

**MINUTES OF THE CITY OF LAS VEGAS SPECIAL CITY COUNCIL MEETING HELD  
ON WEDNESDAY MAY 7, 2014 AT 5:00 P.M. IN THE CITY COUNCIL CHAMBERS**

**MAYOR:** Alfonso E. Ortiz, Jr. - Absent

**COUNCILORS:** Joey Herrera-Mayor Pro Tem  
Tonita Gurule-Giroñ  
Vincent Howell  
David L. Romero

**ALSO PRESENT:** Timothy Dodge, City Manager  
Casandra Fresquez, City Clerk  
Dave Romero, City Attorney – Absent  
Danelle Smith – Acting City Attorney  
Juan Montano, Sergeant at Arms

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Tonita Gurule-Giroñ asked for a moment of silence and asked that we pray for rain and was thankful for the progress the City of Las Vegas has made in the last four years and hoped that the City continues to work positively as a team.

**APPROVAL OF AGENDA**

Councilor Gurule-Giroń made a motion to approve the agenda as is. Councilor Romero seconded the motion.

Mayor Pro Temp Herrera asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	Vincent Howell	Yes
David L. Romero	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

### **PUBLIC INPUT**

Mr. Bob Wessley thanked the City of Las Vegas for working so hard on the infrastructure for water.

### **BUSINESS ITEMS**

1. Conduct a Public Hearing and Approval/Disapproval of Ordinance 14-03 repealing condition #2 of Ordinance 07-26 adopted on December 5, 2007 and granted to Carlos M. Lopez on the rezoning of the tract of land located at the Northeast corner of 7<sup>th</sup> Street and Airway Road.

Councilor Howell made a motion to conduct a public hearing. Councilor Gurule-Giroń seconded the motion.

Mayor Pro Temp Herrera asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Joey Herrera	Yes
Vincent Howell	Yes	Tonita Gurule-Giron	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Acting City Attorney Danelle Smith asked all who wished to speak to stand and be sworn in. All were sworn in.

Interim Community Development Director Lucas Marquez advised that on March 31, 2014 the Las Vegas Planning and Zoning Commission considered a letter of request submitted by Gladiator Properties #3 LLC in agreement with property owner Carlos Lopez requesting that stipulated condition #2 of Ordinance 07-26 approved in 2007 be repealed. The Planning & Zoning Commission voted to forward the petition to the Governing Body with a recommendation to repeal Condition #2 of Ordinance 07-26 and enact Ordinance 14-03 in its replacement. On April 9, 2014 residents of Parkview Street & Airway Rd. filed an appeal with the City Clerk objecting Gladiator Properties #3LLC proposed construction of entrance and exit driveways off of Airway Road to the proposed Little Caesars Pizza restaurant site.

Councilor Gurule-Giroń had questions and concerns on several issues including drainage issues, traffic impact, and studies on traffic. Councilor Gurule-Giroń also recommended that a feasibility study be taken.

Interim Community Development Director Marquez advised that the D.O.T. informed that the drainage met the needs of the area and traffic impact was brought up by several residents but traffic studies would need to be done by the City of Las Vegas on Airport Road and D.O.T would need to do the study on 7<sup>th</sup> Street.

City Manager Dodge advised council that feasibility studies should not be brought up at a Public Hearing and that the issue only involved zoning issues which doesn't recommend a feasibility study.

Councilor Gurule-Giroń also had concerns involving meeting the requirements of the noise ordinance for the residents that would be affected and asked what the recommendation of the P & Z were.

Interim Community Development Director Marquez advised that a 6ft. barrier wall be placed on the west end of the property and the recommendation of the P & Z was to allow the removal of the 2ft. wall and place entrance and exit driveways on Airway Road.

City Manager Dodge requested a brief recess to consult with the City Attorney.

Mayor Pro Temp Herrera recognized Danelle Smith as the Acting City Attorney sitting in for City Attorney Dave Romero.

Acting City Attorney Smith advised that some of the concerns of feasibility from council were not in order of the proceeding of Public Hearing and advised to hear from all sides before the issues could be resolved by council.

Developer John Mahoney gave an overview of site plans and clarified how traffic would flow as to not inconvenience surrounding residences and advised that it would bring employment to the community and would help the economy

Councilor Howell had questions and concerns on access to the property, issues of adequate space for parking and delivery.

Interim Community Development Director Marquez advised there was adequate space in and around the property to meet the parking and delivery needs.

Acting City Attorney Danelle Smith had questions and concerns on the condition of Airway Road and if paving the road would be part of the project.

Discussion continued on several ideas for the improvement on Airway Road.

Carlos Lopez property owner presented a brief overview of his perspective of the development plans.

Joseph Garcia a resident of Airway Road spoke about some of the issues concerning semi trucks parking in front of his residence and concerns about emergency vehicles accessing residences.

Rosalie Garcia a resident of Airway Road was sworn in and advised that she also had concerns on traffic backup from Walgreens Pharmacy and also the issue on emergency vehicle access on Airway Road.

Boyce Pinkston a resident of Airway Road had concerns of the traffic problems that would arise if the business would come in and how it would change the residents' lifestyles.

John Freitas a resident of Airway Road spoke on some of the traffic problems that would occur if the business would come in.

Ron Montoya spoke on his mother's behalf who resides at 1619 Parkview Road about issues exiting Airway Road on to 7<sup>th</sup> St.

Discussion continued on several issues concerning delivery schedules, employee parking, peak hour traffic and other concerns.

Mayor Pro Temp Herrera advised that without objection from council the congestive problems in that area would be looked into by City Manager Dodge.

Councilor Howell questioned if plans had been viewed by the Fire Department.

Interim Community Development Director Marquez advised that Fire Department Chief Mares had gone over the plans at a DRT meeting previously held.

Mr. Boyce Pinkston added his concerns about the congestive traffic that would occur in the area of Airway and 7<sup>th</sup> Street.

Councilor Gurule-Giroñ entertained a motion to close Public Hearing and to accept record proper. Councilor Romero seconded the motion. Mayor Pro Temp asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
David L. Romero	Yes	Joey Herrera	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Council Gurule-Giroñ made a motion to re-convene into regular session. Councilor Howell seconded the motion. Mayor Pro Temp Herrera asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Tonita Gurule-Giroñ	Yes	Vincent Howell	Yes

City Clerk Frequez re-read the motion and advised the motion carried.

Councilor Howell had concerns on the drainage system of the business and whether it had been discussed by the DRB.

Interim Community Development Director Marquez clarified that the issues concerning the drainage system had been addressed with Licensing and Zoning Supervisor Gerald Garcia and members of the DRT.

Councilor Howell recommended to have a continuance on this issue, for the developer and residents to discuss traffic concerns.

Carlos Lopez advised that residents of Airway and Parkview are against the business coming in.

City Manager Dodge recommended that a continuance be considered by council with consideration of an eight foot wall to be built, improvements to Airway Road and a traffic study.

Councilor Howell made a motion to have a continuance on the issue, stipulating an eight foot wall, improvements to Airway Road, and performing a traffic study. Councilor Herrera seconded the motion.

City Manager Dodge asked council to amend his recommendation and for the original motion to consider lighting. Councilor Howell made a motion to agree to amend the recommendation and for the original motion to consider lighting. Councilor Herrera seconded the motion. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Joey Herrera	Yes	Tonita Gurule-Giroń	Yes

City Clerk re-read the motion and advised the motion carried.

City Manager Dodge advised that a ten day publication is needed on the continuance and that the City Clerk would publish the continuance for ten days. City Manager Dodge added that after ten days they would reconvene into Public

Hearing to bring forth the additional items to be considered and to give the public the opportunity to have a discussion on the issues.

Acting City Attorney Smith advised that the formal Public Hearing was already held as required by the ordinance and added that when returning to meet that public input would be allowed.

City Manager Dodge advised that he believed that the Public Hearing was current and on-going and a continuance was requested. City Manager Dodge added that the continuance met the statutory requirements.

Acting City Attorney Smith advised that the Public Hearing was closed but public input would be allowed at the next meeting concerning the issue.

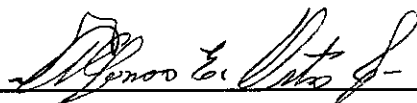
City Manager Dodge advised there was no need for Executive Session.

**ADJOURN**

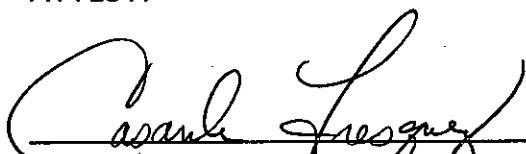
Councilor Howell made a motion to adjourn. Councilor Gurule-Giroñ seconded the motion. Mayor Pro Temp Herrera asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes
Joey Herrera	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

  
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Mayor Alfonso E. Ortiz, Jr.

ATTEST:

  
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Casandra Fresquez, City Clerk