



Mesquite City Council
Regular Meeting
Mesquite City Hall
10 E. Mesquite Blvd.
Tuesday, August 09, 2016 - 5:00 PM

Minutes of a scheduled meeting of the City Council held on Tuesday, August 9, 2016, at 5:00 P.M. at City Hall. In attendance were Mayor Allan S. Litman, Council members, Kraig Hafen, George Rapson and Cynthia "Cindi" Delaney (via telephone). Also, in attendance were; Finance Director David Empey, Development Services Director Richard Secrist, Public Works Director Bill Tanner, Chief Kash Christopher, Fire & Rescue, Chief Troy Tanner, Mesquite Police Department, City Attorney Robert Sweetin, City Clerk Tracy Beck, other city staff and approximately 39 citizens.

Mayor Litman called the meeting to order at 5:00 P.M. and excused the absence of Council members Geno Withelder and Rich Green (NOTE: This meeting has been tape-recorded and will remain on file in the office of the City Clerk for four years for public examination.)

Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the Mayor and Council. Additionally, the Mayor and Council may combine two or more agenda items for consideration, and may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Public comment is limited to three minutes per person and may only address items that are not on the meeting's agenda.

Ceremonial Matters

- INVOCATION - Rabbi Arthur Zuckerman
- PLEDGE OF ALLEGIANCE

Public Comments

During the Public Comment portion of the agenda comments must be limited to matters within the authority and jurisdiction of the City Council. Items raised under this portion of the Agenda cannot be deliberated or acted upon until the notice provisions of the Nevada Open Meeting Law have been met. If you wish to speak to the City Council at this time, please step up to the podium and clearly state your name.

1. [Public Comments](#)

[5:03 PM] Minutes:

Mayor Litman: Before we start our public comment tonight, you will notice that our voter board is gone. This evening we will be voting by hand and hopefully in the very, very near future, we will be voting on a keyboard from our iPads, and I'm not sure what it's going to look like up there, but it's coming.

[5:03 PM] Minutes:

Mayor Litman opened up the meeting to Public comment.

[5:04 PM] Minutes:

Gary Elgort, Sun City resident, Mesquite: I was going to stay home tonight and watch the BLM presentation on TV and be nice and relaxed on the couch, and then I started reading the agenda, and I know it's hear for public hearing, but I'm going to talk about it now, too. When I got down to Item 14, I became incredibly disturbed and upset. And I read the Item and it tells me that we want to change our zoning to allow certain facilities to be within 1000 feet of a Medical Marijuana Facility, even though our original zoning required that the Medical Marijuana Facility be at least 1000 feet from something like churches and schools and places of congregation. We suddenly somehow decided that it's not fair that you can't place your day care center only 200 feet from the Medical Marijuana Facility after it's built, which just kind of astounds me a little bit. I thought the idea of the zoning regulation, and in fact, right out of the letter that the City Manager, Mr. Secrist or whatever his title is, wrote says the intent of location requirements for Medical Marijuana establishments is to protect the health, safety, and general warfare of the citizens of the City. So then, they aren't allowed to be next to schools, churches, parks, etc., but what about later if we just want to put the school next to the Medical Marijuana Facility because it's already there? Are you kidding? I can't believe that we would consider this as appropriate use of our zoning regulations because after that, I don't think it meets the intention of protection the health, safety and general warfare of the citizens and City. I move into town. I sent my grandchild to a beautiful daycare center without knowing that it's within 1000 feet of a Medical Marijuana Facility. And let's not kid ourselves. In a short time, there's a good chance that this Medical Marijuana Facility will also be a recreational Marijuana Facility. No, it hasn't passed. It hasn't passed the State. It hasn't passed the Town, but the odds on deck are that someday that's going to come true. So now you've got your preschool, daycare, church within 1000 feet of a recreational marijuana facility. I don't understand how you can even consider changing the zoning regulation to allow those types of things to be created close to this facility. Shame on anyone who votes for this. Thank you.

[5:07 PM] Minutes:

Mike Benham: Mr. Mayor, City Council, my name is Mike Benham, a resident of Mesquite. I have a negative and positive comment tonight. The negative is I've been reading in the paper and I've talked to some coaches that the Virgin Valley High School this year in their own tournament, there's no boys' team in it. I don't know how this happened. It's not hard to pick up a phone and call the teams that have been here for the last 5 or 6 years in the tournament. I feel bad for the kids, you know? They get up at 6 o'clock in the morning. They train hard to represent the school, and somebody can't pick up a phone and call other schools and say, hey, we got a new coach coming in, are you still coming up for the tournament? Somebody's not doing their job. So that's the end of that.

Now the positive. I want to thank Colonial Property Management for the great job they did for their 10th anniversary with the Man of Christmas in July. They had more gifts this year and a better presentation than we've seen. In fact, it was so good, it happened to be on Channel 8. That type of thing is good for the City of Mesquite. It's good publicity. So I want to thank them for the outstanding job they did. Thank you.

[5:08 PM]

Jaina Moon: Mayor and City Council, I have a public comment about an agenda item. Should I wait until that item?

Mayor Litman: If you would, thank you.

Consent Agenda

Items on the Consent Agenda may not require discussion. These items may be a single motion unless removed at the request of the Mayor, City Council, or City Manager.

2. [Consideration for Approval of the August 9, 2016 Agenda, the July 12, 2016 Regular City Council Meeting Minutes and the July 19, 2016 Technical Review Meeting Minutes.](#)

- Public Comment
- Discussion and Possible Action

[5:09 PM] Minutes:

Mayor Litman read this item by its title and ask if there were any questions or comments. There were none. **APPROVED WITH ITEMS 3-5 OF THE CONSENT AGENDA.**

3. [Consideration of approval of:](#)
- a) Notification of Budget Transfers
 - b) Notification of Budget Amendments
 - c) Notification of Bills Paid
 - d) Purchase Orders

- Public Comment
- Discussion and Possible Action

[5:09 PM]

Minutes: Mayor Litman read this item by its title and asked if there were any questions or comments. There were none. **APPROVED WITH ITEMS 2, 4 AND 5 OF THE CONSENT AGENDA.**

4. [Consideration of Approval of a Beer, Wine, Spirit Based Product Off-Sale and a Full Liquor On-Sale liquor license for Rising Star Sports Ranch Resort, 333 N. Sandhill Blvd.](#)

- Public Comment
- Discussion and Possible Action

[5:09 PM]

Minutes: Mayor Litman read this item by its title and asked if there were any questions or comments. There were none. **APPROVED WITH ITEMS 2, 3 AND 5 OF THE CONSENT AGENDA.**

5. [Consideration of Bid Award for the 2016 Mesquite Phase I Street Reconstruction Project.](#)

- Public Comment
- Discussion and Possible Action

[5:09 PM] Minutes:

Council member Hafen: I am ready to make a motion, but if Mr. Tanner could just tell us what that bid amount was for Item #5, for the public's benefit.

[5:09 PM] Minutes:

Mr. Tanner: That bid amount was \$609,083.20. Their engineer's estimate was \$900,000, so we are seeing fairly competitive prices on reconstruction projects. We'll also see that in our RTC agreement, that agreement was for \$900,000. We'll still pass that or approve it, recommend to approve it at the \$900,000. Right now, our contract with Staker Parsons is \$609,000.

Council member Hafen moved to approve Items 2 through 5 of the Consent Agenda. Council member Rapson

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

Special Items

6. [Presentation by the Bureau of Land Management regarding recent BLM activities in the Gold Butte area and other matters properly related thereto.](#)

- Public Comment
- Discussion and Possible Action.

[5:10 PM] Minutes:

Mayor Litman read this item by its title and deferred to Aaron Baker.

[5:11 PM] Minutes:

Mr. Baker: The BLM has requested the opportunity to present to you this evening. Gayle Marr-Smith is here with 2 of her staffers as well. They would like to address some of the activities that are going on currently in the Gold Butte area. So thank you.

[5:11 PM] Minutes:

Gayle Marr-Smith: Good evening, Council members, Mayor Litman. Thank you so much for having me on your agenda. I am just going to give you a briefing of activities in Gold Butte and be able to take any questions that you have. So, as you know, in Spring of 2014, with the cattle gather and the aftermath of that. The BLM was not able to get back into Gold Butte to do management because of safety concerns. So that was a long 2 years for my office. A few months ago, members of our leadership, State Director, and Commissioner Kirkpatrick from District B got together with Sheriff Lombardo and Assistant Sheriff Tom Roberts, to talk about a strategy for BLM to become reengaged in the Management of Gold Butte. And the purpose of that meeting was to get their ideas, to get their assistance, help us to reconnect with communities since we hadn't been out here in a long time. Those meetings were very productive. They were very amenable to working with us and to providing us input as to how to make those connections. Our goal really is to enter into the Gold Butte area and do management by the front door. We want to be straightforward. We want to be transparent in what we're doing, and we want to work closely with the community, make sure that they know what we're doing as well.

The following day, we met with local metro officers with the northeast unit, and

we had similar conversations. We met with Sergeant Empey and others with Metro and had the same kind of conversations. We want to ask assistance. We want to work with the community. We want to reengage in management activities in Gold Butte. The summer is a good time to have this outreach. It's really hot out there. We wouldn't have a lot of management going on with our specialists, but we are behind with a few projects, so we want to get those jumpstarted again. So, our outreach to the community is our priority for the summer.

In early June, we made a trip to Gold Butte with our National Director, Director Kornze. We also had Commissioner Kirkpatrick with us on that trip, as well as members of Metro, and it was a good trip. We went down to Windy Pockets. We went down to the Falling Man area, and was like a homecoming for us to get back down into the Gold Butte area.

Like I said, our messages are to come in through the front door and to work with community partners. This summer has been a big outreach effort. By the end of this week, we will have met with all of the town advisory boards. We met with Moapa a couple of weeks ago. Tomorrow we're going to be meeting with the Moapa Valley Town Advisory Board, and then Thursday with Bunkerville. We've also met with the Moapa Band of Paiutes. We've met with some of the community organizations such as Partners in Conservation and with the Friends of Gold Butte. We visited with Moapa Band of Paiutes, and with Congressman Hardy. Personally, we had a good visit with him, as well as updating Senator Reid's staff.

Our three goals in getting back out into Gold Butte are three major activities. Those are regular land management, such as recreation, land use authorizations, cultural resource management, recreation management; public health and safety, making sure the people are safe out there, that we have radio communication for our fire personnel, for metro and for any other law enforcement in the area, and then public outreach, because it's a big area and we're going to need the community to assist us and to help us with some of those management activities, and numbers really have stepped up in the last couple of years. We've had Partners in Conservation out and sort of being our eyes and ears out there, helping us to understand what was going on, and Friend of Gold Butte have been phenomenal partners so we want to continue those partnerships.

So let me give you just an update on some of the things that we have done so far. The Virgin Peak Repeater had been not functioning for most of those two years. That Repeater is now functioning, so that's a radio repeater that can be used by both BLM, metro, and fire. Land use authorizations, like I said we've gotten behind on those and particularly with the rural utility companies, we need to catch up, and so we are working very closely with the Virgin Valley Water District with the Rio Virgin Telephone Company. That one in particular is of a

high priority. There's a fiber optic line, about a 3 mile fiber optic line coming up the Gold Butte Road from Meadowland Farms. They have an application with us that we are processing, and once we get that application completed and the right of way granted, and they get that facility constructed, that will increase the internet access into that area. So that's important to the community. So we are making that a high priority.

Road maintenance is a big issue. That was communicated to us by several members of the public. Clark County, I have to give kudos to them. They've done a phenomenal job. Terry Birkland from Public Works has been out there, grading the roads, and keeping them maintained. We really appreciate that and we've reached out Clark County Public Works to help to share that road maintenance activity with them. So we don't duplicate each other's actions and that we can most efficiently use our resources.

Fire Rehabilitation, there are still areas in Gold Butte that have not recovered from the 2005 and 2006 fires out there. There's still a lot of non-native grasses out there that are flashy in nature, and if we ever do get dry lightning out here, that area will burn again, so we'd like to get a Fire Rehabilitation Project on the ground, at least started in October of this year, and what that involves is applying a pre-emergent herbicide that would target those non-native grass species, and then reseed and plant back the native vegetation. So it's really creating a great strip that would increase the resiliency of the desert in Gold Butte.

We also need to get out this fall and do our route designation monitoring. Make sure that the signs are in the places where they need to be, do maintenance on the Gold Butte back country byway from the different storm events that have happened, and so we want to get out this fall when it gets a little cooler to do that.

And then finally, we have a project that we have proposed through the Southern Nevada Public Lands Management Act. It's under the category of Conservation Initiatives. We call it Protecting Gold Butte's Cultural Heritage project. It hasn't been approved. It's still working its way through the review and approval process, but we're hopeful that we get that project funded. What that will do is it takes a rather large area around Whitney Pockets and their cultural complex sites surround it, and it will restore disturbances. It will interpret cultural resources. It will analyze areas for future facilities, such as bathrooms and camping areas, and it will really work to get that area better managed in the future. One of the unique features about that project is that we plan on having a cultural liaison from the from the Moapa Band of Paiutes that will work us to do outreach, government to government, tribal consultation with other tribes that have an interest in that area. So we hope to hear something positive, but we hope to hear something one way or another this fall. If we are successful, we will be planning to start that in the spring. So it has a pretty aggressive timeline.

We know that it's going to take lots and lots of coordination, cooperation and meetings with our local partners. We are prepared to do that. I've been in front of you before, and I will be in front of you again giving you updates. We know that there are probably a lot of questions in the community, and what we'd like to do is, and we were very graciously provided a host site, which is this Council chamber, on September the 7th to have a sort of open house panel discussion. So when we get more information, we will provide that to the community and to the Council, but the idea is to have a session where the community can come and ask questions of management and staff and have a dialogue. So with that, I would be happy to take questions.

[5:22 PM] Minutes:

Jaina Moon, Executive Director for the Friends of Gold Butte: Thank you so the members of the Mesquite City Council for hearing my comment. The beauty and wonder that can be found in the wide open spaces of Gold Butte attracted to me to this area, and in that time that I've been working for Gold Butte, I have also learned a great deal about the people who have lived there in the past and also the people who live here now. There is one common sentiment about Gold Butte that I find among everyone that I meet, and that is, it is a special place to everyone. Everyone appreciates the value of Gold Butte.

Many people celebrate heritage in Gold Butte. A recent example is the LDS Desert trek that happened in June this year, where 190 children spent 4 days and 3 nights trekking over the Virgin Mountains as a reenactment of the journeys of early pioneer settlers. It was a connection to their heritage. I was equally moved by the culture walk in April this year, where over 80 people from Southern Nevada Paiute tribes and their supporters came together to walk 11 miles in Gold Butte, and at the end, they connected to the land with song and dance.

We connect with Gold Butte because it tells the story of how humans have connected with that space of land over time, and it resonates with all of us. The BLM is part of that human story, too. They are the land management agency in charge of the land. Many of their staff over many years have spent intimate time out on this landscape studying, monitoring, patrolling, educating, restoring, and appreciating. Now deep knowledge of the land has been enfolded within the agencies record, and as Friends of Gold Butte, we wanted to come here tonight to express our appreciation of the BLM for their research, for their knowledge, and stewardship of this area. We are happy to report that the Friends of Gold Butte recently signed a Memorandum of Understanding with the BLM which formalizes our partnership with the agency. We believe that the stewardship of our public lands is a community responsibility. We are excited about the collective dedication to the stewardship of Gold Butte, and for what we can all achieve together. So thank you for this time to speak to you.

Council member Delaney moved to approve the Presentation by the

Bureau of Land Management regarding recent BLM activities in the Gold Butte area and other matters properly related thereto. Council member Rapson seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withhelder)

7. [Presentation of updates for the City of Mesquite Emergency Operation Plan.](#)

- Presentation
- Public Comment
- Discussion and Possible Action

[5:25 PM] Minutes:

Mayor Litman read this item by its title and deferred to Chief Kash Christopher.

[5:26 PM] Minutes:

Chief Kash Christopher: For the last couple of months with help from the State, we have finished the Emergency Operation Plan. I am going to give you a quick brief. It needs a signature from the Mayor, and then I will put it in play.

Basic plan, purpose and content, annexes, future exercises and the EM 50 Assault Vehicle that we have over at Station 3. That's a Stripes reference, by the way. Okay. I'm going to go over this real quick, because we had a long time ahead of us, and it's pretty, basic which is why we call it a basic plan. Inside this plan, it pretty much details what we want to do if we do have some type of emergency natural disaster, technological or human caused emergency. Our job is to mitigate, prepare, respond, and recover. It is a group effort, and when I mean group effort, I mean everybody gets involved from Council, to Department Heads, to Departments themselves, to the fine folks of Mesquite. Everybody gets involved to get this City back to normal as soon as possible.

Now, there are 10 sections in here. I'm only going to cover 3 of them, and that pertains to us here. First off, everything has to have some type of Concept of Operation. In this case, we call it a CONOPS, and what you guys need to know about this one is pretty simple. It is used to communicate overall quantitative and qualitative system characteristics to the stakeholders. I'll give you an example what's in the CONOPTS. When it comes to an emergency, when we declare it, if we can handle it within the City, we have provisions in there that we can handle it within the City. If we need to call out for the County to help us out, we have those steps in there as well. When the County has their steps, if they can't handle it, they'll call the state, which will actually, one of the other things I have to talk about later is how we communicate with the State. That will be brief as well. But everything has a CONOPTS. That is inside the Emergency

Operation Plan.

Section 6, the Organization and Assignment of Responsibilities, I'm just going to go over what Mr. Mayor and Council have to do. Once again, I will highlight. Anything that's within NIMS, the National Incident Management System, is how we operate. A lot of what you do is you get the other agencies and the other businesses to help citizens, it's up there twice, a couple of local emergency service agencies, local law enforcement agencies, local government. You guys make sure that we all mesh together and take care of business, all right.

Now, this part here, Section 7, directs and then Control what the City Council is responsible for. As you can see, you have established the objectives and policies within NIMS, all right. Now, when we activate the EOC, this area right here is part of the EOC. This is where City Council and Mayor will be, if it is that big. You guys have to ensure that the government is continuing on in this City, all right. So if we need somebody to talk to somebody over in the County, can you talk to a County commissioner, or we need somebody to talk to the State, telling them we need something, this is where you guys come in. If this is a big emergency, we need some money to help mitigate this, and then we come to you guys. Obviously, it goes to the County and the State as well, and it comes back to us, and you know whether we go forth or not, which we probably will.

Now the annexes, I'm still working them, because I have about 20 of them. I've got 4 of them done. This goes into detail on what each department is going to do. It goes just a little bit further on how we take care of it. Once again, as I said earlier, it is a group effort. For example, there they are. All right. And in the actual Emergency Operation Plan itself is, for example, you see Shelter. That's on there. That would fall under the Recreation Department, and I've got our CERT team to also help out as well. They would handle that, and that Annex would pull it out and say, here's what we need to do. This is what we need to take place of.

Now in the future, this is the November time frame. We are going to actually have an exercise that ties in a flood. And when I do these exercises, I do not want to set up for failure. I've been at some places where they give you the most ridiculous scenarios looking for failure, all right. I'm not going to do that. It's a learning process that we need to obviously learn from, and we're not setting it up for failure. We'll do the exercise. We'll learn from it, and we'll build upon it. That's the best way to get through this, instead of going out there and trying to hammer away. Like for example, we had one in February. We learned a lot from that exercise, to include how to conduct the next exercise. So we've actually taken the steps, and in November, we'll have a flood exercise in conjunction with swift water, because our swift water team is up and running in September. So I would like to put them through the paces as well.

Now, as you see, the Emergency Management 50 or as we call it the Urban

Assault Vehicle straight from Stripes, that right there is the telescoping pole that we have the camera on tomorrow. I'm going to show the department heads how good that thing is. All right. I'm trying to get a grant where we can put a piece of equipment on that will actually relay back to the EOC and here. It's pretty good. It's pretty powerful, and so when we do have some type of emergency, we'll put the vehicle up, maybe quarter mile, half mile away, put the camera on it, and that way we can see what's going on. That's just an example.

Any questions? All right, that's what I have. Gentlemen and lady on the phone, any questions?

Council member Hafen moved to approve the Presentation of updates for the City of Mesquite Emergency Operation Plan. Council member Rapson seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

Resolutions & Proclamations

8. [Consideration of Approval of Resolution No. 903, adopting Supplemental No.1 to Interlocal Agreement \(MES04A15\) for the Virgin River Flood Wall between the City of Mesquite and the Clark County Regional Flood Control District.](#)

- Public Comment
- Discussion and Possible Action

[5:32 PM] Minutes:

Mayor Litman read this item by its title and deferred to Mr. Tanner.

[5:32 PM] Minutes:

Mr. Tanner: Mayor, Members of the Council, this is simply an Interlocal agreement supplement No. 1 with the Regional Flood Control District. What this does is extend our agreement from June 30th to this year to June 30th of 2018. This provides so that we won't have to come back and extend the Interlocal agreement again before we get the complete project designed. I'll answer any questions.

Council member Hafen moved to approve Resolution No. 903, adopting Supplemental No.1 to Interlocal Agreement (MES04A15) for the Virgin River Flood Wall between the City of Mesquite and the Clark County Regional Flood Control District. Council member Rapson seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

9. [Consideration of Approval of Resolution No. 904, adopting an Interlocal Contract \(No. 911\) between the City of Mesquite and the Regional Transportation Commission for maintenance and reconstruction of City of Mesquite Roads.](#)

- Public Comment
- Discussion and Possible Action

[5:33 PM] Minutes:

Mayor Litman read this item by its title and deferred to Mr. Tanner.

[5:34 PM] Minutes:

Mr. Tanner: This Resolution Number 904 is Interlocal Agreement with RTC for our 2016 Mesquite Road Reconstruction Project. The funding for this was estimated to be at \$900,000. Our bid for the project was \$609,000. We're going to move forward with this at the \$900,000. That project will include the reconstruction of Mesa Boulevard, Vista Verde, some of the smaller residential streets in the Santa Fe subdivision. I'll be willing answer any questions.

Council member Rapson moved to approve Resolution No. 904, adopting an Interlocal Contract (No. 911) between the City of Mesquite and the Regional Transportation Commission for maintenance and reconstruction of City of Mesquite Roads. Council member Hafen seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green and Withelder)

10. [Consideration of Approval of Resolution 905, an Interlocal Agreement between Clark County and the City of Mesquite for SERC \(State Emergency Response Commission\) Grant.](#)

- Public Comment
- Discussion and Possible Discussion

[5:34 PM] Minutes:

Mayor Litman read this item by its title and deferred to Chief Kash Christopher.

[5:35 PM] Minutes:

Chief Christopher: This grant is for the atmospheric monitors. This is a grant from Clark County. What happens, they get the grant, and they distribute out equipment to all the fire departments in the County. This a four-gas monitor that will replace the one we have. It is self-calibrating. It's no cost to us, and the one

we have right now is at the end of life. So, that's all this one is.

Council member Rapson moved to approve Resolution 905, an Interlocal Agreement between Clark County and the City of Mesquite for SERC (State Emergency Response Commission) Grant. Council member Hafen seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

11. [Consideration of Approval of Resolution 906, an Interlocal Agreement between Clark County Fire Department and the City of Mesquite for Urban Areas Security Initiative \(USAI\).](#)

- Public Comments
- Discussion and Possible Action

[5:36 PM] Minutes:

Mayor Litman read this item by its title and deferred to Chief Kash Christopher.

[5:36 PM] Minutes:

Chief Christopher: This one here is a life size monitor. We have one that's in there now. They're going to replace it, because we're now going to join the cloud, wherever that cloud is, I don't know, but however we're going to join the cloud. What this does, it actually expands the scope if we do have something that, let's say is here, we get on that video conference. We can talk to EOC that's in Clark County; we can talk to the one that's in Carson City, and we can talk to anybody that's on that network. What happens, technology just caught up. They're replacing it. What happens after a year in this agreement, it says that we have to pick up the annual maintenance and any upgrades to it, and the subscription to the cloud. However, they are looking for another grant to pick up the cost of that as well. I did say in case you don't, what is the cost? It would be \$1,000 a year, and that's an estimate, for the subscription and \$600 for maintenance. But again, they are putting in for another grant to pay for it. That's all it is.

Council member Hafen moved to approve Resolution 906, an Interlocal Agreement between Clark County Fire Department and the City of Mesquite for Urban Areas Security Initiative (USAI). Council member Rapson seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

Department Reports

12. [Mayor's Comments](#)

[5:38 PM] Minutes:

Mayor Litman: Last week we received a report from the Police Department that crime was up in Mesquite considerably, in some areas of criminality, particularly. And our newspaper, Mesquite Local, has run an article about this. It's a very fair article. It just reports the facts. However, I've already seen some feedback from the citizens that don't understand how to read an article sometimes, and are implying that maybe our police aren't doing their job. I want to comment on that very quickly.

Personal opinion, and I think the opinion of most, is that we have the best proactive force in the State. It's not the police who commit the crimes in Mesquite, it's the criminal. It's not easy to predict who and why and where crime will occur, and as you well know, the City is fairly large. They can't be everywhere all the time, not possible. I think they do an excellent job with the highest solve rate in the State, by the way. I think what has happened is we have become a victim of the times. So I think so many people hold family values and law in such low esteem and courts that are quite lenient, that the inevitable will and has happened. Crime is up. I believe our police are educated; they are dedicated and loyal to this community. It's a shame not all citizens are. I want to thank our police, and when you see them, thank them, don't condemn them because of the actions of criminals. Especially want to comment on the one that happened last week with the robbery of one of our local establishments and how quickly the police were able to apprehend the perpetrator of that crime. It's amazing. Thank you, and thank the police.

13. [City Council comments and Staff Reports](#)

[5:39 PM] Minutes:

Mayor Litman read this item and asked Council and Staff reports.

[5:39 PM] Minutes:

Mr. Tanner: I have one report. I attended the Lincoln County Commission special meeting that was yesterday at 1:00 p.m. Lincoln County voted at that meeting to add a host fee to the City of Mesquite's landfill. They made a motion to have that fee be set at .58 cents a ton and to be effective October 1st. Now the way that was done at that meeting, I questioned, because they hadn't introduced an ordinance, but I got an email just before this meeting that their regular scheduled meeting for August 15th, they have an agenda item on that meeting for an ordinance to set a host fee for landfill costs. So I'll be attending

another meeting at that time. I suspect what's going to happen is that is going to pass, and I'll have a conversation with our attorney on how we're going to proceed with that.

[5:40 PM] Minutes:

Mayor Litman: Should it pass, do you have any estimate of what that would cost Mesquite?

[5:41 PM] Minutes:

Mr. Tanner: I do. I would prefer not to put that information out there right now, and I'll tell you the reason why is I believe Lincoln County feels like they're looking to receive about \$60,000 to \$80,000 a year of revenue from the Mesquite landfill. That's a pretty big impact for us to take on. So in order for us to have to pay something like that, we're going to have to evaluate adding that to our yardage fee at the landfill to pay that, so we'll be using our avenues available through the Attorney's office to mitigate that.

[5:42 PM] Minutes:

Mr. Sweetin: I just note, I have been involved in the process. I wasn't able to make it to yesterday's meeting because of an emergency appointment with my daughter in Salt Lake City, but I did talk to the attorney for Virgin Valley Disposal. There are a lot of questions about how the ordinance was passed, but I'd advise at this point, as Mr. Tanner has gone, it looks like we might have some ideas on what that cost might be, but we're not positive, because the way they're drafting the ordinance doesn't make a lot of sense, and like he said, what Lincoln County would love is that we put a number out there in a public meeting and then they try to hold us to it. So at this point, I think Mr. Tanner has taken the right choice. We don't have the information to know what that cost would be, but it's perplexing how one county can tax a city located in a different county, when counties don't have the authority to tax in Nevada. So that's what we'll be moving forward on, and we will be on top of that.

Zoning Items

14. [Consideration of the Adoption of Bill No. 502 \(Medical Marijuana Separation Requirements\) as Ordinance No. 502 to amend Mesquite Municipal Code Section 9-15-8 Location Restrictions and Section 9-8-8 Separation Requirements by inserting language to exempt schools, community facilities, and residential zones, from the separation requirements if they knowingly choose to locate closer to existing medical marijuana establishments.](#)

- Public Hearing
- Discussion and Possible Action

[5:43 PM] Minutes:

Mayor Litman: I will disclose that I did receive a donation from the Deep Roots Medical Facility. It should not affect me in anyway whatsoever, because under normal circumstances I do not vote on these items, but it could come to that, so I do disclose that.

[5:43 PM] Minutes:

Mayor Litman read this item by its title and deferred to Mr. Secrist.

[5:44 PM] Minutes:

Mr. Secrist: In August of 2014, the City adopted zoning and business license regulations for a medical marijuana establishment. As part of the zoning regulations, there were restrictions, location restrictions placed upon MME's, and those restrictions include 1,000 foot separation from community facilities as are defined in our Code, which includes churches, public and private schools, rec centers, swimming pools, public parks, and medical marijuana dispensaries had to be at least 300 feet from a residential zone boundary. So there was an affirmative requirement that those facilities locate those distances away from these facilities. Now the question is, is that reverse of that true? Does someone proposing to have a private school, do they have to be 1,000 feet away? If we want to put a pool in a residential area that's within 1,000 feet, could we do that? The reason this came up in the first place, the reason the questions were asked, is that the MLF receivership, a group that's been tasked by the courts to market the Barcelona Partner's properties, pay off the creditors, they raised the questions. They wanted to know what that was over there. I explained that was Deep Roots Medical and what it was. They immediately started asking, well, what are the separation requirements and how does that affect what we do over here if we want to develop this as residential or somebody wants to put a church in one of our commercial zones, etc. They weren't thrilled about thinking that those properties would have those kinds of restrictions.

So then we went back and looked at the Code and tried to determine did we cover all the basis? Are there some loopholes here? I don't think it was the intent of the Medical Marijuana requirements to restrict what happens on other properties. It was to keep them a certain distance away. So basically, Bill 502 does two things. It creates an exemption whereby the community facilities could be within that 1,000 foot buffer if they knowingly do so, and they sign a disclosure statement that they know that they're within 1,000 feet of a medical marijuana establishment, and they're okay with it. The other thing it does, the method of measuring the separation requirement is different from medical marijuana than it is for our liquor establishment. For example, in the Code we have similar separation requirements for taverns and package liquor stores and on those we measure from the front door of the liquor establishment to the front door of the church or school or whatever it is. As medical marijuana, we're

measuring from the property line.

So as we looked at this again in light of concerns about surrounding properties, we thought it probably makes sense to have the method of measurement the same, just to avoid mistakes, etc. So this Bill would change the Code from medical marijuana establishments, the method of measurement, to make it the same as that for liquor. We'll be measuring from the front door of the establishment to the nearest front door of a dwelling, for example, a church or school. Basically in a nutshell, that's what this Bill is about and why it came up and why I proposed it. If somebody's to blame, I guess it's me. I just didn't think it was the intent of that original code to restrict what happens on these other properties.

[5:48 PM] Minutes:

Council member Delaney: First of all, I would like to disclose that I also have received donations from Deep Roots Medical. It doesn't affect me on this, because from my standpoint, we've already allowed Deep Roots Medical. My concern is, and I have already talked to Mr. Secrist about this concern, is that someone puts in a subdivision with houses there or if they put in a daycare, all of those kinds of things, and then they start complaining about Deep Roots being there. It's kind of like those folks that build under a flight path near McCarran or any other airport, and then complain about the noise. Now, Mr. Secrist assures me that there is a similar thing that they've made sure in one of our flood zones or near the water that we get full disclosure for everybody that buys there, but that's my main concern is Deep Roots is already there. We've allowed that as a proper usage, and it's going to be hard on everybody if other businesses, subdivisions, whatever comes in there, and then they'll want to complain about Deep Roots who is already there. So that's all I have to say.

[5:49 PM] Minutes:

Mayor opens this Item to Public Hearing.

[5:49 PM] Minutes:

David Ballweg, Candidate for City Council: I guess I am going to try to pose this question coherently, because it's a little bit complex, but the Medical Marijuana Ordinance was written with certain zoning requirements or restrictions. Are we now saying that Barcelona Property property falls? Because I understand, I always thought that was gaming and resort zoned. So are we saying now that as it sits right now, we allowed that establishment in there, because now I understand there are high density apartments or dwellings also allowed in that area now. So did we allow them to be there in violation of the zoning that was passed? And also now we are going to change the criteria for how this is determined, and I acknowledge the original was from property line to property line. Well, if you change it now to door to door, there was one applicant that I remember off of Riverside Road that was excluded because the property line of

the property was against another residential property line. If you measure door to door, I think that property would qualify for that, not that I'm advocating it, but I think when we start changing these zonings and these rules now, you're now changing the original premise for these particular restrictions in here, and we didn't go fully through all the intent of this problem. And I think the precedent it sets now is, okay, you got -- I believe you said 1,000 or 1,500 feet to alcoholic taverns or whatever, so now are we going to pass the same type of exemption saying if the people know it's there, now are you going to let 500 feet from a school or something like that or are you going to extend it? I think it's a bad precedent to make exceptions on zoning, and I think zoning should stand the way it is right now. Thank you.

[5:52 PM] Minutes:

Gary Elgort: I kind of said my piece before, but you brought up a couple of interesting points. Mr. Mayor, in your little speech there about how safe the town is and everything, that we care about our people, I think approving this says the exact opposite of that. We talk about knowingly placing something there and telling people about it. I remember a subdivision in this town that was built upon a landfill where certain houses weren't supposed to be built on the exact landfill site. It was only supposed to be a park. Somehow houses got built. Somehow the City inspected them and let them go by. Things slip through the cracks. Are you going to require that this school that knowingly built itself next to a medical marijuana facility put a sign on the door that says to every potential customer, and child, and parent that wants to bring a child there, in case you didn't notice, although we couldn't build this facility 1,000 feet from a school, we did build this school only 300 feet away, and your child is only going to be 300 feet away. Are we going to have that kind of disclosure, have that kind of controversy in the zoning regulation? It doesn't make sense. We decided that for the public safety, for the correctness of treating our citizens, that we would keep this kind of facility 1,000 feet. We shouldn't suddenly say that now you can build right next to it. It's not the way you work things. It's just not good. Thank you.

[5:54 PM] Minutes:

Art Pereida, Candidate for Mayor: I am looking at this, and once again, I need to warn you that you are setting precedence for future items and zoning. You have a master plan, you have zoning so the development will flow properly, and now you're looking to exempt that, and get away from the zoning that you already have approved under the Master Plan. I'm looking at the wording, and it says the residential zone -- from the separation requirements if they knowingly choose to locate closer. So if a person knows that they can, I don't want to say break, but get out of a zoning regulation or a city ordinance or a law or regulation because they knowingly choose to be closer. That isn't right. You're completely getting away from what the master plan has been approved for. So what are we going to do? Make more exemptions as more developments come down into the belt? We're starting to grow. We really are, and this right here, the wording is

very critical, knowingly choose. Just a warning, thank you.

[5:56 PM] Minutes:

Adam Leveranz: I am not as knowledgeable about this matter as I probably should be, so if I sound like an idiot, I hope you'll bear with me. Just sitting back here listening, rather than change the zoning, might it be possible to have any individual development that wanted to waive their right, do it as a variance basis on an individual basis, rather than do a broad sweep and change the zoning, or if some business or some subdivision wants to develop, look at it more exclusively than throw in everybody as a broad brush.

And then my second consideration might be that I assume any business you have that's like vice related, alcohol, gambling, marijuana, their business permit from what I've seen when I have been here, they come up for public hearings. I don't know if it's every year or every three years or what not, but if it did become an issue, there's a built in review process where if issues developed, that people with concerns or grievances should be able to come and express them. That's the way I thought it worked. Thank you.

[5:57 PM] Minutes:

Mayor closes Public Hearing.

[5:57 PM] Minutes:

Council member Rapson: As Mr. Secrist said, this is a two-part issue, and it's the distance requirements and then it's the waiver of proximity. And frankly I have no issue with the distance requirements being altered to be consistent with taverns, alcohol and so forth, and how they measure them. They should be consistent.

With respect to the waiver of the proximity by a land owner, I think that probably does open a can of worms potentially. I really don't have a big issue with it, but as some of the public comment was, then how do you transmit that information to the families who bring their kids to childcare or something, and then we do get into the disclosure issues in that respect. So that piece I don't really care about. I mean, I don't think that's important to change.

But I think there should be consistency in the distance. You can't measure one from the property line and one from the door. Whether you change one or both, I don't know, but I don't have a problem with that. I don't think it physically makes a big difference. But then there's also the issue of property rights, and we got a large parcel that is as my understanding has been sold, and that was a complicated zoning for that property. Yes, it was hotel tourists, but there was a design standard handbook and a development agreement which included residential areas, multifamily areas, commercial areas, and I don't know how that falls into a new buyer's preview. Clearly, if they're going to do something other

than hotel gaming, they're going to have to get rezoned, and they're going to have to get it remapped, and they're going to have to develop I assume a development agreement and a design standard handbook, and once they just parcel it off and sell it. But even then, it's got to be sold as what it was zoned for before. So this is a complicated area, and there's the diminution of value. Now you put too many regulations in these things, you make them too restrictive, and pretty soon nothing can be built within this 1,000-foot radius of the buildings or the property line.

So I think there needs to be some compromise in that, but I'm not sure how that works. I can't get my head around this one completely. I don't understand, and maybe Richard can explain it to me, how the current zoning on the Solstice property and in further, around all four sides of it, how this regulation impacts that. How the purchase of the Solstice property changes or what is going to be the process ultimately with that one with respect to a Master Plan, so to speak, a PUD. Is there going to be a development agreement? Is there a design standard handbook required, or is it just going to be a sold off parcel and each parcel comes and gets theirs rezoned? I'm not sure how this whole thing works or interrelates. So I guess that's my first question to Staff. Is it something we can figure out, or you can explain to us today, or is it something we need to take some time and muddle through?

[6:01 PM] Minutes:

Mr. Secrist: I will take a stab at it. I don't think there's any way to say exactly how that Barcelona Partners Properties is going to develop in the future. It was zoned – there are three zones on that property. There's high density residential, there's commercial, hotel tourists commercial, and just regular commercial. Now each one of those zones allows a number of different things that could fall within this separation requirement. Churches, schools are permitted in all residential commercial zones. You can have a park in the residential area. So at the time Deep Roots applied for their conditional use permit and we held hearings -- and by the way, we notified everybody. The requirement by the code is that you send notices to everybody within 500 feet. We went out about 1200 feet further, because there weren't 30 unique property owners within 500 feet, so we had to keep extending the radius out, but they eventually went out far enough until we notified 30 unique ownerships, property owners, and nobody objected to them going in.

Now, there is some precedent for this type of regulation. When we have a water treatment plant in town, when Trailside subdivision was proposed, people here understood that that treatment plant sometimes smells, and people may not like it. Every owner that went into that subdivision signed a disclosure statement. At the time of closing, they knew that the water treatment plan was there, and that they were sometimes odors, and they bought knowing that. Now, did it stop some of them from complaining? No. Every once in a while, we still get a call

from somebody that is mad that the treatment plant smells, but they at least knew about it when they bought the property.

With our liquor regulations, we have 1,000 foot separation requirement for a tavern from a church or a school, except if the church or school happens to be in a commercial zone, then that separation requirement doesn't apply. The idea was that if churches and schools want to locate in commercial areas where these uses are allowed, they go in knowingly. They know that that's a possibility and so there is no separation required. And we have that here to a certain extent with medical marijuana. If a church is in a light industrial zone where medical marijuana establishments are allowed, the separation requirement doesn't apply. The question is did that go far enough? What about churches that are in nearby residential zones or commercial or a park or some of these other facilities? So those properties could be purchased and they could develop, and these kind of facilities be proposed. Do we want to say, no, you can't propose them within 1,000 feet, or do we want to say, okay, if you want to come closer, you've got to sign this disclosure, and if you're okay with it, we're okay with it kind of a thing. But the requirement is not being modified for a medical marijuana establishment. They still have to meet the 1,000 feet if they come in to locate in the City. It's just a question of whether we think there might be instances where these other facilities could be allowed, as long as they know about it in advance and they're okay with it.

[6:06 PM] Minutes:

Council member Hafen: Is there any merit to the individual property owners come in for a PUD variance type thing rather than doing a blanket situation? I can see Bob, whether he's got job security now, because he's already counting all the things that are going to go forward. So I mean it's just a question, because there's going to be some -- I mean, the Barcelona Property, those guys had things upside down for years, now they want to try to do something with it, I just don't want anything to come back on the City when we do something that we haven't though past the end of our nose, and we've, well I wouldn't say us as much, but there have been some Councils in the past that have done that that we are dealing with today. One was mentioned about a landfill situation, those kinds of things. What's it going to hurt to make sure we've dotted all the I's and crossed the T's just to take another month or two if there are some issues we have not thought about? I mean, they're still open. They're still going to go forward. They're still going to be able to do what they're doing. Sometimes we can hurry just to appease somebody and there's really nothing we're stopping from developing. There's nothing keeping a business from doing what they need to do, so that's kind of why. Everyone knows where I'm at with this whole thing, anyway. We talk about the distance requirements. Every other distance requirement that's been in the City of Mesquite meets all three levels of government, local, state and federal. These guys never have met the federal level. It's still legal. So that's just an issue so if you want to go forward tonight,

I'm opposed to it, but I think there's some things that can be looked at.

[6:09 PM] Minutes:

Council member Rapson: Yeah, well, I am not in total disagreement there. I mean, I do want to remind everybody that this is not anything that Deep Roots Medical is asking for. They don't have a dog in this fight, pure and simple. In fact, they vocally said we're concerned about this from an aspect of we don't want it coming back to us at some point and saying how come this facility is close to us. So I get their concern, but this really has nothing to do with them. This has got to do with the adjacent land owners and in my opinion, there's a certain extent that the rights of the landowners to do pretty much what they think is the highest and best use of their properties. And I do know that I was intimately involved in that project for quite some time, and I know how that was laid out, and what the zoning was. At least, I'm reasonably familiar with it. And I think that that back piece that's right along the road up to was all residential. So there is an opportunity for some church or daycare facility or something to be there, which would be problematic, I think, and upon Councilman Hafen's thoughts, maybe the right answer is, I still believe that I think we should have a consistent distant requirement between liquor and marijuana. I mean, I don't have a problem with that, from the door or the property line, I think it should be consistent. But I do think that it's probably more reasonable to have variances on individual parcels or areas that fall within that distance requirement. If somebody wants to build residential along that deal, and you're less than 300 feet from the door of the dispensary or the door of the grow facility, they need to ask us for a variance on that, I think, and make it publicly known that we reviewed this. We have minutes, we have discussions, we have land owner's requests, we have public comment. We have all of the things that give us the comfort that what we do has been done the proper way with public's absolute certainty and knowledge.

So I don't have any big issue. As far as I know, they just sold Solstice. I don't know if they bought anything for a proposal, master plan, zoning changes. I don't know anything about it, but having said that, I'm assuming they haven't, or we would have probably seen something or heard something, so in that case I don't think there's any time sensitive issue here. I think that we probably ought to look at a couple of alternatives, and I think one of them is, and again, I will say I have no issue with being consistent in the distance requirements. It doesn't change things very much, but it's consistent, and I'm all for consistency. But I do think that we ought to explore some alternatives with respect to the adjacent landowners that fall within that distance requirement, and what might work for everybody if they come in and ask for a development or a zoning or a change, or something that's not allowed within that distance to paint.

[6:10 PM] Minutes:

Mr. Secrist: I am not opposed to continuing this item and taking more time to

look at some other method of accomplishing the same thing.

Mayor Litman: We're not backed up against the wall here for anything.

Mr. Secrist: No, and this is not the only way to approach it. It's what I came up with, I guess, at the time, but there may be a better approach and maybe a variance is a better way to go to limit the applicability of this to just those cases where someone actually wants to do something there. So if that's the Council's pleasure, I'm okay with continuing it for a couple of months.

[6:11 PM] Minutes:

Council member Rapson: If there are no more comments, I will make a motion for continuance.

Council member Delaney: Actually, I had another comment. Other than to say that Council members Hafen and Rapson have both brought up very good concerns, and I do believe that we need to be consistent in all of our ordinances. I would like to see Mr. Secrist bring at least that part of it back at his earliest convenience so that we can make it fair and equitable all across the board there, but I really don't think that we have – unless there is something that we're not aware of, there's no expedient reason to do this right now. I would like to see us look at other options.

Council member Rapson moved to continue this for a second meeting in September with staff's recommendations.

[6:12 PM] Minutes:

Council member Hafen: I would just add that you know we're talking a month, basically. I don't know if that's enough time to get some feedback from property owners. There's quite a bit of land out there. I don't have a problem with the 30 days, but it's their property. Mr. Rapson talked about property rights and property owners' rights. Those are the guys who would come back with the concerns and the issues and what they would like to see, so if you can do it in 30 days, fine. If not, I would extend it a little bit, but whatever.

Council member Hafen: And that's fine. Alter the motion to the first meeting in October. That's 6 weeks. That should be enough time.

Council member Rapson: I amend my motion to continue this item on the first meeting in October. Council member Hafen seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

Administrative Items

15. [Approval for an emergency hire for a full time Police Officer](#)

- Public Comment
- Discussion and Possible Action

[6:13 PM] Minutes:

Mayor Litman read this item by its title and deferred to Chief Troy Tanner.

[6:13 PM] Minutes:

Chief Tanner: I will be real brief. I went over this in tech review briefly, so I'll just go over it for the public real quick. We had a slight increase in population from 2015 to 2016. It was 8,200 roughly, and we had about 19,061 this year as far as population. We have a reported increase on I-15 from Las Vegas Commission Authority. They have some numbers out there from a couple of groups, and we've seen a huge traffic increase around town. Then, the rise in crime in the material that I provided you, I'm not going to go over all that; I know it's covered in the newspaper. There are several areas people ask if we've done anything different where an area is still. We just have less people and then the population growth and also more visitors. We've had more visitors in the past.

And they ask, does the crime come from the town? I've heard that question to. You know, the majority is from I-15, of course. You know, all the visitors and so on when they stop in town. There are a lot of people doing quick thefts and so on. It's easy access, jumping back on I-15. We had a lot of stolen vehicles the last three months. In the middle of the night, but not reported until the next day. We don't know they're stolen until people call in. We don't know who owns them, so anyway, there's been a lot of thefts.

We have 27 police officers. I'm going to go over that briefly, since people get confused constantly how many officers we have totally. We have 3 in admin. We have 5 detectives, two are general detectives and 2 are narcotic detectives, and we have a sergeant over those 4. One resource officer, Clark County school district participates and pays roughly 75% of the pay of that officer. Then, we have 18 on patrol, 7 are More Cops officers, came from the tax initiative, 7 are paid for, their equipment, their overtime, their retirement. Of those 18, 7 are paid for by More Cops tax. We condensed our special assignments. Several guys have 2 or 3 each, rather than we had like 16 people out of that when I took over as Chief, and we just didn't have the manpower to do that. We had to concentrate more on the street, which is more important, and then we gave 1 or 2 guys several duties. They have like 3 or 4 assignments each, so that way we can have the guys on the street to decrease our response times.

To be real brief and to end, I want to continue to keep our response times down. It was 7 minutes a couple of years ago, which people are going to look at that and go, well, that's pretty extraordinary. I'll actually get their call but, of course, as large as the town is, it's not that large compared to most places, so they can get places a lot faster than other places as far as traffic. But we're roughly 10 to 12 minutes now. That's a big increase for us, in getting there to solve crime. The faster you are there, and everyone will tell you across this nation, that you have a better chance of solving crime when people are leaving with stolen items and so on. So it benefits us greatly to have that response time kept down and that's in looking as the future.

It takes us, as I said in the tech review meeting, approximately a year to replace that person. The academy is at least six months, and then the field training is about five months, so it takes me a year to get a guy on the street. So I just don't want to be so far behind and try to catch-up. Like I said, I would be happy to take questions, and we still are in the top two -- I hate to say we're number two -- in the cities of the State of Nevada, I looked it up just briefly when the Mayor made his comments, and I appreciate those comments you made. We still have one of the safest cities. We are in the top 2 of the State of Nevada. In fact, when there's tons of cities, cities of population of over 5,000 people, and we strive and work hard to maintain that number. The only reason we are number two, I'll be honest when it came out we had a couple of homicides that year. It was a rare year. We usually average one a year, and we had two that year. So anyway, in saying that, I'd love to take any questions you might have.

[6:17 PM] Minutes:

Council member Rapson: No question, but I think for the public consideration here, I mean, we know that our police force and fire and rescue has been kind of short stucked here personnel wise. I think that as a reminder also that we've saved quite a bit of money on our insurance carriers this year, and we knew that, and we did not budget that, and had we had that sum certain savings, we may have made a different decision with respect to allocating resources for the two departments. I know I would have advocated for hiring another officer and probably another paramedic or fire rescue. So, I am in support of this. I think you guys do a great job. I think we're definitely up three or four thousand cars, a day, at least on the interstate and those people, a lot of them stop, and a lot of them are not good people. Visitor volume is up. I knew it when we were at Casa. When we were full, we had more trouble on the floor. We had more drunks. We had more drugs. We had more stuff. So I get it. Population increases, traffic increases, day stops increases, and night increases nightly stay increases, all increase crime because not everybody is good that stays.

[6:18 PM] Minutes:

Council member Delaney: I concur with George in a lot of ways. Let's keep it simple. If the facts are we are growing again, and growth equals a need for

more services. We have higher tourism, equals the need for more services. I am definitely in favor of this.

[6:19 PM] Minutes:

Council member Hafen: I think it's been covered. You know I support you and I think we -- With 118. we just doubled the distance along I-15 coverage for you guys. Like you say, and I think it was somebody, Barb mentioned the numbers on I-15 are 28,000 plus. I mean, that's a tremendous increase. Not to mention all the stuff that's going on with police departments across the nation, and the negativity that's wrongfully given to police departments and the men in uniform and the women. I think you guys do a tremendous job. You respond. I talked to a number of people that had a lot of positive feedback for what you guys do. So I'd like you to pass that along to those on the force and continue to make Mesquite the great place it is. So I fully support the request, and know that you've always managed the department in a proper way. You've come to us with any concerns. You've always presented it to the public in a way that they understand what you're asking for. There's never been a time that you've ever tried to just get something without bringing it public, and I appreciate that, and I appreciate the community involvement that you as the police chief have as well. So I move for approval.

Council member Hafen moved to approve an emergency hire for a full time Police Officer. Council member Rapson seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

16. [Consideration of the Adoption of Bill 504 as Ordinance 504 amending Title 1 of the Mesquite Municipal Code "Administration"; amending Chapter 8 "Elections and Districts"; amending Section 19 "Primary and General Elections"; and other matters properly related thereto.](#)

- Public Hearing
- Discussion and Possible Action

[6:21 PM] Minutes:

Mayor Litman read this item by its title and deferred to Mr. Robert Sweetin.

[6:22 PM] Minutes:

Mr. Sweetin: Thank you, Mayor. There are one – well, two items. First, I have provided an addendum to Ordinance 504. I provided it to the public at the front desk. Basically, what it is, it's a request by members of the Council to have some examples inserted as footnotes into our City Code. It goes through three examples that I think get more difficult as you go down the line, all three, though, are easy. They're not difficult to understand, because the Ordinance is not that

difficult to understand. So it's a pretty straight forward ordinance.

One amendment that has come up and that I would suggest to Council tonight is that under Section C(3), where it defines and talks about number of voters, that when we refer to the statement of vote from Clark County that we say "applicable statement of vote" instead of just "statement of vote". And the reason for that is some folks have brought it up that it might be an issue, and just a few weeks ago in Tech Review, I think that was the issue a gentleman was making as to what if someone attempted to use the statement of vote for the Presidential election, and people didn't vote – came in and just voted for President and left. Well, setting aside the fact that we don't vote for President at the same time we hold our primaries for City Council, I can understand the point he was trying to make, and using the word "applicable" in front of statement of vote would resolve that issue. So I'll submit it back to Council for any questions prior to the public hearing, and I'm happy to answer any questions during public hearing.

[6:23 PM] Minutes:

Council member Hafen: The footnotes, can you just maybe read us one?

[6:24 PM] Minutes:

Mr. Sweetin: Yes. This was an interesting assignment. It brought me back to – it felt like I was in law school again, so. So I'll read example one: "A City Council election where three City Council seats are available, and seven candidates total seek election to those three seats" – so there's the intro to the hypothetical – "2,000 voters participate. Each voter may cast three votes, since it is a multi-seat at-large primary election". Those are words taken out of the new proposed Ordinance. "In order to be declared the winner, a winning candidate must obtain at least 1,001 votes." Because you have the 2,000 voters, divided by two, add one. "Candidate one received 1,010 votes, candidate one will be declared elected to a Council seat, leaving two eligible Council seats up for election. Candidates two through seven will be ranked by the number of votes they received. The top four would advance to the general election. The two candidates receiving the lowest number of votes would be eliminated."

The most important variance, I think – example two is very similar to example one. The only difference is you're dealing with two candidates who win outright, and there would be no general election clarifying that point.

Example three is where you get more complex with numbers that if you – and I just arbitrarily picked the numbers 3,237, because what you would have to do is divide that by two, round up and add one, which is what the Ordinance would require. So you'd have to receive at least 1,620 votes to be declared elected there.

So those were the three examples. I tried to make them as straight forward as

possible. If you want me to adjust them, I can do that.

[6:25 PM] Minutes:

Mayor opens up this item to Public Hearing.

[6:25 PM] Minutes:

Adam Leveranz: I have a quick question and a concern. When the Primary was held, two people, reading in the paper, had secured seats, and then, you know, it was talked about that that was not the intent when this was originally incorporated into the Municipal Code or whatever it is. Is there a scenario where what you folks do this evening will give those two people those seats, or will this take effect after the November election?

[6:25 PM] Minutes:

Mr. Sweetin: This will not have any effect on the current election.

[6:26 PM] Minutes:

Mr. Leveranz: So there will be six up for election in November?

Mr. Sweetin: Correct.

Mr. Leveranz: Okay. And then my concern as far as acting on this this evening, Council member Hafen is the only one not up for election. I would suggest maybe waiting until the other two Council member are in attendance, so there's no appearance of impropriety.

[6:26 PM] Minutes:

Mayor closes Public Hearing.

[6:27 PM] Minutes:

Council member Hafen: Just to answer the public question or comment, this kind of reaffirms why those two candidates aren't going forward, and that was done with the Council election, and the two that are actually running recused themselves at that point. So this just kind of reaffirms what, in my opinion, with the proper way to go forward. Now, there's some disagreement, and this clarifies everything so that the true winner gets 50 plus 1 percent of the voters that show up. And that's why he did the scenarios of the 2,000 people, three seats, 1,001, doesn't change what happened, we're just going forward the same way. It reaffirms everything that the Council did, what, a month or so ago. So I don't see there's any need to wait on this one, but if that's the case, if there's any other comment, I'll move to approve.

[6:28 PM] Minutes:

Council member Rapson: I don't want to do anything that would appear to put me in a position where I'm voting for something that will affect me, but it won't, because I won't be in another primary. So to Mr. Leveranz's point, yes, it's prospective, so I won't be ever running again, guaranteed. So I think I feel pretty good about that.

And on another note, I'm fine with this, the wording, and I'm fine with that it's being clarified, and I acknowledge that it was probably not correct when it was done in 2011, but my opposition has always been simple changing a law and then making it retroactive. That's the piece that I've always disagreed with. Get it right the first time, and if you don't, change it, but you've got to live with what you did.

So having said that, I'm fine.

[6:29 PM] Minutes:

Council member Delaney: I understand what Mr. Leveranz was referring to, and I do agree that if it was going to affect myself or Council member Rapson at this point, then we should recuse. Now, we did recuse on the vote that would have affected us. Both of us did, and really, it wouldn't have affected me either way. I was moving forward to November. But I'm great with this, because it's clean. It's not going to have anything to do with the primary at this point. The primary has already happened. But it's clean, it explains it. That way, people can't misinterpret how the vote was taken. So I'll second Council member Hafen.

[6:29 PM] Minutes:

Council member Hafen: I done commenting on the past of why – when you have something bad on the books, you got to fix it.

[6:30 PM] Minutes:

Mr. Sweetin: I want to clarify. Under C(3), make an applicable statement of vote. One thing I want to mention, too, before the vote happens, because I think this is an issue that came up last time, and I haven't talked about this, Section A, it makes an adjustment to the Ordinance as it currently reads, because the way the Ordinance currently reads, is it talks about this prospective process of moving to the elections that we're on now. So what I did in Section A, is I just made it so that it's retrospective. So that five or 10 years from now, when someone's looking back to the statute, it's not saying, in 2013, the vote will work this way. In 2015, it will work this way. So that's what Section A does. Ironically, that is what got us into this situation is something like that was added in, and it wasn't discussed. So I just note that for Council, and I apologize for not bringing that up earlier. I think I brought it up to some of you individually, and it wasn't a big deal, so...

[6:30 PM] Minutes:

Council member Hafen: I will add that to the motion. Section A with Staff recommendations. And just for clarification, there was absolutely no discussion back when this was changed on this part of it, absolutely zero. I listened to the tape. Zero, zero, nada, nothing.

Council member Hafen moved for the Adoption of Bill 504 as Ordinance 504 amending Title 1 of the Mesquite Municipal Code "Administration"; amending Chapter 8 "Elections and Districts"; amending Section 19 "Primary and General Elections"; adding the word "Applicable" to Section C and accepting the language change in Section A, and other matters properly related thereto. Council member Rapson seconded the motion.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder)

17. [Presentation on exploration of adopting a City Charter, Process and Procedures, and other matters properly related thereto.](#)

- Public Comment
- Discussion and Possible Action

[6:31 PM] Minutes:

Mayor Litman read this item by its title and deferred to Mr. Sweetin.

[6:32 PM] Minutes:

Mr. Sweetin: What I wanted to do, and our last issue is indicative of why this is a necessary agenda item. So basically we are currently – well, I guess depending on the day of the week and who is in town or whatever, we're the largest city in the State without a charter, that operates under general law. Fernley might be on some days, some days that might not be. We're right about the same population as them, but their population is decreasing, ours is increasing. We continue to have development in the City. Most large cities that have progressed and have developed have adopted a charter at one point or another.

What I want to do tonight is provide in less than four minutes an overview of the charter process, how it would operate, and then ask Council what they would like us to do moving forward. So there's two ways to get a city charter. The first is by special act of the legislature that's operated under the Nevada State Constitution. When we went back to the charter when we attempted to do a charter a few years ago, that's the method we were going under. So I think the way they did it is they did a charter commission where Council members got to pick someone and put them on a committee, and then they kind of tried to build a charter from the ground up, and they were going to present that to the State legislature for approval.

The reason that adopting a charter, and there's not a lot of law on it, is that most of the cities that are charter cities did it between 1971 and '73. The most recent city to adopt a charter was the City of Las Vegas, who did so in 1983. So no one's adopted a charter in 33 years. It's been quite some time. There's a couple of cities that have attempted through special act of the legislature, but there was in-fighting in those cities, and it didn't work out, and it didn't get approved. That's the first way.

The second way to through the petition process. And what would be required there is that you have to have a petition with one-fourth of the voters who voted in the last city election to the Council. What our number would be there is 657 signatures. So if the public wanted to attempt a process where we did not go through the State legislature, but did our own charter locally, we would have to first get a petition with 657 signatures on it is the number that I've established based on the last City election. Then what would happen is the petition would need to be into this Council 30 days before the election, okay? And the reason for that is then what occurs is you have to have a second petition that nominates 15 members of a charter committee. They are voted on by the people. That you have to have one-fifth of all qualified voters in the City agree to. So it's kind of a tough process. The number that I have is that we've got about, based on what I've talked to with the County is 8,710 qualified voters in the City of Mesquite as of the last election. That means 1,742 would have to sign the petition nominating those commission members. Now, the way that can be done is anyone who wants to serve on that commission could come to, let's say, City Hall, put their name on a document, sign the document themselves. If you had 1,742 others sign that document, and you had 15 people or more, they would all go on this November's election to be voted onto the charter commission. And then there's a process where those elected members create a charter that is then presented to the City Council. If the City Council approves it, it goes on for the next City election, which would be in 2018, the primaries in 2018, and it would be voted on by the people at that point. If it's voted on and accepted, that is the other way to get to a charter.

Those are the two methods to get to a charter. I want to talk in less than a minute here the advantages and disadvantages. The advantages we get with a charter are long-term stability, long-term development. You get to control your own destiny a little more. A good example of that is the City of Henderson has a unique charter provision. It's called the Henderson Public Trust, and what it does under their charter, and they're the only city that has this, but it's worked out very, very, very well for Henderson, is it created a system whereby people can donate to this trust and bequeath their own means to this trust, and that trust can be used to build up and develop the city. We have had situations, at least a couple since I've been here, where someone died and left something to the City, and we didn't really know what to do with it. We had to kind of figure it out, and they were minor things, and they just kind of go to the General Fund, but what

this specific trust fund does is it allows it to be treated like a trust fund, so there's a trustee over the trust, there are investments made, and you try to build income on the trust, and it's for the benefit of the City. And Henderson's done very, very well with that.

The other thing is that you end up with more carefully crafted amendments to a charter. So here in the context of the election, this would be something that would fall in a charter is how elections are managed. You either – you can get amendments to your charter by going to the State legislature, or by a petition vote of the people in a similar fashion that you adopt the initial charter. You just have to get a petition that says we want the charter to say this, and it will go on for a vote of the people.

Through that process, you end up with, I think, clearer and more intentional laws that affect the intent of the people. Now, here's the disadvantages, the converse of that, is that it's not nearly as efficient. Right now tonight, we were able to fix a problem that came up last month, okay? Arguably, that problem wouldn't have arisen in the first place under a charter city where somehow the language was changed to language that no one on Council thought that it should say. But we – when we saw that problem, we were able to fix it very quickly. That's the advantage of being a 266 City is we basically run everything through our ordinances, and ordinances can be passed very quickly. The argument for the disadvantage is that places an extreme amount of power in the hands of the sitting City Council. So a sitting City Council can essentially come in and change up almost the entire workings of the City, and then if people say, hey, we don't like the way that works, then they can be voted out, and a new Council can come in and do the same thing. And you can end up getting – especially, I think when cities get into fast and quick development, that's a high risk.

So my recommendation tonight is that if Council is interested in moving forward with the State legislative process, we need to get started now. I can move forward formally and request an opinion or information from the Legislative Council Bureau who can give us – they have a procedure checklist, essentially, that we would go through if we wanted to go the route of special act. I'd invite the public at this meeting, if they're interested in doing a charter that they can start the petition process, and maybe what we can do, what I would recommend, is putting this on the City Council agenda for a couple of weeks to check in and see if anyone in the public is interested in starting the petition process, if we want to proceed once the full Council is here with going the special legislative act route, or if we want to drop it all together and just remain a 266 City. And that's my presentation.

[6:39 PM] Minutes:

Council member Rapson: On the Option One, with the special act of the legislature, so in drafting the charter, who does that under that scenario?

[6:40 PM] Minutes:

Mr. Sweetin: It would be the Council in theory, but the Council can appoint a commission, their own commission. What I would recommend is – I think what we did the last time, I've gone through our old charter documents, and I think the mistake that occurred last time was the Council picked a group of people, and they said, we're going to build this bad boy from the ground up, right? But when we look through history and we look to constitutions and other city charters and how they're formed, I think you've got to have some proposals, even if they're competing proposals, to start with. We didn't have that last time. We essentially started from the ground up in building a city, and it didn't work. There was too much in-fighting and too many problems. So that committee would be whoever you all would want it to be. It could be yourselves, it could be you assign me to draft a proposed charter, and then you guys debate it at a Council meeting, or you send it off to an ad hoc committee that debates it and brings back changes.

[6:40 PM] Minutes:

Council member Rapson: I think that was the point of my question was at some point, I think there are very few people around here that are capable or qualified to draft from the ground up a charter. I mean, most any time you do something significant, you take templates or you take existing successful examples and you work off of those. Whether it might be three or four and you see what the differences are, and you take the best out of each. And I think that if we convene a committee for that, I think that would make sense. It sounds like the petition is a rather cumbersome process.

[6:41 PM] Minutes:

Mr. Sweetin: Yeah, and no city has ever done it that way. Everyone's done it by special act.

[6:41 PM] Minutes:

Council member Rapson: You've got to have a lot of really motivated people to get that going, and I'm not sure I sense the motivation, but I could be wrong. I would be inclined to go in the direction of Option One and convene a committee to review some of the existing charters and go from there.

Mr. Sweetin: Okay.

[6:42 PM] Minutes:

Council member Delaney: I am never in favor of re-inventing the wheel, and I believe that that's probably what happened the last time. I do believe that we need to have the public involved in this so that we can find out what they want in the future of their city, and I believe that looking at templates of how others who have gone before us and have been successful is a great way to go. I believe

that Option One sounds much more sensible and doable. To try to get 15 people – look, we only got seven people to run for City Council. You think you're going to get 15 people to run for a charter committee? So I think that would be a tough way to go. So I would like to see us move forward – and do we need to come back with something? How do we need to proceed with this, Bob?

[6:43 PM] Minutes:

Mr. Sweetin: I will put in on the Council agenda again for an update at the following Council meeting. We'll move forward with what Council is saying, and that also gives an opportunity to the community if they want to come out at subsequent meetings and say, hey, we want to do the petition, and we're trying to do the petition, and those lines of communication are open.

[6:43 PM] Minutes:

Council member Delaney: Yeah, because frankly, I'm not sure that most of our citizens know or care whether or not we're a general law or a charter city. Until it affects their lives directly, sometimes people don't pay attention to things like that. They assume that all cities are run one way or another. And so I would like to see this move forward in a couple of weeks.

[6:44 PM] Minutes:

Council member Hafen: I concur. I think we need to put it on the agenda, get some public input, and see if there is the appetite there and entertain it, and then if so, then I think you can reach out to some of these other cities, Boulder City, Elko, Las Vegas, some of them that have it, take the best of it, and kind of get a template and then get a committee and go forward. But let's get the public involved, and if they don't want to do it, well, it's their city.

[6:44 PM] Minutes:

David Ballweg, Candidate for City Council: If I can get a clarification on what's included basically in the charter, can we limit to what sections of operations are in the charter? So you stated that elections would be in there. Would the structure of the different departments be in there? What positions may be appointed? The report to the City Council, which ones report to the Manager? I mean, does that detail go into the charter, or can we include only as much as we want, or are we required to be all encompassing of all the operations of the city? I'm just wondering where it cuts off and where it would be limited to?

[6:45 PM] Minutes:

Mr. Sweetin: You can be as inclusive or exclusive as you want. You can specifically leave things to be designated by ordinance, like NRS 266 does. You can also be very, very detailed. Some of the city charters are very long and very detailed, and some are very broad and afford a lot of leeway to the Council. As cities get larger and the cities are more developed, their charters are generally

longer. That's not always the case, but they're longer and more developed, because they address certain issues. They address things like who is elected. For example, in the City of Reno, they're the only city in the State that has an elected City Attorney, but they've done that through the city charter process. Everyone else has an appointed one. We appoint our Municipal Court Judge, because 266 provides that we can appoint or elect, and we've decided to appoint. Under a charter, we could say that. That's what the charter is for is to make those decisions.

[6:46 PM] Minutes:

Bob Nelson: I am here tonight, I accidentally found out this subject was going to be on the agenda tonight. I'm glad that I found out. Let me give you a little history. I moved to Mesquite in 1997, so I've been here since January of 1997. In the year 2000, there was an attempt to put together – well, no, a proposed city charter was put together in the year 2000. It was not acted on by the Council, so it died. In 2007, the Council at that time appointed a commission, as was mentioned. It so happens that I was on that commission. There were seven people. I think there are maybe three or four of us that are still in Mesquite; the others are not.

I think I'd like to correct something that was a misconception. We did not start from ground zero. We looked at every charter of every city in Nevada. We looked at some charters for cities that were not in Nevada. So we tried to build on that basis. We did not dream something up and pull it out of the air. We tried to be guided by successful city charters from history. We spent a full year on this project. We met twice a month, all of the meetings were open to the public. We got lots of input from the public. Our meetings were attended by Council people and by the public. Meeting minutes were kept of every meeting. I've got it all right here in this book. We came up with a charter that, of course, we thought was appropriate. Not everyone did. We did have unanimous approval of the proposed charter that was given to the City Council. We gave it to the City Council in, I believe it was March of 2008. The City Council did not act upon that proposed charter. It was in a form that could have been presented to the legislature. We had timing plans all worked out. It could have been presented to the legislature; it was not.

Very few people who are in city government today were in city government at that time in 2008. That, of course, includes all of the Council. It includes the City Manager, the City Attorney. There are a couple of folks here that were there then on this side of the room.

So a lot was done in the year between 2007/2008. Of course I can say this, because I was on the commission. I think we did a very good job. I think we did a very thorough job. It's very true that not everyone agreed with the proposed charter. It did suggest a change in how the Council was elected. It suggested

that there should be four Council members elected and a Mayor elected, and the Mayor would be part of the Council and would be a voting member. So the Council would still be five voting members, four Council people elected and the Mayor. That did not seem to set well with the Council that was sitting at that point in time.

I'm here to say that I'm very much in favor of a city charter. I think it's the way to go. I think that everything that the attorney said, I agreed with. Certainly, I think going through the legislature approval is better, because it's very difficult to do it through a public petition. I would be happy to be involved in another attempt.

[6:51 PM] Minutes:

Mr. Sweetin: When I said from the ground up, I didn't mean to infer that they were pulling things out of thin air.

Mayor Litman: Right.

Mr. Sweetin: I've gone through all those old charter documents, and as he said, it took a year to build it. What my proposal would be going into this charter would be to go in with a – do a lot of that ground work and have a proposal from our Council or from Staff that they generally already accept, and then go in and debate the finer points of that, and then if a member of the commission says, hey, I have a competing proposal, they can submit that. I think as we look through history and we look to other cities that did this years ago, and I've talked to some of these people who are now, you know, federal judges and high up politicians in our state that at the time were working for local governments, for example, Henderson, you know, that's how they approached it. And I think instead of trying to have the committee itself cobble together the best from these, I would submit that we at a minimum as a Council – or you as a Council through whomever you choose, put forward a proposed charter, that that be the subject of the debate and drive the charter commission. I think it would speed up the process, I think it would be clearer for the community. And that's what I meant to say by that.

[6:53 PM] Minutes:

Council member Delaney: I was going to say, I thought that Bob said that – do we need a motion?

Mayor Litman: To set another time, I believe.

[6:53 PM] Minutes:

Mr. Sweetin: If you want to set it on for another Council meeting, you can make that motion tonight, and then I'll make sure to get it agendized.

[6:53 PM] Minutes:

Council member Delaney: Move it for the next Council meeting and that we go with option one.

Council member Delaney moved to move this agenda item to the next Council meeting and that we go with Option one. Council member Hafen seconded.

Passed For: 3; Against: 0; Abstain: 0; Absent: 2 (Green, Withelder).

Public Comments

During the Public Comment portion of the agenda comments must be limited to matters within the authority and jurisdiction of the City Council. Items raised under this portion of the Agenda cannot be deliberated or acted upon until the notice provisions of the Nevada Open Meeting Law have been met. If you wish to speak to the City Council at this time, please step up to the podium and clearly state your name. Comments are limited to 3 minutes in length.

18. [Public Comments](#)

[6:53 PM] Minutes:

Mayor Litman opened up the meeting to Public Comment.

[6:54 PM] Minutes:

Barbara Ellestad, Editor of the Mesquite Local News: I would like to point out a mistake I think you made, Council, with Item 15 which is approval for the emergency hire for the full-time police officer. After doing all of the research, looking at all the numbers, your mistake is that you only hired one. It should have been three.

[6:55 PM] Minutes:

David Ballweg, Council Candidate: I feel that on the Public Hearing for the zoning, I didn't get my answer for my question concerning whether or not Deep Roots Medical is sited in a place that violates the zoning already. Are we within I believe the 1000 feet or so of an area already zoned for residential, which would be – I'm just a little confused on that about what it's brought up and why we want to make a change, because like I said, I understood that everything in that area was – that's why it was sited out there, because it's all commercial; there was no residential. Now, it sounds like along Willis Drive there is contiguous residential zoning in that area which I think would violate the original placement of that facility in that location.

[6:55 PM] Minutes:

Mr. Secrist: Deep Roots Medical complied and met all the requirements. They are not required to be 1000 feet from a residential zone.

Mayor Litman: Correct.

Mr. Secrist: Dispensaries are required to be 300 feet from a residential zone, which they met.

[6:56 PM] Minutes:

Gary Elgort: I can't be here the first meeting in October, so when this comes back up, I won't be able to say anything about it, so I would like to just say it now. I think if you want to change distances from the front door to the front door, I think that's being consistent, and I think that's the smart way to go.

I hope that there is no further attempt to change the zoning on this issue. If you want to deal with things through variance, that's one thing, but to make a blanket zoning change where you have two competing zoning regulations, one that says you can't put it there if there's something else there already, you've got to be 1000 feet away, to then say, but you could put the other thing there later just is not a smart way to do business in the town, in anywhere.

Adjournment

19. [Adjournment](#)

[6:56 PM] Minutes:

Mayor Litman adjourned the meeting.

Allan S. Litman, Mayor

Tracy E. Beck, City Clerk