Smith clarified the dust suppression methods differed between land that was to be disturbed versus land that would remain undisturbed. She stated the issue was not dust suppression; it was paving of the road. The applicant was to move the tracked vehicles via the use of a trailer to not rip the asphalt. Councilman Eliason pointed out the vehicles were unloaded from a trailer but there was often movement of the vehicles after that point which would tear the asphalt.

Mr. Denman commented Cashman Equipment generated dust from their operation and had graded their property and installed asphalt chips. They did not use MC-70. That method stopped approximately 90% of the dust.

Councilman Buck questioned what conditions had been placed on Cashman Equipment. She recalled the City had required asphalt. Acting Director Baxter stated asphalt had always been a requirement on any yard for tracked vehicle operations.

Mayor Montandon questioned if, under the standard industrial guidelines, twenty feet of landscape setback were required with or without a block wall. Acting Director Baxter responded it depended on if a storage yard was involved. If a storage yard was included a block wall would be required along with the landscaping. Mayor Montandon then questioned if this application included a storage yard. Acting Director Baxter responded there was a trailer storage yard. Mayor Montandon stated he would rather see a block wall than the trailers.

Councilman Buck stated if the block wall were constructed at freeway level on the slope, the wall would still allow a view into the yard. She questioned if the block wall should be higher in that location. Acting Director Baxter stated a higher block wall for additional screening was at Council's discretion. Councilman Eliason pointed out the trailers were approximately fourteen feet tall. Councilman Buck stated there would be trees as well. Acting Director Baxter pointed out the trees would more adequately screen the yard than the block wall. He added the standard requirement for trees was thirty feet on center and typically they would grow together to create an adequate screen.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; WAIVERS APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, and Council Member Eliason

NAYS: Councilwoman Smith and Councilman Buck

ABSTAIN: None

**3. APPEAL, SUBMITTED BY JIM THOMPSON, ON BEHALF OF LAACO LTD., PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-72-00 (STORAGE WEST), AN APPLICATION SUBMITTED BY**

**THOMPSON NEON SIGN CO., ON BEHALF OF LAACO LTD., PROPERTY OWNER, FOR A REVIEW OF A PREVIOUSLY APPROVED CONDITION OF A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW FOR INCREASED SIGN HEIGHT AND SQUARE FOOTAGE ON PROPERTY LOCATED AT 2480 WEST CRAIG ROAD.**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter explained Condition No. 21 was part of the original approval of the use permit and was being appealed. The condition was an ordinance requirement because there was a residential development across Craig Road. Another concern was there was a residential development approximately 200 feet east of the site. The neighborhood expressed its concern regarding the impact of the storage facility. The requirement for the reduced monument sign was to reduce the impact of the use on that residential neighborhood. Staff and the Planning Commission recommended denial of the request.

**Paul King**, represented the owner and applicant, Jim Thompson. He stated on January 17, 2001 he appeared before Council to request approval of a self storage facility. The application was granted. One of the conditions of approval was a limitation on the signage to a monument sign. He stated he spoke to Planner Bob Hoyes and asked the reason for the restriction. Mr. Hoyes responded the design standards required a monument sign when a commercial property was across the street from a residentially zoned property. Since the approval of the application, the property across the street was rezoned to a commercial use. He also added the property on the corner of Craig Road and Fusilier Drive was an Outback Restaurant. He pointed out that project had a thirty-five foot pole sign. He felt if the application had been presented to Council after the rezoning of the property across the street to a commercial use, the height of the sign would not have been an issue because it would have been in compliance with both the design standards and the sign ordinance. He made it clear the applicant was not asking for a pole sign. He introduced a sign he named 'Storage Boy.' The sign was trademarked by Storage West. All seven facilities had the trademarked sign. Mr. King stated he was aware of a subsequent agenda item for the introduction of Ordinance No. 1720, a sign ordinance. He believed the requested sign was in compliance with the new ordinance. He added the sign was illuminated at night but felt the appearance was in good taste.

Mayor Montandon asked where the sign would be placed in relation to the apartment/office building to the front of the Planned Unit Development. Mr. Thompson responded the sign would be to the west of that development.

Councilman Eliason questioned the size of the sign at the other seven properties. Mr. King responded all signs were twenty feet high.

Councilwoman Smith questioned why a twenty foot sign would be considered 'little.' She stated the monument sign had been a deliberate condition to change the type of signage in the community. Mr. King stated across the street from the Storage West, a pole sign was approved for the Outback Restaurant that was substantial in height. He commented the sign they were requesting was not a pole sign and was substantially lower. Mr. Thompson added he felt the reason for the condition was the residential zoning of surrounding properties. Because that residential zoning no longer existed, he requested the standard consideration for C-2 zoning. Councilwoman Smith asked if the applicant had agreed to the condition when the application was originally approved. Mr. Thompson stated he had. Councilwoman Smith explained the City had granted the approval with the stated conditions and it was incumbent upon the applicant to satisfy those conditions. Mr. Thompson felt the reason that condition was agreed to was because of a condition that no longer existed.

Councilman Buck stated she had voted against the project because of the residential development next door. That was a key reason the condition regarding the sign was a condition of approval. Acting Director Baxter agreed and stated several residents of that adjacent development were concerned about the use at that location and a condition of approval to help minimize the use was the monument sign condition.

Mr. King stated the proposed sign was approximately 200 feet from the residential development. Because there were two story offices and an apartment complex in front of the residential portion, it was Mr. King's belief the residents would have more visibility to the Outback Restaurant sign than they would the Storage West sign. Mayor Montandon stated the office/apartment complex was very close to Craig Road. Mr. King responded there was a twenty foot setback and the building was thirty-five foot tall. Mayor Montandon stated if the sign was on the west side it would not be seen from the east side of the building. Mr. King agreed. Councilman Buck pointed out a commitment had been made to the citizens who voiced their concerns about the development next to the residential area. She was not in favor of approving the request. Mr. King felt because the residents had not come to the meeting to voice their concerns, there were no protests. Councilman Buck felt it meant they trusted Council to keep their word.

Mr. Thompson stated if the condition had not been imposed and the new sign ordinance were approved that evening, the standard sign height could have been thirty-five feet. They were requesting a twenty foot sign. The square footage of the sign would be less as well.

Mayor Montandon questioned what the underlying zoning on the U-Haul development was and why there was no hearing regarding that sign. Acting Director Baxter responded there was a hearing and U-Haul was part of a resolution of intent that was approved in 1994 and subsequently amended. Under the resolution of intent to C-2, sign height could be up to sixty feet high. The approval came before the commercial design guidelines were

approved making the U-Haul sign non-conforming to the current ordinance. Mayor Montandon asked how tall the sign was. Acting Director Baxter responded it was approximately 40 feet high. Mr. Thompson pointed out the sign was approved although it was located directly across the street from single family homes. Councilman Buck stated Council received many complaints about that sign.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION UPHELD; UN-72-00 DENIED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

4. **APPEAL, SUBMITTED BY TANEY ENGINEERING, ON BEHALF OF WILLIAM LYON HOMES, PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-99-02 (CENTENNIAL/BRUCE WEST 40) AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF WILLIAM LYON HOMES, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 364 SINGLE FAMILY HOMES ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND BRUCE STREET.**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter explained the application was recommended for denial by both Staff and the Planning Commission because the design guidelines were not developed. The density of the development was proposed at 8.8 units to the acre. Other concerns were five foot front yards and the inability to landscape those yards based on the findings in the developer's soils report. With no landscaping the development would be visually unappealing. Another major concern was the issue of parking. With five foot landscaped areas, there would be no parking on site other than garage parking. Streets would accommodate parking as they were standard width, however, the amount of street parking would be excessive.

**Terry Connolly, representing William Lyon Homes, 500 Pilot Road, Las Vegas,** stated the applicant owned approximately 140 acres. The portion in question was next to

commercial property. He felt the proposed project would be a good buffer and transition to the approximately 60 acres of 6,000 square foot lots in the vicinity. The product was chosen because of the strong curb appeal with multi-roof lines, colors and setbacks. The applicant added open space that included amenities over the standard requirements. Another key element in the product selection was privacy and security. The development would be gated and would offer substantially deeper backyards, ranging from 13 feet to twenty feet. The project was planned for social interaction among homeowners. There were several pedestrian areas with large open spaces and pocket parks. Full width, curvilinear streets would be provided. There was only one floor plan in the cluster concept that had a garage that abutted a street. Mr. Connolly, addressing Staff's concern regarding landscaping, stated there would be on average twice the amount of landscaping required for a standard R-1 development.

Mayor Montandon stated it was important to Council to require front yard landscaping and if the soils report would not allow it, a condition of the Planned Unit Development would not be met. It was also necessary the front yard landscaping be maintained by a homeowners' association. Mr. Connolly stated they were in agreement with those requirements and commented there were other areas surrounding the homes that would contain more than five feet of landscaping.

Councilman Buck stated in the past she had concerns regarding requiring pools. As more small lot products where there was insufficient room to construct a pool in the backyards were constructed, she wondered if a pool should be required. Acting Director Baxter stated he did not recall a pool requirement for this development. He recalled Parks and Recreation was pleased with the open space provided. He added community pools were advantageous in developments with small lots because there was no opportunity for individual pools. Councilman Buck suggested pool requirements be included in the small lot development guidelines. Parks Manager Tony Taylor added, in discussions with the developer, additional items such as extra playgrounds and rubberized surfaces were requested but a pool was not discussed. Mr. Connolly responded the amenity level for the open space was determined by the potential buyer profiles as well as the discussions with Parks and Recreation personnel. The developer concluded the addition of a pool would preclude other amenities that would be used more.

Councilman Eliason questioned if there was the equivalent of an R-1 setback in the development, why individual pools could not be constructed. Mr. Connolly responded spa/pool combinations could be built in the backyards. City Manager Fritsch doubted whether pools could be constructed in the small yards. Mr. Connolly clarified much of the backyard area was actually to the side of the homes. Councilman Buck stated she appreciated that these backyards were larger than most other developments that had been approved by Council. She then requested small lot development applicants be asked to include a community pool as an amenity.

Councilwoman Smith asked Mr. Connolly to address the issue of rock landscaping. Mr. Connolly responded there was room for trees and shrubs at the entrances to the cluster

homes. There would be room for trees and shrubs between homes as well. That pattern would be repeated throughout the cluster homes. Throughout the development, rock mulch and boulders would be used to accent areas. Acting Director Baxter commented the application stated the developer would be using only rocks in certain areas as a result of the soils report. Mr. Connolly responded in their justification letter, they indicated they would be sensitive to the soils conditions that were typical in North Las Vegas. Based on those findings, if there were restrictions imposed, they would be addressed. Councilwoman Smith asked if there would be grass or sod as part of the landscaping. Mr. Connolly responded there were some common areas that could contain grass. Councilwoman Smith questioned if there would be grass in front of the homes. Mr. Connolly responded there would be limited areas for grass.

Mayor Montandon stated he supported the project mainly because it was part of a much larger project that contained a variety of lot sizes.

Acting Director Baxter clarified landscaping in the five foot area in front of the homes would be required. If there were soils issues, remediation would be required as well in addition to the landscaping requirements. Mayor Montandon added there were two conditions of the PUD that might be in conflict with each other; the requirement that there be a certain amount of landscaping and the requirement that the conditions of the soils study be met. Mr. Connolly responded he had spoken with their soils engineer and he indicated there were mitigation measures available to bring plant materials closer to the homes.

Mayor Montandon closed the Public Hearing.

Mr. Connolly stated he had submitted additional conditions for consideration. Acting Director Baxter stated those conditions would be included in the ordinance for permanent zoning. That would give Staff an opportunity to review them.

**ACTION:** PLANNING COMMISSION DECISION OVERTURNED; STAFF DIRECTED TO PREPARE AN ORDINANCE FOR PERMANENT ZONING WITH A CONDITION THAT A HOMEOWNERS' ASSOCIATION MUST MAINTAIN ALL LANDSCAPING

**MOTION:** Councilman Buck

**SECOND:** Mayor Pro Tempore Robinson

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

**NAYS:** Councilman Eliason

**ABSTAIN:** None

**BUSINESS (cont.)**

**31. APPROVAL OF AN AGREEMENT WITH BLACK AND VEATCH CORPORATION IN AN AMOUNT NOT TO EXCEED \$100,000 TO PERFORM A WATER RATE ANALYSIS TO DETERMINE THE FINANCIAL HEALTH OF THE UTILITY SERVICE AND ASSISTANCE WITH A LONG RANGE FINANCIAL PLAN TO MEET THE GROWTH AND GOALS OF THE CITY. (CNLV Contract No. C-5198)**

City Manager Fritsch felt it was very important, while compiling a rate package, to use an outside firm because there was no in house expertise to perform these services and the study must withstand legal challenges as well.

ACTION: \$75,000 APPROVED FOR WATER RATE ANALYSIS; \$25,000 FOR SEWER RATE ANALYSIS

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**32. APPROVAL OF PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT WITH KGA ARCHITECTURE IN AN AMOUNT NOT TO EXCEED \$501,000 FOR MASTER PLANNING AND THE OFFSITE POLICE PRECINCT PROJECT LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND ALLEN LANE. (CNLV Contract No. C-5199)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**33. APPROVAL OF THE COOPERATIVE STEWARDSHIP AGREEMENT WITH THE STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION IN A TOTAL REIMBURSABLE AMOUNT NOT TO EXCEED \$1,264,210 (\$1,201,000 FEDERAL CONTRIBUTION AND \$63,210 NDOT CONTRIBUTION) FOR THE LAS VEGAS BOULEVARD LANDSCAPING PROJECT, PHASE II (CAREY AVENUE TO EVANS AVENUE). (CNLV Contract No. C-5200)**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**34. APPROVAL OF THE COOPERATIVE STEWARDSHIP AGREEMENT WITH THE STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$1,890,000 (\$1,800,000 REIMBURSABLE BY THE STATE; 5% CITY MATCH OF \$94,737) FOR THE MARTIN LUTHER KING BOULEVARD IMPROVEMENT PROJECT, PHASE II (CHEYENNE AVENUE TO CRAIG ROAD). (CNLV Contract No. C-5201)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**35. ZOA-10-02 (SECURED FIBRES); A REQUEST, SUBMITTED BY SECURED FIBRES, FOR AN ORDINANCE TO AMEND SECTION 17.20.140(B) OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE (ZONING ORDINANCE) TO INCLUDE OUTDOOR BALING AND STORAGE OF CORRUGATED MATERIALS AS A PRINCIPAL USE IN THE M-2 GENERAL INDUSTRIAL DISTRICT.**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter explained currently, the recycling centers were allowed as permitted uses if the recycling was completed entirely within a building. This applicant was applying for a special use permit to perform a portion of the recycling process out doors. Staff and the Planning Commission recommended denial of the ordinance amendment because of the concern for possible code violations in the future. It could be difficult to contain some of the lighter weight materials under windy conditions.

**Howard Goldstein, 3320 West Sahara Avenue, Las Vegas**, represented Secured Fibres. He stated the plant processed approximately 2,000 tons of paper and plastic each month. There was over 130 retail centers in the Clark County area that produced paper and plastic recyclable waste. 93% of the product that Secured Fibres processed was corrugated cartons and the other 7% was plastic pill bottles that were recycled from drug manufacturers.

Mr. Goldstein explained there was a 25 foot by 35 foot concrete pad and a pit for the conveyor belt that transported materials to the baling machine. There was also a scale for weighing the trucks. The back outside area of the building was surrounded by eight foot to ten foot walls and fences. The only view visible from the southeast was a small portion of the trailer in an unloading area. There was both indoor and outside operations. The indoor operation included processing light weight paper. The outside operation included processing of the corrugated paper products and plastics. The view from the south showed the mesh screen covering the baling operation and the top of the baling equipment. The view from the northwest showed a portion of a tractor trailer delivering materials.

Mr. Goldstein explained the process began with a truck that brought in a container to dump the contents. There was some scrap material but it was contained within the plant. There was a concerted effort to ensure that no debris escaped from the property. There was a screen over the top of the baling machine to capture debris as well.

Mr. Goldstein submitted three letters from neighboring businesses in support of the applicant's continued operation. He urged Council to consider an ordinance amendment to allow the use to continue with a special use permit or to create a new definition for the use.

Councilman Buck questioned what constituted an indoor operation. Acting Director Baxter responded indoors referred to inside a building with a roof and walls. Councilman Buck then clarified that for Secured Fibres to be in compliance with the existing code, it would be necessary to construct a building to house the operation. Acting Director Baxter responded that was correct. Mr. Goldstein pointed out both Clark County and the City of Henderson allow the use. Acting Director Baxter stated Staff had received differing information from the other jurisdictions as to what was allowed.

Mayor Montandon stated he was concerned because recycling was a necessary function

in the State but the City needed to be careful when crafting ordinances to not allow junk yards. He added the facility had been at its location for over a year and was a good neighbor to the community. He asked how it would be possible to allow a clean operation such as Secured Fibres to continue to operate without opening the door for junk yards. He was concerned the ordinance amendment as proposed would allow for junk yards. He stated his goal was to ensure the applicant's operation were allowed to continue to operate. Mr. Goldstein suggested Staff create a new definition for the business to make it a prohibited use in M-2 and M-3 zones. Mr. Goldstein suggested the following wording for the definition: "A facility designed and operated for the primary function of collecting, sorting, processing and distributing recyclable materials as follows: not less than one-half of the materials processed (measured by tonnage) in any calendar year shall be paper; either corrugated or non-corrugated. None of the materials processed shall be ferrous metals. All materials shall have been separated at the source from all residual solid waste. The facility is not open to the general public for any transactions. No more than ten percent of the materials processed (measured by tonnage) shall be residual solid waste. The establishment shall have received its initial business license from the City for its present location no earlier than January 1, 2001."

City Manager Fritsch suggested additional time be approved to review the definition. Mr. Goldstein agreed.

Councilwoman Smith stated it was difficult to make a decision based on conditions that would set a legal precedent. She was not comfortable overturning the Planning Commission's decision at that point. She suggested continuing the item for further review. Mr. Goldstein was willing to accept a continuance.

Councilman Eliason felt the business was needed in the City and was accomplished in a manner that was a good example for other businesses.

Mayor Pro Tempore Robinson agreed the item should be continued for further review.

ACTION: CONTINUED TO NOVEMBER 6, 2002

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

## **ORDINANCES**

**INTRODUCTION ONLY**

36. **ORDINANCE NO. 1711; 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 31.07± ACRES THEREIN FROM R-1 TO PUD (ZN-36-02, ANN & WILLIS), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND WILLIS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 16, 2002)**

Ordinance No. 1711 as introduced by the City Clerk:

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 31.07± ACRES THEREIN FROM R-1 TO PUD (ZN-36-02, ANN & WILLIS), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND WILLIS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR OCTOBER 16, 2002

37. **ORDINANCE NO. 1715; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING APPROXIMATELY 41.28± ACRES THEREIN FROM R-2 TO PUD (ZN-49-02, INSIGHT HOLDINGS), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 16, 2002)**

Ordinance No. 1715 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 APPROXIMATELY 41.28± ACRES THEREIN FROM R-2 TO PUD (ZN-49-02, INSIGHT HOLDINGS), FOR PROPERTY GENERALLY

LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR OCTOBER 16, 2002

38. **ORDINANCE NO. 1716; 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 40.90± ACRES THEREIN FROM MPC TO PUD-MPC, GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE BELTWAY (I-215) AND SIMMONS STREET (ZN-105-02, NORTH VALLEY CASINO) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 16, 2002) (ASSOCIATED ITEM NO. 16, GED-02-02)**

Ordinance No. 1716 as introduced by the City Clerk:

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 40.90± ACRES THEREIN FROM MPC TO PUD-MPC, GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE BELTWAY (I-215) AND SIMMONS STREET (ZN-105-02, NORTH VALLEY CASINO) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR OCTOBER 16, 2002

39. **ORDINANCE NO. 1717; 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 51.98± ACRES THEREIN FROM MPC TO R-1/MPC, GENERALLY LOCATED EAST OF SIMMONS STREET, 1,500± FEET NORTH OF ELKHORN ROAD (ZN-106-02, NORTH VALLEY ADULT UNIT 4) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 16, 2002)**

Ordinance No. 1717 as introduced by the City Clerk:

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 51.98± ACRES THEREIN FROM MPC TO R-1/MPC, GENERALLY LOCATED EAST OF SIMMONS STREET, 1,500± FEET NORTH OF ELKHORN ROAD (ZN-106-02, NORTH VALLEY ADULT UNIT 4) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR OCTOBER 16, 2002

40. **ORDINANCE NO. 1718; 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 26.54 ± ACRES THEREIN FROM MPC TO R-1/MPC GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GRAND TETON DRIVE AND SIMMONS STREET (ZN-107-02, NORTH VALLEY ADULT UNIT 3) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR OCTOBER 16, 2002)**

Ordinance No. 1718 as introduced by the City Clerk:

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 26.54 ± ACRES THEREIN FROM MPC TO R-1/MPC GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GRAND TETON DRIVE AND SIMMONS STREET (ZN-107-02, NORTH VALLEY ADULT UNIT 3) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR OCTOBER 16, 2002

41. **ORDINANCE NO. 1719; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-2 FOR APPROXIMATELY 20.60± ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND DONNA STREET (ZN-109-02, CARMENA) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR**

**OCTOBER 16, 2002) (ASSOCIATED ITEM NO. 20, VAC-24-02)**

Ordinance No. 1719 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-2 FOR APPROXIMATELY 20.60± ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND DONNA STREET (ZN-109-02, CARMENA) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR OCTOBER 16, 2002

42. **ORDINANCE NO. 1720; AN ORDINANCE RELATING TO ZONING; AMENDING SIGN REQUIREMENT IN TITLE 17 BY ADDING DEFINITIONS IN SECTION 17.12.020; AMENDING SUBPARAGRAPH C.2, PROHIBITED SIGNS, BY ADDING E. POLE SIGNS; REPEALING SECTION 17.24.110.E, AND REPLACING IT WITH NEW SECTIONS 17.24.110.E, F AND G FOR FREESTANDING SIGNS, WALL SIGNS, AND SIZE WAIVERS; AND TO RENUMBER 17.24.110, SECTIONS F THROUGH R TO H THROUGH T AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR OCTOBER 16, 2002)**

Ordinance No. 1720 as introduced by the City Clerk:

AN ORDINANCE RELATING TO ZONING; AMENDING SIGN REQUIREMENT IN TITLE 17 BY ADDING DEFINITIONS IN SECTION 17.12.020; AMENDING SUBPARAGRAPH C.2, PROHIBITED SIGNS, BY ADDING E. POLE SIGNS; REPEALING SECTION 17.24.110.E, AND REPLACING IT WITH NEW SECTIONS 17.24.110.E, F AND G FOR FREESTANDING SIGNS, WALL SIGNS, AND SIZE WAIVERS; AND TO RENUMBER 17.24.110, SECTIONS F THROUGH R TO H THROUGH T AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR OCTOBER 16, 2002

**ORDINANCES**

**FINAL ACTION**

43. **ORDINANCE NO. 1702; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE 751 AND SECTIONS 15.68.050, 15.68.060, 15.68.070 AND 15.68.090 OF CHAPTER 15.68, ENTITLED "RECREATIONAL VEHICLE PARKS AND SUBDIVISIONS," OF TITLE 15 OF THE NORTH LAS VEGAS MUNICIPAL CODE, TO CORRECT AND CLARIFY THE CHAPTER; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1702 as introduced by the City Manager:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE 751 AND SECTIONS 15.68.050, 15.68.060, 15.68.070 AND 15.68.090 OF CHAPTER 15.68, ENTITLED "RECREATIONAL VEHICLE PARKS AND SUBDIVISIONS," OF TITLE 15 OF THE NORTH LAS VEGAS MUNICIPAL CODE, TO CORRECT AND CLARIFY THE CHAPTER; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

44. **ORDINANCE NO. 1706; 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 5.0± ACRES THEREIN FROM R-E TO PUD (ZN-44-02, NORTH 5<sup>TH</sup> MARKETPLACE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5<sup>TH</sup> STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1706 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING

SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5.0± ACRES THEREIN FROM R-E TO PUD (ZN-44-02, NORTH 5<sup>TH</sup> MARKETPLACE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5<sup>TH</sup> STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

**45. ADOPTION OF A BUSINESS IMPACT STATEMENT REGARDING ORDINANCE NO. 1707; ADOPTING NORTH LAS VEGAS MUNICIPAL CODE 8.36, SHOPPING CARTS. (ASSOCIATED ITEM NO. 46, ORDINANCE NO. 1707)**

ACTION: ADOPTED

MOTION: Councilman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**46. ORDINANCE NO. 1707; AN ORDINANCE TO AMEND THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE TO INSERT CHAPTER 8.36 DECLARING ABANDONED SHOPPING CARTS A NUISANCE, AND REGULATING THE USE, POSSESSION, REMOVAL AND RETRIEVAL OF SHOPPING CARTS, AND DECLARING THE PENALTIES FOR VIOLATION OF SAID REGULATIONS, AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO. (ASSOCIATED ITEM NO. 45)**

Ordinance No. 1707 as introduced by the City Manager:

AN ORDINANCE TO AMEND THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE TO INSERT CHAPTER 8.36 DECLARING ABANDONED SHOPPING CARTS A NUISANCE, AND REGULATING THE USE, POSSESSION, REMOVAL AND RETRIEVAL OF SHOPPING CARTS, AND DECLARING THE PENALTIES FOR VIOLATION OF SAID REGULATIONS, AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

City Attorney McGowan read the following amendments into the record:

**Section 8.36.040 Shopping Cart Retrieval**

- A. A Shopping Cart Owner is responsible at its expense for promptly removing and retrieving its Shopping Cart from any Public Property, and for promptly repairing in a good and workmanlike manner any damage to Public Property caused by or resulting from such Shopping Cart being situated on or removed from Public Property.
- B. It is unlawful for any person, whether for compensation or otherwise, to retrieve a Shopping Cart from Public Private Property unless the owner of such Private Property and the Shopping Cart Owner ~~has~~ have both authorized such retrieval in writing. Any person engaged in the retrieval of a Shopping Cart from Public Private Property shall carry with him or her the written authorizationss for retrieval described in this Subsection.
- C. ~~Subsection B does not apply to:~~
  - ~~1. An Authorized City Official, or the agent or designee thereof, acting within the scope of his or her duties and in accordance with this Chapter; and~~
  - ~~2. The Shopping Cart Owner.~~
- D. ~~It is unlawful for any person, whether for compensation or otherwise, to retrieve a Shopping Cart from Private Property unless the owner of such Private Property and the Shopping Cart Owner have both authorized such retrieval in writing. Any person engaged in the retrieval of a Shopping Cart from Private Property shall carry with him or her the written authorizations for retrieval described in this Subsection.~~
- E. ~~Subsection D does not apply to an Authorized City Official, or the agent or designee thereof, acting within the scope of his or her duties and in accordance with this Chapter and applicable law.~~
- F.D. It is unlawful for any person to fail or refuse to provide or show the authorizations

described in Subsection B and ~~Subsection D~~ to an Authorized City Official upon request therefor.

Councilman Buck stated she had received two phone calls, one from Thelma Watkins who stated it was the responsibility of the City to place a \$5.00 penalty on those who took carts and the responsibility of the Police Department to pick up those who had carts in their possession. Keith Kohr believed it was the responsibility of the Police Department to arrest those who were stealing shopping carts and not the responsibility of the store owners to monitor and retrieve their carts. Councilman Buck clarified both callers believed the taking of shopping carts was vandalism and theft and felt the Police Department should take the appropriate actions. Police Chief Mark Paresi responded he felt it was a bad use of police to monitor the shopping carts in the community. The police would be pitted against some less fortunate members of the community and it could create a criminal issue out of a civil issue. He recommended not making the Police Department the caretakers for shopping carts.

Councilman Eliason understood the reasons for the ordinance but voiced his concerns about those residents who truly had a need to use the shopping carts, especially in the mature portions of the City. Community Development Director Jacque Risner responded those who needed the shopping carts could obtain permission from the store. Mayor Montandon stated the specifics of the ordinance were developed in conjunction with store managers in the City. Councilman Eliason asked how many residents would know they could obtain permission to use the carts. Mayor Montandon stated those who truly needed the carts would not be targeted for corrective action. Councilman Eliason felt there were more issues to be explored before adoption of the ordinance.

Councilwoman Smith stated the shopping carts were investments for the businesses and the ordinance was a system to get the carts back to their owners. She agreed the carts were necessary for some people but countered if they were left on the sidewalk and a person in a wheelchair could not get around it, it was a detriment to the community. She felt the ordinance adequately addressed the issue as it had become a nuisance. She also pointed out there were alternatives to taking shopping carts from store premises. Councilwoman Smith stated she also had received a call from a resident who suggested shopping carts not be allowed to leave the stores. She felt Council should be responsible to the residents to find a solution to the problem.

Councilman Buck stated approximately three years ago, she and Code Enforcement Manager Sheldon Klain had met with store managers and they were assured the shopping cart issue would be addressed. In the three years since, the problem still existed. Mayor Montandon pointed out WalMart had a system in place to address the problem. Councilman Buck stated Code Enforcement Manager Klain had worked diligently for three years to find a fair and equitable solution to the problem. One concern had been those who did not have transportation would be penalized for the use of the carts. Councilman Buck supported the ordinance and felt it adequately addressed those issues.

**Joe Austin, 5216 Orchard Hills, Las Vegas**, cautioned police intervention in the shopping cart issue. He felt the onus should be placed on the store to retrieve their own shopping carts. He also questioned what would happen to the carts once they were impounded. Mayor Montandon responded the ordinance was strictly to place the responsibility for shopping cart retrieval on the store owners.

ACTION: AMENDMENTS APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: Councilman Eliason

ABSTAIN: None

ACTION: ORDINANCE NO. 1707 PASSED AND ADOPTED AS AMENDED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: Councilman Eliason

ABSTAIN: None

**47. ORDINANCE NO. 1708; AN ORDINANCE RELATING TO ZONING, (ZOA-09-02); AMENDING SECTION 17.20.140, PARAGRAPH C AND SECTION 17.12.020, OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO ADD INDOOR RECREATIONAL USES OR INDOOR ATHLETIC TRAINING FACILITIES TO THE LIST OF SPECIAL USES IN THE M-2 GENERAL INDUSTRIAL DISTRICT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1708 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING, (ZOA-09-02); AMENDING SECTION 17.20.140, PARAGRAPH C AND SECTION 17.12.020, OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO ADD INDOOR RECREATIONAL USES OR INDOOR ATHLETIC TRAINING FACILITIES TO THE LIST OF SPECIAL USES IN THE M-2 GENERAL INDUSTRIAL DISTRICT AND

PROVIDING FOR OTHER MATTERS PROPERLY RELATED  
THERE TO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**48. ORDINANCE NO. 1709; 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 20± ACRES THEREIN FROM MPC TO PSP-MPC, GENERALLY LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND DEER SPRINGS WAY (ZN-102-02, NORTH VALLEY P 67 PUBLIC PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1709 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 20± ACRES THEREIN FROM MPC TO PSP-MPC, GENERALLY LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND DEER SPRINGS WAY (ZN-102-02, NORTH VALLEY P 67 PUBLIC PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**49. ORDINANCE NO. 1710; AN ORDINANCE RELATED TO ZONING; AMENDING**

**SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR APPROXIMATELY 10 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND MCCARRAN STREET (ZN-92-02, CENTENNIAL/MCCARRAN) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1710 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR APPROXIMATELY 10 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND MCCARRAN STREET (ZN-92-02, CENTENNIAL/MCCARRAN) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**COUNCIL ITEMS**

There were no additional Council items.

**CITY MANAGER'S REPORT**

There was no report given.

**PUBLIC FORUM**

Joe Austin spoke of arbitration issues.

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 8:19 P.M.

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**APPROVED: November 6, 2002**

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

Attest:

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