

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

June 4, 2008

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:02 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  
Councilwoman Shari Buck  
Councilman Robert L. Eliason

**STAFF PRESENT**

City Manager Gregory Rose	Human Resources Director Joyce Lira
Assistant City Manager Sam Chambers	Information Technology Director Steve Chapin
Assistant City Manager Maryann Ustick	Library Director Kathy Pennell
City Attorney Carie Torrence	Acting Planning and Zoning Director Frank Fiori
City Clerk Karen Storms	Police Chief Joe Forti
Communications Director Brenda Fischer	Public Works Director Qiong Liu
Economic Development Manager Larry Bender	Assistant to the City Manager Michelle Bailey-Hedgepeth
Finance Director Phil Stoeckinger	Senior Assistant to the City Manager Kenny Young
Fire Chief Al Gillespie	Planning and Zoning Manager Marc Jordan
General Services Director Eric Dabney	Deputy City Clerk Marie Purcell

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Bishop Curtis Timmons  
Joy of Life Christian Cathedral

**PLEDGE OF ALLEGIANCE**

Councilwoman Stephanie S. Smith

**PUBLIC FORUM**

**Bishop Curtis A. Timmons, P.O. Box 335244, North Las Vegas**, spoke about his daily radio show on KKBB 1060 AM and extended an invitation to Council to be a guest on the show to discuss City plans and priorities.

**PRESENTATIONS**

- ★ **PROCLAMATION RECOGNIZING JUNE 3, 2008 AS MAKE-A-WISH DESTINATION JOY DAY.**

Mayor Montandon presented a proclamation to the Make-A-Wish Foundation of Southern Nevada. Destination Joy was a ten day campaign from June 3 - 10, 2008 sponsored by Lay's. The spirit of the campaign was to make everyone aware that any individual could make a difference through donations that would grant wishes to terminally ill children.

ACTION: PROCLAMATION GIVEN

**AGENDA**

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JUNE 4, 2008.**

ACTION: APPROVED AS AMENDED; ITEM NO. 23, WITHDRAWN; ITEM NO. 31 AMENDED

MOTION: Councilwoman Smith

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**4. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF APRIL 2, 2008.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**5. APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF APRIL 16, 2008.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**6. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF APRIL 16, 2008.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

7. **APPROVAL OF AN APPLICATION FOR BEER-WINE-SPIRIT-BASED PRODUCTS OFF-SALE BUSINESS LICENSE FOR MORTON'S TRUCK STOPS INCORPORATED, DBA MORTON'S FLYING J TRAVEL PLAZA, 1000 EAST CHEYENNE AVENUE, NORTH LAS VEGAS, NEVADA, 89030. THIS IS A REQUEST FOR A CHANGE OF OWNERSHIP AND CHANGE OF CLASSIFICATION FOR THE LIQUOR LICENSE CURRENTLY HELD AT THE LOCATION.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

8. **APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING LIQUOR AND RESTRICTED GAMING BUSINESS LICENSES FOR ECLIPSE GAMING, LLC, DBA WINCHELL'S PUB & GRILL, 281 WEST CENTENNIAL PARKWAY, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL, STATE BUSINESS LICENSE, STATE SALES TAX PERMIT, WORKERS' COMPENSATION COVERAGE, SOUTHERN NEVADA HEALTH DISTRICT APPROVAL AND REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

9. **APPROVAL OF AN APPLICATION FOR RESTRICTED GAMING BUSINESS LICENSE FOR THE SHADDA GROUP, INC., DBA TROY MARKET AND LIQUOR, 445 WEST CRAIG ROAD, SUITE 106, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF STATE GAMING COMMISSION APPROVAL. THE APPLICANT CURRENTLY HOLDS A FULL LIQUOR OFF-SALE LICENSE AT THE LOCATION AND IS NOW REQUESTING A RESTRICTED GAMING LICENSE.**

ACTION: APPROVED

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

**10. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR DEBORAH J. HALL-HILTY, DBA DEBORAH'S DAY CARE & LEARNING CENTER, 3620 WEST COLTON AVENUE, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

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

**11. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR BARISHA M. WESLEY, DBA TLC CHILD CARE, 3317 BIRDWATCHER AVENUE, NORTH LAS VEGAS, NEVADA, 89084 PENDING VERIFICATION OF COMPLIANCE WITH THE STATE OF NEVADA, DEPARTMENT OF TAXATION AND VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

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

**12. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR JONI A. KEEFER, DBA SLEEPY LITTLE TEDDY DAYCARE, 3321 STRAWBERRY ROAN ROAD, NORTH LAS VEGAS, NEVADA, 89032 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

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

**13. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR SARAH F. SIMS, DBA SARAH'S WEE ONES, 2205 LENWOOD AVENUE, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

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

**14. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR EARLINE BRADY, DBA NEW BEGINNINGS HOME CARE, 2908 WEBSTER STREET, NORTH LAS VEGAS, NEVADA, 89030 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

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

**15. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR MARY ANN WILLIAMS, DBA WILLIAM'S FAMILY DAY CARE, 1704 JOHN BEVY COURT, NORTH LAS VEGAS, NEVADA, 89086 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

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

**16. APPROVAL OF AN APPLICATION FOR A DAY NURSERY BUSINESS LICENSE FOR MARIA G. HERRERA, DBA MARIA'S FAMILY DAY CARE, 1207 CALICO CACTUS LANE, NORTH LAS VEGAS, NEVADA, 89031 PENDING VERIFICATION OF REQUIRED DEPARTMENT APPROVALS.**

ACTION: APPROVED

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

**17. ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM EQUITY INVESTMENTS, LLC FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD & PECOS ROAD IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,097 FOR THE RPL INDUSTRIAL BUILDING LOCATED ON THE SOUTHWEST CORNER OF CRAIG ROAD & PRODUCTION COURT.**

ACTION: PAYMENT ACCEPTED

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

18. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM BEVERLY C. ELMORE FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ALEXANDER ROAD & MARTIN L. KING BOULEVARD IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$1,512 AND GOWAN ROAD & MARTIN L. KING BOULEVARD IN THE AMOUNT OF 1% OF THE TOTAL COST OR \$3,280 FOR THE CREATIVE CORNER CHILDCARE CENTER LOCATED ON THE NORTH SIDE OF ALEXANDER ROAD, WEST OF MARTIN L. KING BOULEVARD.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

19. **FINAL ACCEPTANCE OF THE COMMUNITY PARK RENOVATION IMPROVEMENTS PROJECT, BID NUMBER 1259 FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

20. **FINAL ACCEPTANCE OF ITS FY05 COMMUNICATIONS INFRASTRUCTURE IMPROVEMENTS PROJECT, BID NUMBER 1275 FOR MAINTENANCE AND AUTHORIZE FILING OF THE NOTICE OF COMPLETION.**

ACTION: APPROVED

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None



21. **AN APPEAL SUBMITTED BY JAMES M. BARKER, ESQ., ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-25-08 (LAS VEGAS PAVING DISPATCH); AN APPLICATION SUBMITTED BY LAS VEGAS PAVING CORPORATION, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW TWO TEMPORARY BUILDINGS ON PROPERTY LOCATED AT 3401 NORTH 5<sup>TH</sup> STREET. (SET PUBLIC HEARING FOR JUNE 18, 2008)**

ACTION: PUBLIC HEARING SET FOR JUNE 18, 2008

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

22. **UN-52-08 (DECATUR & TROPICAL TAVERN/RESTAURANT); AN APPLICATION SUBMITTED BY DECATUR TROPICS, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE. (SET PUBLIC HEARING FOR JULY 2, 2008)**

ACTION: PUBLIC HEARING SET FOR JULY 2, 2008

MOTION: Councilwoman Buck

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

### **BUSINESS**

23. **APPROVAL TO AUGMENT THE FINANCE DEPARTMENT BUDGET IN THE AMOUNT OF \$12,500 FROM GENERAL FUND CONTINGENCY ACCOUNT AND APPROVAL OF AN AGREEMENT WITH APPLIED ANALYSIS IN THE AMOUNT OF \$12,500 FOR A GAMING MARKET SUPPLY-DEMAND ANALYSIS.**

ACTION: WITHDRAWN

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

**24. APPROVAL OF THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CLARION ASSOCIATES OF COLORADO IN AN AMOUNT NOT TO EXCEED \$59,000 FOR THE 2007 ZONING ORDINANCE UPDATE PROJECT.**

Mayor Montandon questioned if this item included the Overlay District for Apex. Acting Planning and Zoning Director Frank Fiori explained this was earmarked for the development of the Overlay District.

ACTION: APPROVED

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

**25. ACCEPTANCE OF A PETITION FOR ANNEXATION (ANNEXATION NO. 138) SUBMITTED BY APEX HOLDING COMPANY, LLC AND U.S.A. TO ANNEX PARCELS 1 AND 2 CONSISTING OF VARIOUS CLARK COUNTY ASSESSOR'S PARCEL NUMBERS IN THE APEX INDUSTRIAL PARK, PHASE 3, PARCEL 1 GENERALLY LOCATED NORTHWEST OF THE INTERSTATE ROUTE 15/UNION PACIFIC RAILROAD CROSSING AND PARCEL 2 GENERALLY LOCATED EAST OF THE LAS VEGAS BOULEVARD/PABCO ROAD INTERSECTION. (ASSOCIATED ITEM NO. 34, ORDINANCE NO. 2452)**

ACTION: PETITION ACCEPTED

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

**26. ACCEPTANCE OF THE DEED OF DEDICATION FOR THE NORTH 5<sup>TH</sup> STREET PROJECT CONSISTING OF VARIOUS CLARK COUNTY ASSESSOR'S PARCEL NUMBERS OWNED BY THE CITY OF NORTH LAS VEGAS REDEVELOPMENT AGENCY GENERALLY LOCATED ON LAKE MEAD BOULEVARD AND NORTH 5<sup>TH</sup> STREET.**

ACTION: DEED OF DEDICATION ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**27. APPROVAL OF AN EQUIPMENT PURCHASE AGREEMENT WITH AIR CLEANING SYSTEMS, INC., IN THE AMOUNT OF \$365,101, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT FOR THE PURCHASE OF PLYMOVENT VEHICLE EXHAUST SYSTEMS FOR THE SIX FIRE STATIONS.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**28. RATIFICATION OF A GRANT APPLICATION TO THE LOCAL EMERGENCY PLANNING COMMITTEE, STATE OF NEVADA, STATE EMERGENCY RESPONSE COMMISSION IN THE AMOUNT OF \$13,193.21 UNDER THE FISCAL YEAR 2009 UNITED WE STAND GRANT PROGRAM WHICH WILL BE USED TO PURCHASE A SPECIALIZED RECONNAISSANCE ROBOT FOR THE POLICE DEPARTMENT.**

ACTION: RATIFIED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**29. AUTHORIZATION TO ISSUE A PURCHASE ORDER TO MOTOROLA INC., IN AN AMOUNT NOT TO EXCEED \$685,800, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR THE ACQUISITION OF REPLACEMENT RADIO EQUIPMENT FOR THE POLICE DEPARTMENT AS PROVIDED FOR UNDER THE FREQUENCY RECONFIGURATION AGREEMENT WITH NEXTEL OF CALIFORNIA, INC.**

Mayor Pro Tempore Robinson questioned when the City would receive the refund. Police Chief Forti explained once the purchase order was generated and equipment received the City would submit for reimbursement to Motorola.

ACTION: PURCHASE ORDER AUTHORIZED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**30. APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CLARK COUNTY WATER RECLAMATION DISTRICT TO PROVIDE SEWER SERVICE TO VENTUREPOINT NLV I, LLC, CLARK COUNTY ASSESSOR'S PARCEL NUMBER 123-27-201-023, LOCATED AT THE NORTHWEST CORNER OF MT. HOOD STREET AND TROPICAL PARKWAY UNTIL SUCH TIME THAT CITY FACILITIES ARE IN PLACE TO SERVICE THE SITE.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**31. ACCEPTANCE OF FLOOD CONTROL COST PARTICIPATION FUNDS IN THE AMOUNT OF \$75,000 AND APPROVAL OF AN AGREEMENT WITH COLONIAL PROPERTIES TRUST TO PROVIDE FOR A PORTION OF THE COST OF INSTALLING OFF-SITE FLOOD CONTROL FACILITIES AT THE SOUTHWEST CORNER OF AZURE AVENUE AND LAMB BOULEVARD.**

ACTION: FUNDS ACCEPTED; APPROVED AS AMENDED; COMPANY NAME TO READ COLONIAL REALTY LIMITED PARTNERSHIP

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

**PUBLIC HEARINGS - 6:15 P.M.**

2. **VAC-01-08 (WATER AVENUE); AN APPLICATION SUBMITTED BY ALCO LANDSCAPE AND C&D CONSTRUCTION ON BEHALF OF FERNANDO ARRIAGA, PROPERTY OWNER, TO VACATE WATER AVENUE, COMMENCING AT STOCKER STREET AND PROCEEDING WEST APPROXIMATELY 345 FEET. (CONTINUED MAY 21, 2008)**

Mayor Montandon opened the public hearing.

Public Works Director Qiong Liu explained that Staff recommended denial. Mayor Montandon explained that since the item was continued several times and the applicant was not in attendance, he felt that Council could not legally take action that would land lock properties and leave them in an illegal position.

Mayor Montandon closed the public hearing.

ACTION: DENIED

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

3. **VAC-04-08 (PARK HIGHLANDS); AN APPLICATION SUBMITTED BY SUMMERSET DEVELOPMENT ON BEHALF OF NOVEMBER 2005 LAND INVESTORS LLC, PROPERTY OWNER, TO VACATE EXCESS DRAINAGE EASEMENTS RELATED TO THE DETENTION BASIN WITHIN PARK HIGHLANDS ON PROPERTY LOCATED NORTH OF THE 215 BELTWAY BETWEEN NORTH 5<sup>TH</sup> STREET AND LOSEE ROAD.**

Public Works Director Qiong Liu explained that Staff recommended approval based on the discussion with the Regional Flood Control District for the future use of the detention basin.

**Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas**, represented the applicant and requested the item be approved with Staff recommendations and conditions.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT (CCRFCD) CONCURRENCE TO VACATE A PORTION OF THE EXISTING EASEMENT IS REQUIRED PRIOR TO RECORDATION OF THE VACATION.
2. APPLICANT/PROPERTY OWNER SHALL PROVIDE A 15 FOOT ACCESS ROAD ALONG THE ENTIRE FOOT OF THE DETENTION BASIN EMBANKMENT.
3. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS FROM THE APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Buck

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

NAYS: None

ABSTAIN: None

### **BUSINESS (Continued)**

**32. RESOLUTION NO. 2400; A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO GIVE NOTICE OF THE SALE OF PROPERTIES SUBJECT TO THE LIEN OF A DELINQUENT ASSESSMENT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

ACTION: PASSED AND ADOPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**33. RESOLUTION NO. 2401; A RESOLUTION ADOPTING INTERLOCAL COOPERATIVE AGREEMENT FOR DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOME INVESTMENT PARTNERSHIPS PROGRAM.**

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**ORDINANCES**  
**INTRODUCTION ONLY**

**34. ORDINANCE NO. 2452 (ANNEXATION NO. 138); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 18, 2008) (ASSOCIATED ITEM NO. 25, PETITION FOR ANNEXATION)**

Ordinance No. 2452 as introduced by the City Clerk:

ORDINANCE NO. 2452 (ANNEXATION NO. 138); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR JUNE 18, 2008) (ASSOCIATED ITEM NO. 25, PETITION FOR ANNEXATION)

ACTION: FINAL ACTION SET FOR JUNE 18, 2008

35. **ORDINANCE NO. 2453; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY AMENDING A PREVIOUSLY APPROVED 3.9+ ACRE PUD, PLANNED UNIT DEVELOPMENT DISTRICT BY ADDING 1,600 SQUARE FEET OF RETAIL SPACE AND ADDING A 2,000 SQUARE FOOT CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THROUGH, 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. (SET FINAL ACTION FOR JUNE 18, 2008)**

Ordinance No. 2453 as introduced by the City Clerk:

ORDINANCE NO. 2453; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY AMENDING A PREVIOUSLY APPROVED 3.9+ ACRE PUD, PLANNED UNIT DEVELOPMENT DISTRICT BY ADDING 1,600 SQUARE FEET OF RETAIL SPACE AND ADDING A 2,000 SQUARE FOOT CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THROUGH, 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. (SET FINAL ACTION FOR JUNE 18, 2008)

ACTION: FINAL ACTION SET FOR JUNE 18, 2008

**ORDINANCES**  
**FINAL ACTION**

36. **ORDINANCE NO. 2447; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 2339 WHICH RECLASSIFIED APPROXIMATELY 22.91+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN MUD, MIXED USE DEVELOPMENT DISTRICT (ZN-54-06, CRAIG & ALLEN) BY MODIFYING THE ASSOCIATED CONDITIONS OF APPROVAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2447 as introduced by the City Manager:

ORDINANCE NO. 2447; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 2339 WHICH RECLASSIFIED APPROXIMATELY 22.91± ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AN MUD, MIXED USE DEVELOPMENT DISTRICT (ZN-54-06, CRAIG & ALLEN) BY MODIFYING THE ASSOCIATED CONDITIONS OF APPROVAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.



Acting Planning and Zoning Director Frank Fiori explained this ordinance was an amendment to a previously approved MUD where original condition of approval #10 required that right-of-way dedication and construction of a flared intersection including a right turn lane at Craig Road and Allen Lane be built. It was proposed that the new amended condition only require right of way dedication for the flared intersection including the right turn lane and Craig Road and Allen Lane. Staff and the Planning Commission recommended approval.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**37. ORDINANCE NO. 2448; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1842 WHICH RECLASSIFIED CHEYENNE VALLEY COMMERCE CENTER (ZN-27-00) TO A PUD PLANNED UNIT DEVELOPMENT, TO ALLOW FOR THE SALES OF AUTOMOBILES, BOATS AND RECREATIONAL VEHICLES, AND BY RENUMBERING, AMENDING AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2448 as introduced by the City Manager:

ORDINANCE NO. 2448; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1842 WHICH RECLASSIFIED CHEYENNE VALLEY COMMERCE CENTER (ZN-27-00) TO A PUD PLANNED UNIT DEVELOPMENT, TO ALLOW FOR THE SALES OF AUTOMOBILES, BOATS AND RECREATIONAL VEHICLES, AND BY RENUMBERING, AMENDING AND ADDING CONDITIONS, AS SET FORTH BELOW; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning and Zoning Department Director Frank Fiori explained the ordinance was an amendment to a previously approved Planned Unit Development to allow automobile sales at property located at 4370 West Cheyenne Avenue. The applicant intended to allow the sales of new and used automobiles, boats and recreational vehicles as part of the business park. He also explained limiting the number of boats or vehicles for display would require special event or special use permit under the conditions of approval. Staff and the Planning Commission recommended approval.

Councilwoman Smith was concerned with condition #25 which stated hours of operation from 6 a.m. - 11 p.m. and the outside display of cars. She felt the hours were too long and would like them narrowed down to 9 a.m. - 9 p.m.

**Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas**, represented the applicant and explained that the reason the hours were so long was due to the floor plan which included a coffee shop component. She explained it was more specific on the use permit that was filed in terms of hours of operation and number of vehicles displayed. It was determined rather than have conflicting conditions on the PUD and Special Use Permit, it would be dealt with on the use permit which would come forward. The PUD gave flexibility to work within the time period. Councilwoman Smith asked if the intention was to narrow down the timeframe. Ms. Lazovich explained that they understood there was concern regarding the hours.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

38. **ORDINANCE NO. 2451 (ANNEXATION NO. 137); 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. 2451 as introduced by the City Manager:

ORDINANCE NO. 2451 (ANNEXATION NO. 137); 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 Eliason  
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmembers Smith,  
Buck and Eliason  
NAYS: None  
ABSTAIN: None

### **APPOINTMENTS**

**39. APPOINTMENT OF TWO AT-LARGE MEMBERS TO THE PLANNING COMMISSION FOR TERMS ENDING JUNE 30, 2012.**

Mayor Montandon explained that Dean Leavitt and Dilip Trivedi were both eligible for reappointment.

ACTION: DEAN LEAVITT AND DILIP TRIVEDI REAPPOINTED

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

**40. APPOINTMENT OF AN AT-LARGE MEMBER TO THE TRAFFIC AND PARKING ADVISORY COMMITTEE FOR A TERM ENDING JUNE 30, 2012.**

Mayor Montandon explained that Dr. Steffi was eligible for reappointment.

ACTION: DR. NICOLE STEFFI REAPPOINTED

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

### **COUNCIL ITEMS**

Mayor Pro Tempore Robinson requested a diversity plan, update on the Desert Mesa project, and the number of summer interns. Human Resources Director Joyce Lira informed Council there would be 30-35 interns this year. Mayor Pro Tempore Robinson also questioned the status of lots owned by the Housing Authority. City Manager Rose explained that Senior Assistant to the City Manager Kenny Young was working with the Housing Authority to work out an agreement on the use of the Community Development Block Grant funds that would be recommended to the City Council for the purchase of lots. Mayor Pro Tempore Robinson questioned how long before this occurred. City Manager Rose explained the Housing Authority was required to develop a plan which occurred 2-3 weeks ago. Senior Assistant to the City Manager Kenny Young explained there were several items that needed to be utilized before purchasing the properties using federal money. Mayor Pro Tempore Robinson explained that if the purchase was tied up with federal dollars it would put the Housing Authority in further trouble. He questioned if it would be better to pay for the purchase out of general funds to make it quicker. City Manager Rose explained that it could be done that way if that was the Council's desire, but he did not recommend it because there was a challenge with funding as a City. Mayor Pro Tempore Robinson explained that the Housing Authority was also a part of the City and had problems. Councilwoman Buck felt there was a conflict of interest since Mayor Pro Tempore Robinson was a member of the Housing Authority and recommended using caution when confronting the Housing Authority against the City.

### **CITY MANAGER'S REPORT**

There was no additional report.

### **PUBLIC FORUM**

**Iris Gross, PO Box 336314, North Las Vegas**, objected to the appeal process for Planning Commission items. City Manager Rose explained that the form submitted by Ms. Gross was deficient of information and the City made several attempts to contact her in a reasonable amount of time. He felt the decision to deny her appeal should be upheld to protect the integrity of City policies and procedures.

**Dean Leavitt, 918 Dawn Valley Drive, North Las Vegas**, commented about the traffic signals throughout the City and felt the traffic signal at Clayton Street & Washburn Road should be moved west to Washburn Road & Simmons Street.

**ADJOURNMENT**

**ACTION:** THE MEETING ADJOURNED AT 6:45 P.M.

**MOTION:** Mayor Pro Tempore Robinson

**SECOND:** Councilman Eliason

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

**NAYS:** None

**ABSTAIN:** None

**APPROVED: August 6, 2008**

/s/ Michael L. Montandon

Mayor Michael L. Montandon

**ATTEST:**

/s/ Karen L. Storms

Karen L. Storms, CMC  
City Clerk