



Las Vegas

Agenda Item No.: **73.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 21, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT:

Hearing and possible action to consider the appeal regarding Nuisance Notice and Order to Comply located at 5517 Chess Rider Court. PROPERTY OWNER: GLORIA MEANS - Ward 6 (Ross)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Title 9, dealing with nuisances. A Nuisance Notice and Order to Comply was mailed to the property owner to correct the public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 dealing with nuisances; Title 19 Zoning; and Title 6 Business Licensing and state requirements under NRS 449. A copy of the notice was also posted on the property. Today's hearing is to consider the Appeal to the Nuisance Notice and Order to Comply filed by Pastor Darryl Willhite and Gloria Means, owner and responsible party.

RECOMMENDATION:

That the City Council approve the Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal
6. Submitted at Meeting Property Photos by Staff

Motion made by STEVEN D. ROSS to Deny the appeal, thereby approving the Nuisance and Order to Comply

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation sections and showed photos of the property, copies of which are included in the backup documentation.

CHRISTINA BROWN, on behalf of Iron Mountain Ranch, and TROY GILLIAN, neighborhood resident, expressed concern about the people staying on the property, who are becoming experts at avoiding code enforcement officers. MR. GILLIAN added that DARRYL WILLHITE has a criminal history and he must not be allowed to proceed as he has been.

OFFICER RAY BERNIE and SERGEANT DANIEL ALVARADO, Las Vegas Metropolitan Police Department (Metro) Northwest Area Command, were present. OFFICER BERNIE indicated that this property was brought to Metro's attention by COUNCILMAN ROSS. The drug rehabilitation business that is being operated in this neighborhood is illegal. PASTOR WILLHITE has a criminal history, but Henderson did not follow through and file charges, and he came back to Las Vegas after being kicked out of Arizona.

MAYOR GOODMAN stated that PASTOR WILLHITE is dangerous.

COUNCILMAN ROSS thanked the officers for their assistance. He noted that in order to abate the nuisance, the matter would have to go to court. DEPUTY CITY ATTORNEY DAN STILL indicated that the case is going to end up in district court through a lawsuit, and the process will take approximately 20-30 days. COUNCILMAN ROSS asked MR. GILLIAN to relay this information to the residents.

COUNCILMAN WOLFSON emphasized that charges should be pressed against the Pastor as he is violating the law, to which ASSISTANT CITY ATTORNEY BRYAN SCOTT replied that it is all encompassing in the nuisance abatement. DEPUTY CITY ATTORNEY STILL added that all the violations raised in the abatement are also misdemeanors under the code and filing criminal charges would take too long to address this issue. COUNCILMAN ROSS interjected that the Pastor is already under the radar because of his criminal history.

MAYOR GOODMAN declared the Public Hearing closed.