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COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA  
*August 24, 2004*

The Regular Meeting of the City Council of The City of Shreveport, State of Louisiana, was called to order by Councilman Carmody at 3:08 p.m., Tuesday, August 24, 2004, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Carmody.

On Roll Call, the following members were Present: Councilmen Lester (Arrived at 3:15 p.m.), Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Absent None.

**Approve Minutes:** Motion by Councilman Green, seconded by Councilman Carmody to approve the Administrative Conference Summary Minutes of August 9, 2004 Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1. Motion by Councilman Green, seconded by Councilman Gibson to approve the amendment to the Council Meeting of August 10, 2004. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1. Motion by Councilman Carmody, seconded by Councilman Walford to approve the minutes as amended. Motion approved by the following votes: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

**Awards, Recognition of Distinguished Guests, and Communications of the Mayor which are required by law.**

Councilman Jackson: Mr. Mayor?

Mayor Hightower: Nothing today Mr. Chairman.

**Convention Center and Convention Center Hotel  
Property Standards Report**

Councilman Jackson: On yesterday we received some parts of the Convention Center and the Convention Center Hotel Report and the Property Standards Report. Are there any additional questions on either of the two reports gentlemen? Mr. Mayor, I did have one. I had a citizen today who had asked a question with regards to the market studies that have been done and performed and also had been hearing information with regards to the fact that this kinda in the public, the idea that there are already conventions being lined up and people being talked to, courted obviously for the future, certainly in expectation of the Convention Center's completion. One of the questions that he asked today, was whether or not there was some list of the trade shows, the magazines and other places where there may have been some recruitment going on because his question to me was- - were we in fact marketing to all groups? Meaning minority groups at minority trade shows and to other places where whatever was happening so far, where was it in fact happening and was it in fact an inclusive process thus far?

Mayor Hightower: I don't know about any specific ads in magazines, but I can give you the list of calls that have been made from the Tourist Bureau and from SMG. Whether they're marketed in every magazine and to every group, I don't know. But if there are specific groups that someone feels like we have a shot at, we'd encourage the general public to call us and let us know and we'll get the sales force on 'em.

Councilman Jackson: Well, one of the other concerns and I know Mr. Thomas, I saw, Harry Thomas from the African American Multicultural Tourism Commission was also concerned whether or not, they had been involved in the process. I know the tourist, I hear you say the Tourist Bureau had been involved. So, I just didn't know how much involvement they had and I called him after receiving the question and he didn't know and I saw he was here today, so I wanted to just place for the interest of moving forward, that to be sure that our process is inclusive of that as well.

Mayor Hightower: All money's green.

Councilman Jackson: Yeah, and lets not leave any out is my concern.

Mayor Hightower: That's right. Absolutely.

Mr. Antee: And Mr. Chairman, I will get with Mr. Thomas and introduce him to Mike Carrier, our General Manager, who is temporarily housed here on the second floor, so that they can get to know each other and start working together.

Councilman Jackson: Alright. Please do. Thank you so much. Any other questions? If not, Item 6.

**Public Hearing: None.**

**Confirmation and/or Appointments, Adding Legislation to the Agenda and Public Comments.**

**Confirmations and/or Appointments.**

Shreveport Public Assembly and Recreation - Environmental Services, Reginald G. Hodge, Division Manager

**Motion by Councilman Green, seconded by Councilman Gibson, to appoint Mr. Hodge to Division Manager, Environmental Services under Shreveport Public Assembly and Recreation. Motion approved by the following votes: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. Nays: None. Out of the Chamber: Councilman Lester. 1.**

**Adding Legislation to the Agenda.**

Mr. Thompson: Mr. Chairman, there are two.

1. Ordinance 128 of 2004. An ordinance authorizing the incurring of debt and issuance of not to exceed Nine Million Dollars (\$9,000,000) of General Obligation Refunding Bonds, Series 2004B, of the City of Shreveport, State of Louisiana; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; and providing for other matters in connection therewith.

2. Ordinance No. 142 of 2004: An ordinance amending the 2004 Budget for the Water and Sewerage Enterprise Fund.

**Motion by Councilman Green, seconded by Councilman Gibson to add these two items. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. Nays: None. Out of the Chamber: Councilman Lester. 1.**

Mr. Thompson: Mr. Chairman, what we're trying to do is something new. We're trying to put in the person who makes the motion, and the person who seconds so that we can generate a report electronically when it's over and that's why it's taking them a few more minutes to get it done. So, if you'll bare with us, we think that once we start the process, it'll be easier.

Councilman Jackson: Okay. Alright.

### **Public Comments (Agenda Items to be Adopted)**

Councilman Jackson: I don't show that we have any at this time. Is that correct?

Councilman Gibson: Yeah, I think we do have.

Councilman Hogan: There are some comments Mr. Chairman.

Councilman Jackson: I don't have any Public Comment slips. If you will, just bare with us just a moment as we check the Public Comments. We do have a few Public Comments and I want to ask first Ms. Linda Scott.

Linda Scott: (*446 Woodrow Street*) I'm speaking in opposition to item zone change No. 127, Zoning C-51-04, which affects the 5832 block of Linwood. I rise in opposition. With me, I have some of the members of the local Church, also property owners in that neighborhood up and down that area of Hollywood. And we're here to ask you to vote against that Zoning change. Thank you.

Joe Micciotto: (*714 Chinquapin*) I think we're a little bit confused. Now, I'm not speaking on this particular issue. My comments relate to Subdivision Appeal in Emberwoods Subdivision, not the Linwood property.

Councilman Jackson: Just whatever it is.

Joe Micciotto: Oh, okay. I thought it was in some kind of order. I want to just briefly tell the Councilman what the objective is. We've got a piece of property at the end of Chinquapin which is a dead end street. This was a street that was annexed into the City in 1987. It's a 12 foot street. And I want to tell you a residential drive way is 10 foot, so we can have only one car pass at a time. There is not sidewalks, there's no curbs, there's been no drainage improvement. The residents of Chinquapin are not here to petition the Cit Councilmen to upgrade that street. What we'd like you to consider is future development at the end of this street. We've approached the MPC originally there was a petition to develop that piece of property which is 5 ½ acres into seven parcels. It was later reduced to five. Between the last MPC meeting and this particular meeting, there was an agreement we thought in which Councilman Gibson facilitated, an agreement to develop that into four lots. We received a call yesterday evening telling us that, that agreement was no longer valid. So, we were all caught by surprise. But I would invite you to look at the size of the street. It certainly doesn't meet

City Code and to appreciate that we're talking about a dead end street, that's 12 foot wide. Future development at the end of that street will definitely include a heck of a lot of traffic and I think it's going to be incumbent upon the City to look at improving that street. But the residents at this time are not asking that improvements be made.

Doug Shurling: (738 *Coachlight*) Mayor, Councilmen, I appreciate your time. This has been an ongoing issue. We have a lot that and I'll try not to be repetitious that Mr. Micciotto was talking about lot 52, which was designated for one home. This lot runs on what is called the ridge. You hear of Eastridge Country Club, there is a ridge that runs from Spring Lake all the way to Nachitoches and on this ridge, is 5 ½ acres that they're trying to develop. When they developed on this ridge up in Spring Lake, one house ended up going bankrupt, and the bank ended up having to push the house down. There's two houses I think that are cabled up in the air and there is one that they've pumped enough concrete, that the Mayor could have built the Convention Center with it. I mean, that's how much concrete it took to save these houses built on the ridge. This ridge runs along our neighborhood. Some developers came in and developed along, a little bit along it off of Hazelwood, four houses Charles Knically built. The residents just spent \$100,000 trying to keep the sand from washing out of their back yard. So, there's a big erosion problem in these ridge lots, once you start taking the natural vegetation off of 'em. And this five acres has been left there pretty much because of that. You know, if you could have developed seven or five houses on this, I want to tell you the developers of Shreveport would have been there. Because this is five acres sitting in a gated neighborhood that is prime property and it's just not possible to build that many homes. The street, like I said, it was a pig trail going back down Chinquapin that's been graveled over and now they want to develop these five houses. Five houses is excess of what we feel like could be developed because of the traffic, because there's no sewer, there's no pumping station. The two homes that are back in there have a private pumping station that they financed and that they pay and that they keep up. It just doesn't seem possible or financial feasible to build this many houses on this lot. The neighborhood got together, we looked at it, we met with these people, we felt like with the developers (unclear) that three was the max that you could possible get on here. We've petitioned and we've asked that it be three and the other group is asking for five. A compromise was met two weeks ago that maybe they could put four there. We said okay, put your guns down, we'll all go with four. And like I said, we've got a 12<sup>th</sup> hour call yesterday that no, that it was not financially feasible for them to build just four. Well, we didn't cause their financial problems. They bought this knowing that we were in opposition to this lot. And if they've got financial problems with it, that's the neighborhood's fault. But the neighborhood would like to see this go back to MPC and us try to work something out. We're not against them developing. The Church is not against them developing. You know, we know someone is gonna develop a small portion of this lot and we're for them becoming our neighbors, but not at that amount of construction.

Councilman Jackson: Alright Mr. Shurling, would that complete your comments?

Doug Shurling: The lot size is one of the biggest issues. All the lots joining this property are in excess of 2 acres. We realize there are *Jim Walter Homes* on this same street that are on 1/4 of an acre. But that's on one end of the street versus the

other end of the street. We're not trying to make this apples to apples, it's not. You know, it's like Shreveport. There is diversity all over the City, but the lots joining this property are 2 and 3 acre lots. And we'd like to see it that way.

Councilman Walford: I did have one question. If I understood right, y'all presented your case to the MPC and they carried it down from 7 to 5?

Doug Shurling: MPC recommended no more than five. The engineer had informed us earlier in the week that he couldn't see over four going on it. And I don't know if seven was ever actually on the table. We talked about it, but I think the original, the plat that was ever voted on was five. They never, it was never presented as anything else. And that was before we realized that it was on the same ridge that the houses in Spring Lake had fell in,

Councilman Jackson: Is that it Mr. Walford?

Councilman Walford: Go ahead, I was going to dig out the minutes, but that's alright we can- - -

Councilman Lester: I have a question that might help.

Councilman Jackson: Yeah, Mr. Lester.

Councilman Lester: Thank you Mr. Chairman. Good Morning Mr. - - -, I should say, Good Afternoon Mr. Shurling. I heard you say that on the other end of the street and I think the street is Chinquapin?

Doug Shurling: Yes sir.

Councilman Lester: Okay. Someone is currently building a house on Chinquapin that is significantly smaller than the development that is proposed currently. Isn't that correct? I think there are some houses that they are building on 2/10ths of an acre lots?

Doug Shurling: Yes sir, and there's probably smaller lots than that further up.

Councilman Lester: Did the neighborhood group oppose (unclear).

Doug Shurling: No sir, the lots joining that property are of equal size.

Councilman Lester: Equal size in terms of the size of- - -

Doug Shurling: Of the size of lot that, that house is.

Councilman Lester: So, the houses that are being, that are .2 or 2/10ths of an acre?

Doug Shurling: They surround this five acres that is looking to be developed. That's further down the street. The further up the street you go, the smaller the lots get, but the houses joining it are also on the smaller lots.

Councilman Lester: Okay, but I guess my question is, is the neighborhood or do the people that live over there object to the smaller houses- - -, well, not the smaller houses, the houses on the smaller lot as opposed to the houses that are being contemplated in this particular development? In other words, what I'm trying to figure out is, if your concern is the size of the lot.

Doug Shurling: Yes sir.

Councilman Lester: And you've got on one end of the street houses that are of a certain size, that are much larger or almost the same size as the houses that are there. And then you've got on the same street, on the other end of the street, houses that are built on a lot that is significantly smaller, my question is if you object to the houses that we're voting on today, it would seem to me that you would also object to the houses that are on the smaller lot. And my question is are you objecting to the houses on the

smaller lot as well as these? Or how exactly does that work?

Doug Shurling: No, we're only objecting to MPC not staying with the standard that the property that joins it. The smaller lots up on the other end of the neighborhood are surrounded by smaller lots and always have been.

Councilman Lester: Okay.

Doug Shurling: The ones, if I had a map, when you get further down Chinquapin, the lots start getting larger, and larger, and larger.

Councilman Lester: Okay.

Doug Shurling: And as do the house sizes.

Councilman Lester: Okay.

Doug Shurling: And what we're trying to do is not sit here and then go in the middle of where these people have bought 2 and 3 acre lots and put half acre house there. We're trying to you know, if that can be any kind of conformity to that, but it does. It starts out small, medium, large down the street.

Councilman Lester: Okay, that answers my question.

Doug Shurling: Thank you.

Councilman Jackson: Any other questions? Thank you Mr. Shurling. Next we have Bethany Roberts.

Bethany Roberts: (*755 Chinquapin*) I am in opposition of the said rezoning of this property to house any more than four lots. Not to be redundant to what has been already been spoken, my husband and I bought our property there in '83 and built a home that would be catty cornered across from where this property is going to be developed. It's a quiet dead end street, very little traffic, where we have raised our child and other families around us are not raising their young children. The street is very narrow, if five homes are built in there, you will have to admit that at least two vehicles per home were being added in the traffic flow, so that's an additional (unclear) vehicles a day on a rather narrow street. We oppose that. The manner in which all of this has taken place has been something that none of us had ever seen before, and not to be emotional, but it has certainly upset the flow of the neighborhood. We're a very quiet, very respectful and a ver close neighborhood. This has come in and been done to our way of thinking, out of line. They have stated that they wanted to be good neighbors and yet, the way this has been handled, has not been that way at all. Letters have been written, and faxed to the MPC from as far back as June, from most all of us. Petitions signed by over 100 individuals within the neighborhood. We're trying to seek a compromise that it's as though they don't want to compromise. The land is very rocky, very hilly, a lot of ravines in it. In order to put that many homes in there, chances are they would need to come in and clear most of the property if not all of it except for the trees that are one property side. Again, with the sandy (unclear) soil and with the ridge like it is, it will wash. One man's pool that is being redone, where Todd Walker has just bought, Chinquapin all but washed away in the flood that we had four or five years ago. And it washed away right across all this property. So, I think it is something that certainly needs to be taken into consideration (unclear).

Bettye Kappen: (*715 Cobblestone*) And I speak for those of us who do not live directly on Chinquapin, but as was stated previously, we are a very close knit neighborhood and it's quiet and gated. And the traffic flow bothers all of us. That many

extra vehicles going in and out of the neighborhood would present a real problem and if building permits are granted, the idea of all the construction equipment that will be going in and out will be almost impossible, once you view the size of the streets that we have.

So everyone in the neighborhood and we signed a petition, we really are hoping and suggesting that further thought be made on granting this.

Councilman Hogan: Ms. Kappen, am I pronouncing your name correctly? Okay. You mentioned something about a petition, just a moment ago. Did you submit that to the Council? I've not seen any petition.

Bettye Kappen: It was sent to the MPC, I think if I speak correctly, I was not directly involved. (Unclear)

Councilman Gibson: If I could defer for a second Councilman Hogan. Mr. Kirkland, could you elaborate on that petition for a second for the record?

Mr. Kirkland: The entire packets' in your information file. And I'll look at mine, but I believe it was in that packet.

Councilman Gibson: Yeah, I did see it, but I'm just talking about in terms of my colleagues. I just wanted you to confirm that there was a petition signed by this neighborhood.

Mr. Kirkland: Yes sir, there was.

Councilman Gibson: Thank you Mr. Chair. Thank you Mr. Hogan.

Brent Roberts: (*755 Chincquapin*) I don't want to sound repetitious. We have just really tried to work with these developers and we don't oppose the development, we just oppose more than four homes. And for all the information that has been given as far as the traffic, the width of the street, the clear cutting of the property and no where to build five homes, even four homes. The petition that the neighborhood signed with over 100 names was for three homes, but the MPC voted to have to have five homes and that's when we appealed it to the City Council. But we tried to come to an agreement with four. It was a 'gentleman's agreement' about two weeks ago with the developers and we thought that it was a done deal at four and that's when we got the call last night that they weren't going to respect the agreement and they still wanted the five. And so, that's why we're in opposition and that's all I've got to say.

Cynthia Clarke: (*765 Chincquapin*) I am also in opposition to building five homes on lot 52 of (unclear) Subdivision. As a mother, there will be increased traffic on the street. My son plays on the street nightly, riding his bike up and down the street. We take walks up and down the street. During the day, while all this construction will be going on, we will be out in the neighborhood, while these heavy trucks and machines are coming down the street. I'm just concerned for my safety, my son's safety, and I have a child on the way, and my future child's safety. In addition to this, I know that Mr. Prevot is one of the developers maybe talking to you today about supporters that he has. One of the supporters, (Unclear) Rogers signed his petition, but also signed our petition, so she may be on the fence there, we don't know. One of his supporters owns land, but is exactly like this, undeveloped, which he may want to do something with in the future, so, that's a no brainer, he's gonna say, yeah, let's go for it. And then there's the church, they don't live in the neighborhood, they're back behind, they (unclear) is that issues in the future and they probably will. Finally, just who would know better than the people that live in the neighborhood what's best for our neighborhood? We've had

over 200 people represented through a petition that said, we don't agree with this, we don't think this is right for our neighborhood. So, I would hope that you would listen to the people that live in the neighborhood who are there everyday and know that we don't agree and don't necessarily want this development in our community. Thank you.

Mark Prevot: (710 Robards Street) Good afternoon and thank you for your time and your service. I represent my wife Paula, and Mr. & Mrs. David Langston, Mr. & Mrs. Robert McBride, Mr. & Mrs. Mark Trombetta, and Mr. & Mrs. Clay Lee. And we are the five families that would like to develop this property. I have provided each of you with a packet similar to this. I would like to enter this into the record at this time and it contains a lot of information that I'm going to talk about. I'm going to go also over it with quickly, because I know your time is valuable. We acknowledge that the neighbors have some valid concerns about this project, so I would like to address their concerns at this time. Their first concern is that the proposed lot sizes are too small. I would like to offer the fact that the average lot size on Unit 2 of this subdivision is .46 acres and the average lot size of the Unit 1 in this neighborhood is .73 acres. And Our average lot size is anticipated to be 1.22 acres. So our lots are larger than the average lot sizes within the entire neighborhood, and the lots along Chinquapin Drive east of Olivia Street. Second point that they bring up is that Chinquapin Drive is too narrow to handle this development. We have a letter in this packet from the Shreveport Fire Department that explains how our development would improve the safety of the neighborhood by offering a place for the apparatus to turn around, as well as we've met with the Department of Operational Services, and they feel like it would improve access for the City of Shreveport vehicles as well. The third point, the neighbors bring up is that the water and the sewer lines will be strained, the drainage will become worse affected by this development. We don't feel this is the case and we have met with the appropriate City officials and there's documentation of that in your packet. And we would provide a drainage plan that would comply with all the rules and regulations of the City and otherwise, and we will gladly comply with that requirement. And the fourth concern is that, I've heard that the MPC Staff has made a recommendation of four lots when they actually ruled on five. I think MPC Staff members here are present and they can address that concern, but I don't believe that to be the case. In conclusion, we believe that our proposal would improve the neighborhood and the City of Shreveport. We propose an upscale development with large houses and minimum standards that would be above average and we think that our project could pump upwards of \$10,000 a year into the budget for the City of Shreveport and the Parish in taxes. We're very excited about this development and we're sorry that the neighborhood has not embraced the idea. I don't see the big difference between four lots and five lots in terms of the points they've brought up and they've stated that they are for. So, we would like to ask you today to vote in favor of five lots, and uphold the decision that the MPC has made. One more point. The petition that has been referenced, never says that anybody's opposed to anything, and I've counted the signatures. It's a 100 signature, but it doesn't ever say that they're opposed to any of this. It just says that they are in favor of three lots. So, I'll answer any questions you have at this time.

Councilman Carmody: Mr. Prevot, I'm looking at the MPC Staff Report and it appears that it says the subdivision street would be a 25 foot wide asphalt with concrete

curb and gutter. Is that correct?

Mark Prevot: That's correct.

Councilman Carmody: So, there's an existing 12 foot wide asphalt street through the neighborhood, but at the point at which your subdivision is proposed, then you would in essence double the size of the street.

Mark Prevot: That's correct. We would like to build a street that's up to current standards as well as all the infrastructure and as far as the neighborhood safety, anybody that want's to have their children play on that cul-de-sac, is fine with me. It would be another dead end, so- - - and I think construction equipment is inevitable when you've got development, it's a short time frame.

Councilman Hogan: Mr. Prevot, some of the people have spoken already, more than one person have mentioned something about a 'gentleman's agreement'.

Mark Prevot: Correct.

Councilman Hogan: Where you had met supposedly and met with them and their office and then they just found this out last night. Would you care to expound on that?

Mark Prevot: What happened on that was we had dropped by Councilman Gibson's office to discuss the matter with him and Shurling happened to show up that day and we had a discussion in the conference room there in Mr. Gibson's office. And the offer was put out that potentially four lots might be an agreement and what we stated was that - - -

Councilman Hogan: Who put the offer out? Who said that?

Mark Prevot: It was Councilman Gibson was trying for us to reach that agreement as far as I recall. I may be incorrect, but I think that both parties were aware of the four lot potential being out there. And so, what was said is that one of our partners is out on a fishing trip in the Gulf and we cannot get in touch with him, and that we would need to talk to him before we make such a decision. When he returned from his fishing trip, we discussed that and we also discussed it with the five families, the other two families, and we realized that somebody would be out and we just felt like the difference between four lots and five lots with all of the points that have been brought out is very minimal. We're talking about one house and so we felt like we really needed to go with the five lots. And so, I called Councilman Gibson and I called Mr. Shurling and I said, I know that we talked about four lots the other day, but I told you I had to get back with one of my partners, and we're at five lots, I just wanted you to know that, so that everything's up front and you can talk to whoever you need t talk to.

Councilman Green: Before we- - - I'm sure he's not going to be on the same lots, I wanted to see if Mr. Kirkland could come before we move to the next item. I'm sorry.

Councilman Jackson: When it comes up on the agenda.

Councilman Green: I'm old. I'll be done forgot all my questions by then, but that's okay.

Councilman Jackson: Write 'em down.

Earnest Ary: (3101 Boss Avenue) Briefly, I would just like to say that I am in support of the tax roll over, because I feel as if the City employees are well deserving of much more than 2 ½ %, but we'll take a nickel or dime or whatever you give us, if that's what it's going to take for us to get the well deserved raises that we need. I'm asking that the Councilman would support this. I've been asked from Department Heads to

Supervisors, this is one of the first time, I've had my Department Head to ask me to speak in support of something, and in good faith, I would like to work with him, because he has worked with me in good faith. My Supervisor at Amiss Plant, Fortenberry and Landry, they've worked with us in good faith, so I'm asking that you vote in favor of the roll over because we haven't had a raise since 2000. And this is a cost of living raise, that everybody here agrees the City workers deserve, or are well deserving of a raise, much more than 2 ½ %, but if we can 2 ½ %, we'd love to have it. We're not going to turn down any money. But I am asking you to vote in support of the tax roll over so that we can maybe balance. Because the rumor is that the insurance is going to go up 20% in January, and they're going to start taking it out in October. So, we as City Workers, I mean the insurance is already shooting sky high. Most of us can't afford insurance, City Employees are going to drop insurance because it's going to be too high for them to afford. So, we're asking you to vote for this tax roll over so we can at least have you know a few nickels and dimes in our pockets because our families need insurance. We need insurance. You know if you work for the City, I'm a career employee and if you work for the City, you know anytime that you cannot do without insurance. I mean, you can, but it's just something that I don't think either one of you guys would like to do. So, I'm in favor of the tax roll over and I'm asking that all of you vote unanimously for the tax roll over. And Mayor, this is one time, I can say I'm working with the Mayor. I mean, you know if this is something that we need, and I'm asking that you guys support us. Thank you very much.

James Robinson: (*131 Mayfair*) I just want to say Good Afternoon to all of you. I first would like to bid each and everyone of you a good afternoon, including the Mayor and the Staff of the City Council as well as each one of you Councilmen. I stand here before you today representing probably the hardest working, least appreciated, group of taxpaying citizens of the City of Shreveport and that is the City Workers of the City of Shreveport. As most of you know, I am President of the Shreveport City Workers, Local 4-25 PACE International. And I have been asked and authorized by my membership, over 600 members, at our monthly meeting Sunday to appear before you and make a personal appeal to you and to let you know our position as a whole. We do support the roll over initiative of the - - - the tax initiative before you. We understand and realize that this may be a hard decision. A lot of people don't like taxes to be raised, but when we look at the overall picture, this is going to generate I think a little less than \$2,000,000. So, therefore we're talking about a small minimum increase per taxpayer in this instance to a group of people who have not had a raise, cost of living raise or any other increase for the last four years. I would venture to say that nobody besides the City Workers, a very few besides the City workers who are in this room that work anywhere in this City, public or private sector are still making what they were making in the year 2000. I think everyone has taken care of their most valued asset, their employees. We're asking that you do the same. We know that you can't make everybody happy, but you're elected in your positions to make the hard decisions. This is one of those hard decisions. And it's one that affects the whole City and the City Workers. Personnel studied that we all have (unclear) We know that pay was one and we know morale was another. This is an opportunity for you to address both of that. Of course, 2 ½% of the allocations that we actually saw in the paper this morning shows us that not only to support its passage, but

we'd like to even ask you to consider a 4% rather than a 2 % because again, I say these - - - everybody has their idea of how we're going to get money for the City Workers. But it's going to take time. This might be the only opportunity and next year - - - next two years that we find some money to do something with. And we need the City Workers to know that they are appreciated for what they do. Some of us are here now. Most of us can't be here because they're out delivering services and answering you bidding right now with a smile on their faces. And they're going to continue. But there comes a point that we have to let our workers know that we appreciate them. It's a small amount, but you have an opportunity to do something. Lets do that which is right. Not that which is convenient and again, we ask that if there's a will, there's a way that you can look at even increasing that percentage to make it a more fair and not letting the City Workers always have to carry the burden for everybody else. We realize other needs, but like I say, these are the only people who have been neglected over and over again. And whatever we do, we pray that you don't suffer the indignity to the City Workers by not giving them anything for their appreciation. We understand you have to find a way and the means and we're not going to tell you how to do that. But we've had comments and conversations with upper management and mid level management and some of them know our people are hurting. They are not even concerned about their percent in this cost of living, that they are making enough. But they know that people in the field and in back of the trucks, need that money and need as much as they can get and some of them will give up their percentage so that the people who are working the hardest in this City can finally reap something for their efforts and their labor. So, we pray for your support on a unanimous vote this afternoon.

Ken Kreft: (157 Archer Ave) I'm here to speak the roll forward of the taxes as I did a week ago at the School Board Meeting. The only one of 14 speakers at that Public Hearing to oppose it, and the only one who applauded the vote. Strangely quite other than my clapping. I'm here today to ask you to oppose it, the assessment is going up. It would be as I understand it a little under \$2,000,000 a year. Should five or more of you decide to support it, I would like to proviso attached, that, that \$1.9 million Mr. Mayor, Mr. Antee, and Mr. Dark is just sufficient to retire a 20 year bond on a \$40,000,000 hotel. I would like that stipulation put into it. It would pay those funds, principal and interest. I understand this body has to vote on that issue and then even if we succeed, we have to get approval from the State Bond Commission. Otherwise, I oppose it, I think it's not the way to do it. I do have an alternative Mr. Chairman. A few years ago, the Legislature approved a ½ cent sales tax on the hotel/motel rooms in this City for Independence Stadium, I think the City employee do deserve as Mr. Robinson said and the prior speaker, a pay raise at about a ¾ % sales tax on the hotel rooms. The Legislature would probably support that, they generally don't oppose those local things and that is my alternative. And that is a more proper way. Let our visitors to the Indy Bowl and Gemini and Centaur and the River Boats and all the other things. Let those things from out of town who already spend a lot a money, spend about another \$.75 on \$100. And let that income fund the pay raises. That will be there. Thank you for your time.

V. Grace Tasby: (3205 Marjorie) I'm here out of the concern for the same issues that I spoke about during my last time, the last time that I came here. Primarily that - - -

I'm grieved. My spirit is aggrieved over the condition of my community. We're not getting any- - - monies are not being sent to our area to help upgrade our community as compared to what's happening in the Downtown District and it grieves my spirit because things are not right. I know they're not right. And I would like to see more monies Councilman Lester, Mayor Hightower with all respect. We need our children in the community where I live are being - - -

Councilman Jackson: Ms. Tasby. Let me ask a question. Excuse me. When I received the Request to Speak, it had 'same issues' on here and I'm assuming that whoever passed it to me, assumed that you meant the same issue that the current speaker was speaking on. According to our agenda, this public comment time is for things that are on the agenda. And if it's not an item that's on the agenda, then it would revert to the Public Comment section that's on the bottom of the agenda.

V. Grace Tasby: Do you want me to come back?

Councilman Lester: Mr. Chairman, I'd like to suspend move the rules to allow Ms. Tasby to finish his statement at this time.

V. Grace Tasby: Well, I don't have to speak at all.

Councilman Jackson: No, no. Let me - - I have a motion by Councilman

**Motion by Councilman Lester, seconded by Councilman Green to suspend the rules that we might finish hearing the public comment at this time. Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Gibson, Walford, Hogan, Green, Lester, Jackson. 6. Nays: Carmody, 1.**

V. Grace Tasby: Things are not right in this City. I know that.

Councilman Jackson: Ms. Tasby, please excuse me, but following the rules of the Council, we needed to do that in order to allow you to speak at this time. You may continue.

V. Grace Tasby: Thank you. I'll try to be as brief as I can, I don't want to take too much of your time, but more money is being spent in this Downtown area you all, than being spent in our local communities where our families are. We're putting more emphasis on gambling than we are on children and women and our communities are being neglected in the name of gambling. Things are not right in this City. We need better leadership. And I would like to see that. I would like to see more monies channeled into the Martin Luther King, Jr. Drive area community as opposed to the Downtown District. Because our children are suffering in the name of gambling. It's not right. I'm sure the boats won't last. Those high rise hotels are going to fall in the river, I'm here to tell you. And I hope none of you are there when it does happen. Thank you.

V. Grace Tasby: God Bless all of y'all.

Councilman Lester: First of all, I would say thank you Ms. Tasby for coming and I'll agree. And if I was the one that was writing the check, we'd spend all the money in MLK, particularly in that Marjorie area as well as in Allendale. But that's I think the other City Council would not allow that. But I will say this. On the 20<sup>th</sup>, Mr. Kirkland correct me if I'm wrong, the next master plan meeting is September 26<sup>th</sup>, at the David Raines Center at 6:00. The David Raines SPAR Center, we're having another meeting of the Master Plan Committee for the MLK Community, please, please be there and we can

work through some of those issues, because one of those things that we're working on through the efforts of this Council's support and MPC, is trying to find ways to revitalize our area, particularly as it relates to the MLK community. So, please come to the meeting on the 26<sup>th</sup>. And that meeting is opened to the public, but I would especially like to invite you, because those are comments that we definitely need. Thank you very much.

Councilman Carmody: Mr. Chairman, just for clarification, we suspended the rules, we're now going to receive all public comments, is that correct?

Councilman Lester: No, Mr. Chairman, my motion was to suspend the rules to allow Ms. Tasby to finish her statement. I don't know if the Chairman mis-stated. But that was my motion.

Councilman Carmody: I wanted to clarify whether or not that those that requested to speak were going to be allowed to.

Councilman Jackson: I didn't have any other requests to speak at all, so that was in fact the last one. So, as a matter of rules, we revert back to our agenda and would ask for a - - - I'd like to move if you will to suspend the rules at this time. There was a recognition that should have happened at the top of our agenda, but all the parties involved were not present. And so I would like to ask if we could do that.

**Motion by Councilman Jackson, seconded by Councilman Carmody, to suspend the rules to receive the recognition of distinguished guest at this time. Motion approved by the following votes: Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

Councilman Jackson: I'd like to recognize at this time members, students if you will from the Job Corps and those who are in leadership of that group as well as the Shreveport Fire Department. If you would, come now. If you would, Mr. Hill for the purpose of introduction, you would introduce yourself and then whatever the comments are you'd like to make, you can at this time.

Franklin Hill: Mr. Mayor, Mr. Antee, Mr. Chairman, Council Members, I'm Franklin Hill, I'm Safety and Security Manager with Shreveport Job Corps, been in that position for about 24 years. I have with me, our Director, John Rios, our Deputy Director Lionel Frazier, our Business Community Liaison, Ms. Jeanette Williams, our Instructor Mike M. Finger and three of our students. We've been performing a life safety service in this City for the past nine years and we just thought it was time that we came down and let you guys know about it. We've been installing smoke detectors in the homes of elderly and needy citizens for the last nine years. Now, granted there are some organizations that performed this service, but it's on a one time basis. We've been doing it consistently for nine years. Chief Dias and I were talking a few days ago, trying to determine about how many we've installed, and I'm not real sure. We estimated somewhere between 250 and 300.

Councilman Jackson: Let me just say to Mr. Hill as well as Chief Dias and Chief Cochran, all of the other men who are here representing the Fire Department as well as Ms. Williams, and all those who are there, that you all have done certainly more than a

yeoman's job. And I know that you all were involved in some recent things when there was a house, when these two young kids were burned in the house as well, and I certainly want to commend you for taking the mantle and moving forward. You know some people do the work, other people like to take the credit. And as someone has said, always try to be in the former group, because the latter group would be crowded. So, you all have done a lot of work and have not looked for credit. But I certainly think that credit is due, not only to the Job Corps, but certainly to the Fire Department for recognizing that it takes a community partnership in order to get a lot of these things done. And I hope that something has affected these young men, so they recognize that service is the price you pay for the space you occupy. And that all of us ought to look to be servants. And so thank you to those young men as they represent, I'm sure, hundreds of others who've participated over nine years in this program and to the Fire Department as well, thank you for your leadership.

Franklin Hill: John Rios is our Director and I would like for him to come up and introduce himself and maybe say a few words to the Council.

Councilman Jackson: Mr. Rios.

John. Rios: Yes sir. Thank you Mr. Hill. I'd just like to thank the City Council for this our moment to introduce the students and also like I said to, or wanted to say just to brag a little bit about ourselves. About our cooperation with the Fire Department and like you indicated the work that the students do. It's going to continue and we're all going to look for other ways to help improve the community and improve our students for the betterment of the community and for the City. Thank you Mr. Chair.

Councilman Jackson: Thank you and welcome to Shreveport.

Chief Glass: Mr. Mayor and Council Members, on behalf of Chief Cochran and the citizens of Shreveport, the men and women of the Fire Department and particularly, those hundreds of individuals with the smoke detectors, (unclear) we'd just like to take this public opportunity to thank Mr. Hill and the Job Corps for being such a vital partner with the Fire Department and the Fire Prevention Bureau and the smoke detector installation just to present them with this plaque. Thank you again for your hard work over the years.

Councilman Jackson: Councilman Green - - - gentlemen, before you all leave, I've got some comments from Councilman Green.

Councilman Green: Thank you Mr. Chairman. Mr. Hill and Chief and to your staff and to Chief staff, congratulations and Mr. Hill for your hard work, in return for that I'll just be in hopes that Dallas has a winning season for you.

Mr. Hill: Lets be prayerful.

## **CONSENT AGENDA LEGISLATION TO INTRODUCE RESOLUTIONS AND ORDINANCES RESOLUTIONS:**

1. Resolution No. 186 of 2004: Authorizing and providing for a right of passage and utility easement on a portion of land owned by the City of Shreveport and adjacent to Cross Lake in Caddo Parish, Louisiana, by Robert and Janet Henderson and otherwise providing

with respect thereto.

**Read by title and as read, motion by Councilman Green, seconded by Councilman Lester to introduce Resolution No. 186 to lay over until September 14, 2004.**

**Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

**ORDINANCES:** None

**ADOPT RESOLUTIONS AND ORDINANCES:  
RESOLUTIONS:**

**RESOLUTION NO. 185 OF 2004**

**A RESOLUTION ACCEPTING DEDICATION FOR KEMPTON PARK CIRCLE IN THE STEEPLE CHASE ESTATES UNIT NO. 1, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**BE IT RESOLVED** by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for Kempton Park Circle in the Steeple Chase Estates Unit no. 1 in Section 25 (T17N-R15W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

**BE IT FURTHER RESOLVED** that the original plat reflecting the dedication for Kempton Park Circle be recorded in the official records of the District Court for Caddo Parish, Louisiana.

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER RESOLVED** that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Gibson, seconded by Councilman Carmody for passage. Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

**ORDINANCES:** None

**REGULAR AGENDA LEGISLATION:**

**RESOLUTIONS ON SECOND READING AND FINAL PASSAGE OR WHICH REQUIRE ONLY ONE READING:**

1. Resolution No. 139 of 2004: Authorizing the Mayor to execute an agreement with W.G. Yates & Sons Construction Company relative to Fair Share requirements and penalties and otherwise to provide with respect thereto.

**Read by title and as read, motion by Councilman Lester, seconded by Councilman Gibson to withdraw. Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

2. Resolution No. 140 of 2004: Authorizing the Mayor to execute an agreement with SMG relative to Fair Share requirements and penalties, and otherwise to provide with respect thereto.

**Read by title and as read, motion by Councilman Lester, seconded by Councilman Jackson to adopt. Motion failed by the following votes: Nays: Councilmen Walford, Carmody, Gibson, and Hogan. 4. Ayes: Councilmen Lester, Green and, Jackson. 3.**

3. Resolution No. 141 of 2004: Urging and requesting the Convention Center Hotel Authority to execute an agreement with HRI relative to Fair Share requirements and penalties and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilman Lester, seconded by Councilman Jackson to adopt . Motion failed by the following votes: Nays: Councilmen Walford, Carmody, Gibson, and Hogan. 4. Ayes: Councilmen Lester, Green and, Jackson. 3.**

#### **RESOLUTION NO. 172 of 2004**

**A RESOLUTION STATING CITY OF SHREVEPORT'S ENDORSEMENT OF ROOFING SUPPLY, INC. TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, the Louisiana Enterprise Zone Act of 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995, Act 624 of 1997, and Act 997 of 1999;

**WHEREAS**, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in parish, and

**WHEREAS**, ROOFING SUPPLY, INC. is located in Census Tract 233.00 Block Group 2, which is a designated Enterprise Zone, and

**WHEREAS**, said business will employ a minimum of 35% of its employees from the distressed groups targeted by the Enterprise Zone, and

**WHEREAS**, the City of Shreveport states this endorsement is in agreement with the Overall Economic Development Plan for the City of Shreveport, and

**WHEREAS**, the **attached Enterprise Zone map** is marked showing the location of the business being endorsed, and

**WHEREAS**, in accordance with the Louisiana Enterprise Zone Program requirements the City of Shreveport agrees:

1. To participate in the Enterprise Zone Program
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction

**NOW THEREFORE BE IT RESOLVED** by the City of Shreveport, in due, regular, and legal session convened that **ROOFING SUPPLY, INC.** and their project **SIDE YARD EXPANSION**, Enterprise Zone Application # **2004-0140**, is endorsed to participate in the Louisiana Enterprise Zone Program.

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Green, seconded by Councilman Walford to adopt.**

Councilman Carmody: Just to clarify, we are endorsing this application to the State to waive it's portion of the sales tax, or (unclear) another tax - - - we're not waiving the City's portion? Thank you.

Mr. Antee: I think there's been some confusion in the past on that. If we could ask the Clerk when they draft this to put some language that specifically states that the City's portion is not excluded so that it could alleviate a problem.

Councilman Carmody: And Mr. Antee, if I could make the suggestion, if we could do it on the Fact Sheet, I think that would clarify.

Mr. Antee: Yeah, it would help tremendously.

Councilman Carmody: Thank you.

**Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

#### **RESOLUTION NO. 173 OF 2004**

**A RESOLUTION RATIFYING THE SIGNATURE OF THE MAYOR ON AN ASSIGNMENT OF PERMIT TO ENCROACH, AUTHORIZING THE SUBSEQUENT ASSIGNMENT OF A PERMIT TO ENCROACH ON A PORTION OF CROSS LAKE BY JUDITH C. ROSSEY TO KYLE AND GAE GRAHAM ON LAND BELOW THE 172 FOOT CONTOUR LINE LOCATED ON THE WEST 54 FEET ON LOT 3, PAGE BAYOU SUBDIVISION, CADDO PARISH, LOUISIANA, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Ordinance No. 170 of 1994, which was adopted by the City Council on

September 27, 1994, approved by the Mayor on September 30, 1994 and effective on October 8, 1994, provided for an encroachment on a portion of Cross Lake by Thomas and Mary McCullough on land below the 172 foot contour line located on the West 54 feet on Lot 3, Page Bayou Subdivision, Caddo Parish, Louisiana attached hereto as Exhibit A; and

WHEREAS, the City of Shreveport granted the encroachment to Mr. and Mrs. McCullough pursuant to a Permit to Encroach on Cross Lake executed by the Mayor and Mr. and Mrs. McCullough in November 1994, recorded as Registry Number 1453320 in Conveyance Book 3006, Page 662, attached hereto as Exhibit B. Said Permit to Encroach on Cross Lake provided that Mr. and Mrs. McCullough could not assign said permit without the express written consent of the City of Shreveport; and

WHEREAS, Mr. and Mrs. McCullough assigned the aforementioned permit to John and Judith Rossey, with the City of Shreveport's consent, pursuant to an Assignment of Permit to Encroach executed by the Mayor, Mr. and Mrs. McCullough and Mr. and Mrs. Rossey, in July of 1998, recorded as Registry Number 1612916 in Conveyance Book 3261, Page 516, attached hereto as Exhibit C; and

WHEREAS, it was subsequently discovered that a resolution was not adopted prior to the Mayor's execution of the abovementioned Assignment of Permit to Encroach; and

WHEREAS, a request has been received to authorize Judith Rossey, widow of John Rossey, Jr., to assign the aforementioned permit to encroach to Kyle and Gae Graham; and

WHEREAS, if said permit to encroach is assigned to Mr. and Mrs. Graham, they agree to be bound by all provisions of the permit of encroachment, as well as Ordinance No. 170 of 1994, including, without limitation, the prohibition against the construction of any additional footage below the 172 foot contour line of Cross Lake; and

WHEREAS, the instrument or assignment of permit to encroach shall provide for the payment by Judith C. Rossey to the City of Shreveport of \$300.00 for the encroachment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that it hereby ratifies and authorizes the Mayor's signature on the abovementioned Assignment of Permit to Encroach.

BE IT FURTHER RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that it authorizes Judith Rossey to assign said permit to encroach to Kyle and Gae Graham with the understanding that Mr. and Mrs. Graham shall be bound by all provisions of the permit of encroachment, as well as Ordinance No. 170 of 1994, and; after due notice thereto and after the effective date of this resolution, the Mayor of the City of Shreveport is hereby authorized and empowered to execute and deliver, for and on behalf of the City of Shreveport, an instrument or Assignment of Permit to Encroach, substantially in the form of the document filed along with the original copy of this resolution in the Office of the Clerk of Council on August 2, 2004, attached hereto as Exhibit D. Provided further, the instrument or assignment of permit to encroach shall provide for the payment by Judith C. Rossey to the City of Shreveport of \$300.00 for the encroachment.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items

or applications and, to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Lester, seconded by Councilman Gibson to adopt. Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

**RESOLUTION NO. 174 OF 2004**

**A RESOLUTION DESIGNATING THE ADJUSTED MILLAGE RATES FOR VARIOUS AD VALOREM TAXES OF THE CITY OF SHREVEPORT AS REQUIRED BY ARTICLE VII, SECTION 23 OF THE LOUISIANA CONSTITUTION AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, Article VII, Section 23(B) of the Louisiana Constitution requires the City Council, in any year in which the reappraisal and valuation provisions of Article VII, Section 18(F) are implemented, to adjust the ad valorem tax millages of the City of Shreveport so that the total amount of ad valorem taxes collected shall not be increased or decreased because of said reappraisal or valuation; and

WHEREAS, the City Council desires to designate said adjusted millage rates for the year 2004 in compliance with R.S. 47:1705(B).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that in compliance with R.S. 47:1705(B) the adjusted millage rates for the following ad valorem taxes are designated as follows:

General Purposes	10.99
Recreational Facilities and Appurtenances	.89
Police Three Platoon System	1.57
Street Repair and Maintenance	1.19
Employee Salary and Wages	1.19
Police and Fire Uniforms and Equipment	1.19
Employee Pensions and Health Insurance	1.80

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Mr. Thompson: Mr. Chairman, this resolution is needed only if the millage rates are to be rolled forward.

**Read by title and as read, motion by Councilman Lester, seconded by Councilman Jackson to adopt.**

Councilman Lester: We talked about this. We've beat it to death. I think this vote is simple. I mean, we've heard from our City Workers. We've heard about the ability to put more police on the street. Every meeting, at the end, in Council Comments, each one of us at one point or another puts our city workers in the hall of fame for the great job that they do. Whenever there is an issue, we call on them. They don't have a choice but to come, and they come. And not only do they come to do the job, they do the job willingly, they do the job with a great deal of pride, they do the job with a great deal of vigor. Many of these men and women are taking jobs and doing jobs that we wouldn't even consider doing. Jobs that we couldn't do. And they do it to make this City run smoothly. And I just think if we're going to be about our most valuable asset, which is our city workers and our police in terms of public safety, this is an opportunity for us to support that. And I would just ask the Council to support the roll forward of the millage.

Councilman Green: Thank you Mr. Chair. Along with what Councilman Lester has just said, I'm just in hopes that we could do this for our city workers and give them an opportunity to get some money. It's not enough money, of course we know, it's never enough. But at least it's something to say thank you, we appreciate you. I support Fire and I support Police, and if in fact we were voting on an item for Fire and Police, at this time, it would be a unanimous vote. But we're not. In fact, I wish it had been so that all of the city workers could have come down to the Council Meeting at this time. But because of their dedication to their jobs, then they can't. But I just think that we ought to do whatever is right and say to them, we're going to give you something. Sometimes, we will basically blow smoke and say that we are for you and we're in hopes, and we're this and that, after this vote, city workers will know who their friends are. After this vote you will actually know, I'm talking about up here, who your friends are. And I just think that after this vote, if in fact your friends don't vote to help you get some money, then I just think that the next time they attempt to talk to you, I just think you ought to tell them to go get a coke.

Mr. Thompson: By way of explanation, 174 and d175 are just preliminary votes to roll the millages forward. They don't actually do that and you would not do that even if these were adopted, you wouldn't do that until the next meeting. These are just preliminary votes and the actual vote to roll or not roll would not until the next meeting if these two are adopted.

Councilman Jackson: Thank you Mr. Clerk. Are there any other comments?

Councilman Walford: No, that was my question. Thank you.

Councilman Jackson: Let me just say too as Mr. Thompson has said, I think it still boils down, you can tell me if I'm right or not Mr. Clerk, there'll be no votes in two weeks if in fact these don't pass.

Mr. Thompson: That's correct.

Councilman Jackson: So, in fact this is technically a vote to make a move to do the roll forward. So, I just didn't want to make it seem as if maybe people are wasting time talking about something that didn't matter right now. Because this vote is the pre-cursor, and the predicate to any other actions, at least with regard to rolling forward, is that correct?

Mr. Thompson: That's correct. One other matter. Both of these can pass on a 4-3 vote, but in order to roll it forward, at the next meeting, it would take 5 votes. So again, just

to clarify that matter.

Councilman Walford: If I may just go a little farther, we wouldn't do anything if I can address it to the Clerk?

Councilman Jackson: Please do.

Councilman Walford: We wouldn't do anything until there had been a public hearing. Is that correct? So, basically these two are calling for a public hearing, allowing the public's input on the roll forward.

Mr. Thompson: The first one is setting the millage rates at what they would be rolling it back so to speak for everybody to know what they would be and then the public hearing, you would call a public hearing to determine whether you should roll it from that point forward to get the increased taxes.

Councilman Walford: Okay. Very good thank you Mr. Chairman.

Councilman Jackson: So, we're clear that this is the procedural vote to put in motion the actual vote?

Mr. Thompson: That is correct.

Councilman Jackson: I just wanted to say, I personally wanted to clarify that I've read a lot about it and read a lot people suggest that they've gotten phone calls and I know I have, and I'm sure a lot of you have. I wish I could say all of mine were in one direction, but people have had mixed emotions and certainly it's justifiable, but I don't want to say, one of the mis-statements that I've both heard and seen and I think that people have a responsibility at least in my opinion, to get it right. One of the mis-statements that I've heard is that we would be subverting our opinions for those of the voters. In other words, that we would certainly do something that the voters did not give us permission or did not vote themselves on. The truth of the matter, to do anything but to maintain this millage suggest to me that then we would be subverting our own opinion for theirs because the voters voted on the millage as it currently exist. So, I wanted to be sure that people understood and nobody walked away believing that somehow or another this Council was going to change the millage rate to something lesser or something greater. We were voting, if I'm not mistaken to maintain, Mr. Clerk, you might want to help me, we were voting to maintain what the voters put in place. Is that correct?

Mr. Thompson: If you roll it forward, you would be voting to maintain the rates that the voters approved.

Councilman Jackson: Alright. And when the voters vote, the voters don't vote on percentages or dollars, they vote on millage rates, is that correct?

Mr. Thompson: That's correct.

Councilman Jackson: And so, we would in fact be keeping in place what voters have already voted. To do anything different, at least in my singular opinion, would be again subverting our will for that of the public and those who have already voted. I think someone has said, let folks from out of town pay for it. I'd love to do it as soon as we can get a Convention Center Hotel, we probably could do it. But until such time, if there is not a place where - - - and my question has been, and I hope that you know maybe we'll debate over it during the course of the next couple of weeks, or maybe not, that someone to please simply explain to me that if we deny a source of revenue, and if we decide that we do not want what is basically is, is a different source of revenue, where will we replace that source of revenue. Because I think if we believe or there's been some thought out in the public

that if you don't get it, then what you do is cut. As if cutting is a form of revenue. But what we can do and many of us know this is to be the case, is to talk apples to apples and not mix terms and spin words so that people get emotional, with regards to this subject. But we need to tell the truth. I think people deserve that. If we do in fact turn down this recurring stream of new revenue, my question has simply been, does anybody have any ideas? I've asked the Mayor, I've asked others. Where we get this same money somewhere else? And if it's from, I think somebody said today, let the out-of-towners pay for it. The problem is the out-of-towners don't call and say, we've got this level of service that we need. The out-of-towners are not the ones who are calling to say someone broke into my house on Pines Road, or somewhere else. That's folks who live here and in my opinion, deserve the level of service - - - the best level of service that we can provide for them. Just provide for them - - - this is a unique opportunity to provide that service. Does it cost more? Yes. It'd be different if we were saying you pay for it, we're not going to pay for it, but those of us who vote, I hope, also vote with the understanding that we tax ourselves. That we in fact assess ourselves whatever it cost for the City to be a safe city and I don't want to say that I've been labeled as an administration loyalist. I think the Administration probably wouldn't say that. But my point is whether or not they'd manage it well is something that we've got to continue as a Council to watch and to see that it happens. People with the fear and the scare tactics - - - I don't want this Mayor to get his hands on some more money - - - well, the Mayor doesn't have the authority to spend money. The Council has that authority. And we have to make sure that we never forget that, even in moments where it may be convenient to forget. We should never forget that we have that ultimate responsibility. So, as we move forward, again, I'm certainly not, I don't mean to lecture or be didactic to this Council about it, I'm simply stating my opinion and I hope that somehow or another through all of these different forms of medium that somewhere the truth can be filtered in all of all this information so that we understand that we have an obligation and I think and opportunity to do something positive at this time.

Councilman Walford: Can I piggy-back just a little bit more on that and say that in my mind, both 174 and 175 are the right thing to do. Let's have a public hearing. Let's hear the public's input on how they feel about just what you've said. And I think a positive vote on 174 and 175 are the right thing to do.

**Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Green and , Jackson. 4. Nays: Councilmen Carmody, Gibson, and Hogan. 3.**

*"Clerk's Note: Resolution No. 175 of 2004 was reconsidered and amended later in the meeting"*

#### **RESOLUTION NO. 175 OF 2004**

**A RESOLUTION CALLING A PUBLIC HEARING ON THE MATTER OF INCREASING THE MILLAGE RATES ON VARIOUS AD VALOREM TAXES AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, Article VII, Section 23 of the Louisiana Constitution requires the City Council, in any year in which the reappraisal and valuation provisions of Article VII, Section 18(F) are implemented, to adjust the ad valorem tax millages of the City of Shreveport so that the total amount of ad valorem taxes collected shall not be increased or decreased because of said reappraisal or valuation; and

WHEREAS, the City Council has adjusted said millage rates in accordance with Article VII, Section 23, as set forth below; and

WHEREAS, the City Council now plans to consider increasing said millage rates as authorized by Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705; and

WHEREAS, Article VII, Section 23(C) requires a public hearing prior to such an increase, and requires notice of said hearing to be published on two separate days not less than thirty days before the hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that a public hearing will be held at 3:00 p.m. on September 14, 2004, in the City Council Chambers, first floor, 505 Travis Street, Shreveport, Louisiana, on the matter of increasing the millage rates on the various ad valorem taxes as follows:

Tax	Adjusted Millage	Proposed Increased millage
General Purposes	10.99	12.13
Recreational Facilities and Appurtenances	.89	.98
Police Three Platoon System	1.57	1.73
Street Repair and Maintenance	1.19	1.31
Employee Salary and Wages	1.19	1.31
Police and Fire Uniforms and Equipment	1.19	1.31
Employee Pensions and Health Insurance	1.80	1.99

BE IT FURTHER RESOLVED that the Clerk of Council is hereby authorized and directed to advertise notice of said hearing in accordance with law and to make such additions, changes and adjustments to said advertisement as necessary and in accordance with law.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion approved by the following votes: Ayes: Councilmen Lester, Walford, Green and , Jackson. 4. Nays: Councilman Carmody, Gibson, and Hogan. 3.**

**RESOLUTION NO. 181 OF 2004**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BANC ONE LEASING CORPORATION AND OTHER NECESSARY PARTIES FOR THE FINANCING OF VEHICLES AND EQUIPMENT AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, the City of Shreveport , sometimes referred to herein as "Lessee" is a political subdivision of the State of Louisiana (the "State") and is duly organized and existing pursuant to the constitution and laws of the State.

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines that the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding \$4,600,000 for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee:

Brief Description Of Property:

Garbage packer trucks

Passenger vehicles

WHEREAS, Banc One Leasing Corporation ("Lessor") is expected to act as the lessor under the Equipment Leases.

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that:

Section 1. Keith Hightower, Mayor is hereby authorized to execute and deliver one or more Equipment Leases in substantially the form filed and available for public inspection in the office of the Clerk of Council on August 24, 2004. The Mayor is further authorized to execute and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as he deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 2. By a written instrument signed by the Mayor, the Mayor may designate specifically identified officers or employees of the City to execute and deliver

agreements and documents relating to the Equipment Leases on behalf of the City.

Section 3. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 4. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute a general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

Section 5. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 6. As to each Equipment Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the fiscal year in which each such Equipment Lease is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Carmody, seconded by Councilman Hogan to adopt.**

Councilman Gibson: This is for the Administration. In terms of - - - what type of year of vehicles or make of vehicles are we going to be purchasing?

Mayor Hightower: This is mostly garbage trucks.

Councilman Gibson: I understand. Who is the manufacturer?es

Mr. Dark: These are Howe.

Mayor Hightower: International chassis and Howe bodies.

Councilman Lester: My question is a simple one. Are the vehicles that we're purchasing, we haven't purchased those correct?

Mr. Dark: They're here, you're (unclear)

Councilman Lester: Okay, okay, okay. I've been told that these garbage trucks don't have air conditioning?

Mr. Strong: That is correct. They do not and we have not had air conditioning in the garbage trucks before. What we have found out is there is some sort of design change in the caps of these that are creating a heating problem. And we've gone through some test results and what we're looking at now and we've just got a confirmation from the manufacturer of where we were looking at some sort of a fan in the roofing system or some sort of an air condition. And we're probably looking at right now, the factory air is one alternative that we're leaning toward right now.

Councilman Lester: Okay, so that's something that we're contemplating in terms of dealing with the trucks.

Mr. Strong: We have run into a situation that with whatever is going on, the cabs are getting anywhere from 115 to 120 degrees in the temperature during the period of time and that's something that we have not had before in the other trucks that we have had. It's not a - - - it's just a design change in the cab itself.

Councilman Lester: Okay, so what is our solution to this problem, because, I've had the garbage experience, and I can just imagine in that cab.

Mr. Strong: Air conditioning.

Councilman Lester: Okay, good. When?

Mr. Strong: As soon as I can get the money in place and where we're looking at pushing through. So, it's not going to make this summer, but we'll be ready for next summer.

Councilman Lester: That answered my question. Thank you Mr. Chairman.

Councilman Carmody: We'll be able to retrofit the units we've already purchased?

Mr. Strong: Factory.

Councilman Carmody: The factory will actually come into - - - okay, so they'll actually come back in and actually install the units that we have here on the street.

Mr. Strong: That will be done through a local dealer.

Councilman Jackson: Mr. Strong, did you say between 115 and 120- - - that's just in the truck like in the hood?

Councilman Lester: Inside the truck where you sit and ride.

Mr. Strong: Sitting in the seat.

Councilman Jackson: That's almost negligible, I guess.

Mr. Strong: Tell me. It's something that we had not encountered before.

Councilman Lester: That may or may not qualify for combat pay. And that's another issue.

**Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

**RESOLUTION No. 182 OF 2004**  
**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE LEASE AGREEMENTS WITH ALTERNATE FUEL SYSTEMS, INC. AND TO OTHERWISE PROVIDE WITH**

## **RESPECT THERETO**

WHEREAS, Under the provisions of the Revised Statutes 30:151-158, and related laws, an application was made, in writing, to the City of Shreveport for oil, gas, and mineral leases of certain city owned property generally described as Shreveport Regional Airport, Downtown Airport, Downtown Airport Adjacent Property, Bagley Road Landfill, Woolworth Road Landfill, Airport Park, Cargill Park, and Elston Partition, and more particularly described in said leases; and

WHEREAS, In accordance with state law there was published in The Advocate of Baton Rouge, Louisiana, the Official Journal of the State of Louisiana, in its issues of June 25 and 29, 2004, July 6, 2004; in The Times, the Official Journal of the City of Shreveport, in its issues of June 25 and 29, 2004, July 6, 2004; and the City of Shreveport's website for (34) days; a certain notice of publication setting forth therein a description of the land to be leased, the time, when and place where bids were to be received; and

WHEREAS, In response to said publication, bids were received at the office of the City of Shreveport's purchasing agent on July 29, 2004, duly designated as the time for receipt of such bids; and

WHEREAS, It appears that the bid of Alternate Fuel Systems of Louisiana, Inc. is the most advantageous to the City of Shreveport, and the latter desires to accept such bid and grant an oil, gas and mineral lease to Alternate Fuel Systems of Louisiana, Inc. in accordance with their bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the bid of Alternate Fuel Systems of Louisiana, Inc., received by the City of Shreveport Purchasing Agent on July 29, 2004, be and the same is hereby accepted.

BE IT FURTHER RESOLVED that the Mayor of the City of Shreveport be and is hereby authorized, to execute said oil, gas and mineral leases between the City of Shreveport and Alternate Fuel Systems of Louisiana, Inc., in accordance with said bid and substantially in the form of the leases filed in the Office of the Clerk of Council on August 9, 2004, covering the specific property described in said leases.

BE IT FURTHER RESOLVED that if any provision of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or application of this Resolution which can be given affect without the invalid provisions, items or application and to this end the provisions of this Resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Walford, seconded by Councilman Green to adopt. Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and , Jackson. 7. Nays: None.**

## **RESOLUTION NO. 184 OF 2004 A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF**

**CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES ON NOVEMBER 13, 2004 RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF LOW ALCOHOLIC CONTENT BEVERAGES AT 600 COLUMBIA STREET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, the Highland Area Partnership intends to sponsor the Jazz and Blues Festival fund raising activity on November 13, 2004 from 12:00 p.m. until 6:00 p.m. at 600 Columbia Street; and

**WHEREAS**, the proceeds of the event will benefit the Highland Area Partnership; and

**WHEREAS**, the Highland Area Partnership intends to dispense and allow the sale and consumption of low content alcoholic beverages at 600 Columbia Street during its event; and

**WHEREAS**, certain provisions of Chapter 10 of the Code of Ordinances prohibits the sale, consumption, dispensing or otherwise of alcoholic beverages in and on public places, including streets, sidewalks, and parks unless specifically authorized by the city council or the zoning board of appeals; and

**WHEREAS**, the adoption of this resolution would allow the Highland Area Partnership to dispense and sale and its patrons to purchase and consume low alcoholic content alcoholic beverages at 600 Columbia Street during the event.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened that the location and permitting provisions of Chapter 10 of the Code of Ordinances are suspended on November 13, 2004 from 12:00 p.m. until 6:00 p.m. at 600 Columbia Street for the Jazz and Blues Festival fund raiser to benefit the Highland Area Partnership. Said location and permitting provisions are suspended only to the limited extent necessary to allow for the dispensing, sale, and consumption of low alcoholic content beverages in the manner described herein.

**BE IT FURTHER RESOLVED** that all other applicable provisions of the City of Shreveport Code of Ordinances shall remain in full force and effect.

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or application, and to this end, the provisions of this resolution are hereby declared severable.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Walford, seconded by Councilman Carmody to adopt.**

Councilman Lester: Is there any truth to the rumor that Councilman Green is going to perform at the festival?

Councilman Green: If they get my contract, my people with their people, everything will be fine.

Councilman Walford: Gentlemen, I would appreciate a positive vote on this one.

Councilman Jackson: Let me just say for the record Mr. Walford. I spoke to a gentleman on yesterday, Mr. Marak, while I certainly can't appreciate that. I just didn't have the believe that this kind of festival where there's going to be children in a public park warranted alcohol consumption. And so, I certainly support the idea of the festival, I just don't like the mixing of children at any age, you know who are below a particular age with alcohol in a public park. So, I'm again, it has nothing to do with the festival, just this particular item.

**Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, and Green. 4. Nays: Councilmen Gibson, Hogan, and Jackson. 3.**

#### **RESOLUTION NO. 188 OF 2004**

**A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES ON SEPTEMBER 10, 11, 12 AND 18, 2004 RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF LOW ALCOHOLIC CONTENT BEVERAGES AT 710 TEXAS STREET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, the Shreveport Regional Arts Council (SRAC) intends to kick off of Artspace, SRAC's multi-use arts facility in the West Edge and the opening of the PanCentennial, the 100th anniversary of Peter Pan on September 10, 11, 12, and 18, 2004 at 710 Texas Street; and

**WHEREAS**, SRAC's four month gala, which will culminate with Christmas in the Sky, is the designated U.S. Peter Pan event and the largest in the nation; and

**WHEREAS**, SRAC intends to dispense and allow the sale and consumption of low content alcoholic beverages at 710 Texas Street during its event; and

**WHEREAS**, certain provisions of Chapter 10 of the Code of Ordinances prohibits the sale, consumption, dispensing or otherwise of alcoholic beverages in and on public places, including streets, sidewalks, and parks unless specifically authorized by the city council or the zoning board of appeals; and

**WHEREAS**, the adoption of this resolution would allow the SRAC to dispense and sale and its patrons to purchase and consume low alcoholic content alcoholic beverages at 710 Texas Street during the event.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport in due, legal and regular session convened that the location and permitting provisions of Chapter 10 of the Code of Ordinances are suspended on September 10, 11, 12, and 18, 2004 at 710 Texas Street for the kick off of Artspace and the opening of the PanCentennial. Said location and permitting provisions are suspended only to the limited extent necessary to allow for the dispensing, sale, and consumption of low alcoholic content beverages in the manner described herein.

**BE IT FURTHER RESOLVED** that all other applicable provisions of the City of Shreveport Code of Ordinances shall remain in full force and effect.

**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions,

items or applications of this resolution which can be given effect without the invalid provisions, items or application, and to this end, the provisions of this resolution are hereby declared severable.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof in conflict herewith are hereby repealed.

**Read by title and as read, motion by Councilman Walford, seconded by Councilman Carmody to adopt.**

Councilman Jackson: Is this the festival too?

Councilman Walford: No, this is the Art Space area on Texas, the DDA and SRAC have done and this is to allow them to serve wine and beer during their Peter Pan Festival for three days.

Councilman Jackson: Are these adults?

Councilman Walford: These are adults.

Councilman Jackson: No children?

Councilman Walford: I can't say that. I don't know.

Councilman Jackson: Is there somebody here from that group?

Mayor Hightower: Mr. Chairman, I know they are selling tickets, so I'm sure that there'll be some children at a Peter Pan Festival, I'd hope so.

Councilman Jackson: I would think it's all kids right? Alright.

**Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, , Green. 4. Nays: Councilmen Gibson, Hogan, and Jackson . 3.**

Mr. Thompson: There may be one other item. I believe that the Administration wants us to move to this point in the agenda for adoption today and it can be adopted. If anybody wants to, the motion to suspend the rules to move it would be in order.

**Motion by Councilman Green, seconded by Councilman Carmody to suspend the rules.**

Councilman Carmody: Mr. Clerk, can you clarify? This is the \$9,000,000 that we were talking about refinancing?

Mr. Thompson: No, this is \$5,500,000. They're making application to sell bonds as I understand it. Mr. Dark can explain it.

Mr. Dark: Mr. Carmody, this is for the work that Johnson Controls is doing.

Mr. Carmody: Oh, on the building here?

Mr. Dark: Yeah, it finances the work overtime and we repay it out of savings.

Councilman Gibson: Mr. Chairman, I have a question. Just for the record Mr. Dark, if we don't save the money, whose responsible?

Mr. Dark: The contract we have says they provide a guarantee with that.

Councilman Gibson: So, Johnson Controls will be on the hook if we don't save that money?

Mr. Dark: That's the way that contract reads, yes sir.

Councilman Gibson: I was just asking the question. Thank you. Thank you Mr. Chiar.

Councilman Lester: Question Mr, Chairman. Thank you Mr. Chairman, at this time, are we- - ?

Councilman Jackson: We're suspending the rules to consider it at this time.

Councilman Lester: To put it- - so, we're not voting on the merits of the issue, we're just placing it at this point in the agenda, correct?

Mr. Thompson: That's right. You suspended the rules to place it and placed on this point on the agenda.

Councilman Lester: Then another vote will be required. Okay, thank you Mr. Chairman.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

The Clerk read the resolution by title:

The following resolution was offered by \_\_\_\_\_ and  
seconded by \_\_\_\_\_ :

The Clerk read the resolution by title: RESOLUTION NO. 193 of 2004: **A resolution making application to the State Bond Commission for approval of the issuance by the City of Shreveport of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) aggregate principal amount of Certificates of Indebtedness, Series 2004, in one or more series, for the purpose of financing energy saving capital expenditures for the Issuer.**

**Read by title and as read motion by Councilman Carmody , seconded by Councilman Green to adopt.**

**Substitute motion by Councilman Lester, seconded by Councilman Gibson to postpone.**

Councilman Walford: Can you clear the board please Mr. Chairman?

Mr. Thompson: I think you can change your vote without having to clear the board.

**Motion approved by the following vote: Ayes: Councilmen Lester, Gibson, Hogan, and Jackson. 4. Nays: Councilmen Carmody, Green, and Walford. 3.**

## **INTRODUCTION OF RESOLUTIONS**

1. Resolution No. 183 of 2004: A resolution authorizing the Mayor to execute a cooperative endeavor agreement with the Shreveport Opera Guild relative to the production of the 30<sup>th</sup> Annual Les Boutiques De Noel and to otherwise provide with respect thereto.
2. Resolution No. 187 of 2004: A resolution ratifying the use of City

Equipment by Summer Grove Baptist Church and to otherwise provide with respect thereto.

3. Resolution No. 189 of 2004: A resolution authorizing the donation of Shreveport Police Department property and otherwise providing with respect thereto.
4. Resolution No. 190 of 2004: A resolution authorizing the donation of Shreveport Fire Department equipment to Caddo Parish Fire District two and otherwise providing with respect thereto.
5. Resolution No. 191 of 2004: A resolution authorizing the donation of surplus Shreveport Fire Department equipment to Bienville Parish Ward 4 and 5 Fire Protection District and to otherwise provide with respect thereto.
6. Resolution No. 192 of 2004: A resolution authorizing the donation of Shreveport Fire Department Equipment to the City of Mansfield and otherwise providing with respect thereto.

Mr. Thompson: Mr. Chairman, maybe we need to include 193 on that since it was not adopted to introduce it.

Councilman Jackson: Alright. Well, let the record reflect that we also included 193.

7. Resolution No. 193 of 2004: A resolution making application to the State Bond Commission for approval of the issuance by the City of Shreveport of not to exceed Five Million, Five Hundred Thousand Dollars (\$5,500,000) aggregate principal amount of Certificates of Indebtedness, Series 2004, in one or more series, for the purpose of financing energy saving capital expenditures for the Issuer.

**Read by title and as read motion by Councilman Green, seconded by Councilman Carmody to introduce Resolutions 183, 187, 189, 191, 192 and 193 of 2004 to lay over until the September 14, 2004 meeting. Motion approved by the following votes: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None**

## **INTRODUCTION OF ORDINANCES**

1. Ordinance No. 128 of 2004: Amending Section 62-34 of the City of Shreveport Code of Ordinances and to otherwise provide with respect thereto.
2. Ordinance No. 129 of 2004: Amending Section 62-78 of the Code of Ordinances relative to the Department of Public Assembly and Recreation fee schedule and to otherwise provide with respect thereto.

3. Ordinance No. 131 of 2004: ZONING C-41-04; 2900 Block of Risinger & 6200 block of South Lakeshore Drive, *RISINGER AREA PROPERTY OWNERS*, North side of South Lakeshore between Risinger Road, Marty Lane & all properties fronting on Marty Lane & Risinger from R-1D to R-A, single family detached housing or other permitted uses within this zoning classification. (A/Lester)
4. Ordinance No. 132 of 2004: ZONING C-47-04; 3200 Bert Kouns Industrial, *Delaney Properties, Inc.*, Etoile Alexander, Harla Alexander, Jr., Albert P. Bogan, SE Corner of Bert Kouns Industrial Loop & Dean Road, from R-1D to R-3, Multi Unit Apartment Complex. (E/Hogan)
5. Ordinance No. 133 of 2004: ZONING C-55-04; 1600 Block of Martin L. King Drive, *MACK MOORE*, Northwest corner of Martin L. King, Jr. Dr. And Willie Mays Dr. From B-2 to R1C, Residence or other uses permitted within this zoning classification. (A/Lester)
6. Ordinance No. 134 of 2004: ZONING C-56-04; 6200 South Lakeshore Drive, *CHARLES BURTON*, Charles and Sharon Burton, North side of South Lakeshore Drive, 550 feet east of Risinger Road from R-1D to R-1D(PUD), Residential Planned Unit Development. (A/Lester)
7. Ordinance No. 135 of 2004: ZONING C-58-04; 9045 Ellerbe Road, *RAMBS, L.L.C.*, a tract of land 272' north of Olivia & 242' east of Ellerbe Road, from R-A to B-1, Office space. (D/Gibson)
8. Ordinance No. 136 of 2004: ZONING C-59-04; 400 Block of Industrial Loop, *RACETRAC PETROLEUM, INC.*, Agean First Corporation, SW corner of Linwood Avenue & Industrial Loop, from R-A to B-3, convenience store & fueling station or other uses permitted within this zoning classification. (D/Gibson)
9. Ordinance No. 137 of 2004: ZONING C-60-04; 6425 Kennedy, *JOHN MITCHELL*, ne CORNER OF Kennedy Drive & Booker T. Street, from R-1H to R-1H-E, snow cone stand. (F/Green)
10. Ordinance No. 138 of 2004: ZONING C-61-04; 3738 Lakeshore Drive; *GOD'S WAY APOSTOLIC CHURCH*, VTP, Inc., North side of Lakeshore Drive 500' west of Jewella Avenue, from B-2-A to B-2, Church uses & retail sales. (G/Jackson)
11. Ordinance No. 139 of 2004: ZONING C-62-04; 8900 Block of East Kings Highway, *JAMES T. GENTRY*, James T and Linda Mason Gentry, east side of East Kings Highway, 600 feet north of Jackson Square Boulevard from R-a to R-1D (PUD), Single Family detached

homes. (C/Carmody)

12. Ordinance No. 142 of 2004: An ordinance amending the 2004 Budget for the Water and Sewerage Enterprise Fund.

**Read by title and as read motion by Councilman Green, seconded by Councilman Gibson to introduce Ordinance Nos. 128, 129, 131, 132, 133, 134, 135, 136, 137, 138, 139, and 142 of 2004 to lay over until the September 14, 2004 meeting. Motion passed by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson: 7. Nays: None.**

#### **INTRODUCTION OF ORDINANCES**

1. Ordinance No. 140 of 2004: An ordinance authorizing the execution of an agreement to lease City-Owned property at 401 Texas Street to Shreveport Multicultural Center, Inc., relative to the Multicultural Center of the South; to provide for the Management and Operation of same; and to otherwise provide with respect thereto.
2. Ordinance No. 141 of 2004: An ordinance authorizing the donation of City-owned property at 2800 Darien Street to Shreveport/Bossier Community Renewal and to otherwise provide with respect thereto.

**Read by title and as read motion by Councilman Green, seconded by Councilman Lester to introduce Ordinance No(s). 140 and 141 of 2004 to lay over until the September 28, 2004 meeting. Motion passed by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None**

#### **ORDINANCES ON SECOND READING AND FINAL PASSAGE**

1. Ordinance No. 98 of 2004: An ordinance authorizing the Lease of City-Owned property to North Shreveport Development Corporation, Inc.

Mr. Thompson: The Administration has asked that 98 be postponed.

**Motion by Councilman Lester, seconded by Councilman Carmody to postpone passes by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

Mayor Hightower: Mr. Chairman, is that in District A?

Councilman Lester: Yeah, we do have that.

Mr. Antee: That's the filed of dreams.

Mr. Hogan: They're not out in left field.

2. Ordinance No. 110 of 2004: An Ordinance closing and abandoning

the 15' foot-wide Alleyway in Mooretown G.D. Subdivision located in the NE 1/4 of Section 16 (T17N-R14W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.

**Having passed first reading on July 27, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Green seconded by Councilman Lester for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

3. Ordinance No. 119 of 2004: An ordinance amending Ordinance Number 85 of 2004 with regard to the Riverview Project; authorizing the Mayor to execute a right of entry agreement with the United States of America, through the U.S. Army Corps of Engineers relative to the project; and to otherwise provide with respect thereto.

**Having passed first reading on July 13, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Walford seconded by Councilman Carmody for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

4. Ordinance No. 120 of 2004: An ordinance amending the 2004 Airports Fund Budget.

**Having passed first reading on August 10, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Green seconded by Councilman Carmody for adoption.**

Councilman Carmody: I wanted to clarify, yesterday we discussed this during our work session, that this was actually for a gangway so to speak for the jets?

Mr. Antee: Right. It's the - - - jet link on the northwest so that it can go out and attach to the plane.

Councilman Carmody: Are we, is the Airport Authority looking to secure some more funds in order to this with the other providers? Cause I know that having just one jetway to one jet is going to certainly help just one flight.

Mr. Antee: No, I think the way that works out, is when they want to pay more for rent, they get more. And so, some of them already have the jetway and those that want it, then we adjust their rent in order to pay for it.

Councilman Carmody: Thank you for the explanation.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

5. Amendment 1, Ordinance No. 121 of 2004.

**Motion by Councilman Lester seconded by Councilman Green for adoption.**

Councilman Lester: My question is on this amendment as it relates to the runway pavement rehabilitation. Is this the funding source for the runway project that has been previously advertised on the City's website?

Mr. Dark: I believe it is. This is the project in which the Airport believed was funded and was not and they went ahead and did the advertisement and now we're putting money in. They had the money all the long, we just didn't have it in the Capital Budget officially.

Councilman Lester: Okay.

Mr. Antee: And it's a 90-10 basically a 90-10 split, with the Feds paying 90%.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None**

Amendment 2, Ordinance No. 121 of 2004.

**Motion by Councilman Green seconded by Councilman Lester for adoption.**

Councilman Hogan: Thank you Mr. Chairman. Mr. Mayor, you might know the answer to this question regarding this grant from the State about the Beard building out there. I know that building had been vacant for some time. Are we preparing it now for our new tenant? Do we have any prospects for a new tenant now?

Mayor Hightower: No. 1, the building has never been vacant.

Councilman Hogan: Okay.

Mayor Hightower: We still have the Beard Company still working out of the plant employing, I think, close to 300 people at this point, but it is a different company. The former Beard is filing bankruptcy and the new Beard has taken over, but the grant from the State was actually a lifesaving grant. Had the grant not been forthcoming from the State, the company would have closed and indeed we would have had a vacant building.

Councilman Hogan: Are we going to get an increase on the lease payments?

Mayor Hightower: No.

Councilman Lester: And I know that we had some discussion on this earlier in the year, and my question would be to the Administration. I know that there was some concern with the number of the workers out there in terms of them letting some people go and some instability as it relates to that. Have we gotten any correspondence from the new Beard or the new entity about them staying in a long term situation Mr. Mayor?

Mayor Hightower: In business, there are no guarantees.

Councilman Lester: Correct.

Mayor Hightower: But in our conversations with the new Beard, after terminating all employees, roughly a hundred were hired back immediately. And now, as of, I want to say the past 30 days, they starting ramping up, because of the awarding of a contract towards 300. So, how long will it last? I guess it'll last as long as the contracts do.

Councilman Lester: Right.

Mayor Hightower: But at this point, I think we all have to be grateful and certainly, the 300 out there have to be, that we still have an industry here providing jobs for our residents and we have a tenant in our building and if you've been out there, it's a huge

building and even at the rate that we get, which is minimal - - - at best, it certainly doesn't pay for repairs, but the contract itself will be largely the same. They'll be responsible for repairs, upgrades, and again I think we've got to count our blessing and be fortunate that we still have someone that has come to save Beaird and keep it afloat as long as we have had.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None**

Ordinance No. 121 of 2004: An ordinance amending the 2004 Capital Improvements Budget.

**Having passed first reading on August 10, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Carmody seconded by Councilman Walford for adoption.**

Amendment No. 1

Amend the ordinance as follows:

**In Program H (Airports Improvements):**

Establish a project entitled **Runway 14/32 and 5/23 Pavement Rehabilitation (04H007)** at \$1,308,700. Funding sources are Federal Aviation Administration \$1,070,700, State Grant \$119,000 and Shreveport Airport Authority \$119,000.

**Motion by Councilman Carmody, seconded by Councilman Green to adopt Amendment No. 1. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

Amendment No. 2

AMEND THE ORDINANCE AS FOLLOWS:

**In Program A (Buildings and Improvements):**

Establish a project entitled **Improvements at Beaird Facility (04A005)** at \$500,000. Funding source is General Fund.

Adjust totals and subtotals accordingly.

**Motion by Councilman Carmody, seconded by Councilman Green to adopt amendment No. 2. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

**Motion by Councilman Carmody, seconded by Councilman Jackson to adopt the ordinance as amended. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

6. Ordinance No. 122 of 2004: An ordinance amending the 2004 Community Development Special Revenue Fund Budget.

**Having passed first reading on August 10, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Green seconded by Councilman Walford for adoption.**

Councilman Carmody: A quick question on the allocations of the funds toward the - - - excuse me, I might have actually been on the wrong- - . Does this not include the improvements for the Youree Drive, or this is the Community Development?

Councilman Lester: Right.

Councilman Carmody: I'm sorry. It was the Capital Improvements Budget that was before, that I had the question on. Excuse me. If you'll bare with me Mr. Chairman, I just want to make sure, the monies that were allocated in the previously passed legislation for the Youree and Kings Highway intersection, is that the City's portion to the State's matching to do the improvements for that particular intersection in the City?

Mr. Dark: Yes sir.

Councilman Carmody: Okay, thank you.

Councilman Walford: Thank you Mr. Chairman, I want to address the one part of this for demolitions for Code Enforcement and say that I think it's a sad state of affairs when the citizens have to pay to do what property owners are obligated to do. We have Mr. Bowie up here all the time asking questions about various properties, but what this really means is, we've spent all the money we had budgeted for demolitions of substandard structures and now we have to take more of the taxpayers money and do more of the same. And I think it's a sad state of affairs when, in some places, the names on that list are Who's Who of Shreveport, that are not willing to live up to their responsibilities as property owners and take the money from the taxpayer for their responsibilities. I'm off my soap box. Thank you Mr. Chairman.

Councilman Carmody: Hear here.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

7. Ordinance No. 123 of 2004: An ordinance levying various taxes totaling eighteen and eighty-two one hundredths (18 and 82/100ths) mills per dollar on all property subject to Ad Valorem Taxation within the City of Shreveport for the year 2004 in the amounts and for the purposes described herein and otherwise providing with respect thereto.

Mr. Thompson: Mr. Chairman, 123 probably should not be adopted if rates are to be rolled forward, if you are contemplating that.

Councilman Jackson: We still need action on it.

Mr. Thompson: You would need to postpone it or you need to vote it up or down.

**Motion by Councilman Jackson seconded by Councilman Carmody to postpone.**

Councilman Walford: What was the motion?

Councilman Jackson: To postpone.

Councilman Walford: Just on 123 or?

Mr. Thompson: Just on 123.

Councilman Jackson: Yeah, we're just taking them one at a time.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Green, and Jackson. 5. Nays: Councilmen Gibson and Hogan. 2**

8. Ordinance No. 124 of 2004: An ordinance levying a tax of thirty and fifty-four one hundredths (30 and 54/100ths) mills per dollar on all property within the City of Shreveport for the year 2004 for the purpose of paying principal and interest on the outstanding General Obligation Bonds of the City of Shreveport, and otherwise providing with respect thereto.

**Motion by Councilman Green seconded by Councilman Carmody for adoption.**

Councilman Lester: This question would be to the Clerk and possibly to the Administration. How does passing item 124, how would that be affected by rolling the millage forward or rolling the millage backward?

Ms. Glass: According to the statute, you must set the Ad Valorem tax rate to pay the debt service of the amount that's necessary to pay the debt service. But it is not affected by these adjustments.

Mayor Hightower: Mr. Chairman, I'd like to make a comment on that. This is the one if you'll remember back we talked about two weeks ago, and I told you that if your intent is to not give the citizens of Shreveport and increase from their mortgage company on their property taxes, this needs to be rolled back as well. If you think that you're going to vote to roll back the other one and keep everybody's taxes level without rolling this one back, you're mistaken.

Councilman Lester: They're companions.

Mayor Hightower: So, again, - - - yeah. If the intent is to roll back so that we don't increase people's property taxes from the City's standpoint, we need to vote this one down.

Mr. Thompson: Mr. Chairman, I believe that Mr. Dark - - - (unclear) your comments. I believe what's on the agenda now is the rolled back version. What this does is, as I understand it from Ms. Glass is, you set the amount each year that you need to collect the taxes and this is what they've done. Is that right Mr. Dark?

Mr. Dark: The only confusion I have is the agenda still list the old rate. We gave you a substitute last time, which my understanding is you introduced the millage to roll, the millage we proposed to adopt was the one that would in affect roll the debt service millage back to I believe 27.82. You all have that, I believe on the Clerk's side. If you don't, we need to postpone this one so that we get it right.

Mr. Thompson: Mr. Chairman, we would ask that you postpone this.

**Substitute motion by Councilman Gibson, seconded by Councilman Hogan to postpone and request information that's provided to us with correct millage rate along with an executive summary of what we're dealing with both from the Administration and our Council personnel.**

Mr. Thompson: We'll have that for you.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

9. Ordinance No. 125 of 2004: An ordinance providing for an increase in the millage rates and levying various taxes totaling 20.76 mills per dollar on all property subject to Ad Valorem taxation within the City of Shreveport for the year 2004, in the amounts and for the purposes described herein and otherwise providing with respect thereto.

Mr. Thompson: I believe 125 needs to be postponed also.

**Motion by Councilman Carmody seconded by Councilman Gibson to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

10. Ordinance No. 126 of 2004: An ordinance levying a tax of eight and thirteen one hundredths (8 and 13/100ths) mills per dollar on all property subject to Ad Valorem taxation within the bounds of the Downtown Development District of the City of Shreveport as defined by Act 554 of 1978, as amended, for the purposes as set forth herein and otherwise providing with respect thereto.

Mr. Thompson: I believe 126 can be adopted, it's DDA and it doesn't roll forward.

**Having passed first reading on August 10, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Carmody seconded by Councilman Jackson for adoption.**

Councilman Gibson: Can I get an explanation on this particular piece of legislation Mr. Thompson?

Mr. Thompson: It's my understanding and you might want the Director of Finance to come forward, but it's my understanding that this does not roll forward, this just collects the same amount of taxes that they collected last year.

Ms. Washington: The assessed value for DDA went down, so the State said, their's goes forward. It's not anything to do with roll forward.

Councilman Gibson: Their property assessments went down?

Ms. Washington: That's right.

Councilman Gibson: You mean to tell me, I'm a little bit confused here. I mean,

that's good news, but all the investment this City has made in our downtown area, the assessments have gone down? And I know in my district, we're averaging about a 30-31% assessment increase by the tax assessor.

Ms. Washington: The reason why it went down was because of Bossier. They had set the value for one of the casinos higher than it actually was.

Councilman Gibson: How does that affect Shreveport?

Ms. Washington: Because it's in Caddo Parish. It's in Shreveport, but Bossier Parish.

Councilman Carmody: City of Shreveport, but Bossier Parish.

Ms. Washington: Right.

Councilman Gibson: But again, I'm just - - - maybe I'm just a little bit slow here. We've made major investments in the downtown district.

Ms. Washington: And on Shreveport side, Caddo Parish it went up.

Councilman Gibson: Okay, so this is an average between Bossier and Caddo?

Ms. Washington: You add them both for the City.

Councilman Walford: To expand on what Ms. Washington is saying, the City of Shreveport, Parish of Bossier did go down. I was furnished that by the Bossier Assessor. There are any number of guesses as to why that happened. Some are accelerated depreciation on the boats, but the assessment overall in the Bossier Parish, City of Shreveport went down, which includes some of my district, some of Mr. Lester's, some of Mr. Carmody's. But it did go down.

Councilman Gibson: I guess I'll make a recommendation that maybe we ought to consolidate with Bossier Parish so my constituents can benefit from this lower tax assessment. Thank you Mr. Chair.

Councilman Jackson: Let me go on record and say I don't want to do that.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

Councilman Lester: Of course Mr. Chairman, the issue could be we're doing such a good job over on Shreveport, maybe they need to let us run Shreveport and Bossier for what that's worth.

11. Ordinance No. 116 of 2004. An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the northwest corner of Valleyview and Wyngate, Shreveport, Caddo Parish, Louisiana, from I-1, Light Industry District, to R-2, Suburban, Multi-Family Residence District, and to otherwise provide with respect thereto.

**Having passed first reading on July 27, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Green seconded by Councilman Gibson for adoption.**

Councilman Gibson: Mr. Kirkland, could I ask you to come forward please? Seeing that this Council several things come before it dealing with industrial areas to

residential, can you just give a brief synopsis of this, I'm not trying to circumvent my colleague here, but he's got a lot of good things going on in his district, but just for my information.

Mr. Kirkland: The history of this tract if you're familiar with that area of our City, originally was residentially zoned. Then somewhere in about, I'm going to say the late 70s, early 80s, it was then zoned to industrial speculatively thinking it might develop in that manner. That has not been the case. In fact (unclear) and several of the tenants in their rezoned residential property to their B-3 zoning basically for example. That's why I don't think you have any real opposition to this rezoning to the R-3, that you might have had in some other locations. There were some folks who were concerned, business interest in this area and they, I think, have accepted the fact that this development would be alright. That's my opinion, what I'm saying. But this property in the manner it's proposed to be developed as I appreciate it, there was only two or three people that had a concern and I believe there may be some letters from those folks to you expressing what they would like to see. Mr. Miller has agreed to make some changes to the site plan to meet those agreements. And Councilman Green, I think you might be aware of all of that.

Councilman Gibson: And that's why I asked. There was some correspondence that I saw and I do appreciate it Mr. Kirkland and I will be supporting Mr. Green's district in terms of the development he's got going in there. Thank you.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

12. Ordinance No. 117 of 2004. An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on west side of Broadway, 100 feet south of Murvon Street, Shreveport, Caddo Parish, Louisiana, From B-1, Buffer Business District, to B-1-E, Buffer Business Extended Use District, Limited to "Antique Shop only, and to otherwise provide with respect thereto.

**Having passed first reading on July 27, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Green seconded by Councilman Gibson to for adoption. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

14. Ordinance No. 127 of 2004. An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the west side of Linwood between Woodrow and Champ Clark Street, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District, to I-1, Light Industry District, and to otherwise provide with respect thereto.

Mr. Thompson: Mr. Chairman, 127 is on the agenda as the result of an appeal stating that I-1 use would be too intense for this location, the MPC voted 9-0 to deny the application, therefore two-thirds vote is needed to adopt 127 which would rezone 5832 Linwood Ave from B-2 to I-1.

**Motion by Councilman Green seconded by Councilman Carmody to deny rezoning application.**

Mr. Thompson: Mr. Chairman, we would ask that you would make a motion to adopt and then ask the colleagues to vote no.

Councilman Green: Okay.

**Motion by Councilman Green, seconded by Councilman Carmody for adoption. Motion fails by the following vote: Ayes: None. Nays: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7.**

Mr. Thompson: We have one more Mr. Chairman. It's an ordinance authorizing the incurring of debt and issuance of not to exceed Nine Million Dollars (\$9,000,000) of General Obligation Bonds with one amendment. Would you like for me to read the amendment.

Councilman Jackson: Please.

Mr. Thompson: Delete the ordinance as introduced and substitute the attached ordinance. It's one of those where you have to have a cleanup.

13. Ordinance No. 128 Of 2004. An ordinance authorizing the incurring of debt and issuance of not to exceed Nine Million Dollars (\$9,000,000) of General Obligation Refunding Bonds Series 2004B of the City of Shreveport, State of Louisiana; prescribing the form, terms and conditions of said Bonds; designating the date denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; and providing for other matters in connection therewith

**Having passed first reading on August 10, 2004 was read by title and on motion ordered passed to third reading. Motion by Councilman Lester seconded by Councilman Carmody to adopt. The Clerk read the following amendment:**

**Amendment No. 1**

**Delete the ordinance as introduced and substitute the attached ordinance.**

**Motion by Councilman Carmody, seconded by Councilman Green to adopt the amendment. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

**Motion by Councilman Carmody, seconded by Councilman Jackson to adopt the amendment. Motion approved by the following vote: Ayes: Councilmen Lester,**

**Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.**

The adopted ordinances and amendments follow:

**ORDINANCE NO. 110 OF 2004**

**AN ORDINANCE CLOSING AND ABANDONING THE 15' FOOT-WIDE ALLEY WAY IN MOORETOWN G.D. SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 16 (T17N-R14W), CADDO PARISH, LOUISIANA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, the Property Management Section of the Department of Operational Services has received a request to close and abandon the above identified right-of-way; and

**WHEREAS**, Water and Sewerage Engineering has reviewed this request and has no objections to the 15' foot wide right-of-way alleyway being closed and abandoned.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Shreveport in due, legal and regular session convened, that the portion of the 15' foot wide right-of-way acquired by the City of Shreveport and recorded in Plat Book 50, Page 25, dated 1907 of the Records and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance be filed and recorded in the official records of the District Court for Caddo Parish, Louisiana.

**BE IT FURTHER ORDAINED** that if any provision of this ordinance or the application thereof is invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

**ORDINANCE NO. 116 OF 2004**

BY:

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHWEST CORNER OF VALLEY VIEW AND WYNGATE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM I-1, LIGHT INDUSTRY DISTRICT, TO R-2, SUBURBAN, MULTI-FAMILY RESIDENCE DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: **BE IT ORDAINED** by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the northwest corner of Valley View and Wyngate, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from I-1, Light Industry District, to R-2, Suburban, Multi-Family Residence**

**District:**

Beginning at the intersection of the W'ly R-O-W of Brush Bayou, and the W'ly R-O-W of Wyngate Boulevard, and proceed S30°20'19"W along said R-O-W of Wyngate Boulevard a distance of 444.45 feet; thence proceed along said R-O-W along a curve to the right, said curve having a radius of 251.16 feet (chord bearing S34°31'09"W a distance of 78.93 feet), an arc distance of 79.26 feet to the point of intersection of said R-O-W with the N'ly R-O-W of Valley View Drive, thence proceed along said R-O-W of Valley View Drive the following courses and distances: N75°44'01"W a distance of 649.50 feet; thence proceed along a curve to the right, said curve having a radius of 533.69 feet (chord bearing N35°31'51"W a distance of 688.98 feet), an arc distance of 748.94 feet; thence proceed N04°40'19"E a distance of 260.28 feet to the SW corner of a certain 41.530 acre tract , thence leaving said R-O-W proceed S85°20'26"E along the S line of said 41.530 acre tract a distance of 838.04 feet to the SE corner of said tract, said point lying along the W'ly R-O-W of said Brush Bayou, thence proceed along said R-O-W of Brush Bayou the following courses and distances; S38°18'42"E a distance of 118.92 feet; thence proceed along a curve to the left, said curve having a radius of 2266.19 feet (chord bearing S44°43'21"E a distance of 506.07 feet), an arc distance of 507.13 feet; thence proceed S51°08'00"E a distance of 23.48 feet to the P-O-B, Shreveport, Caddo Parish, Louisiana.

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulation:

1. Development of the property shall be in substantial accord with a revised site plan to be submitted to and approved by the Planning Director showing parking, fencing, and landscaping to ordinance standards, with any significant changes or additions requiring further review and approval by the Planning Commission.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

**ORDINANCE NO. 117\_ OF 2004**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON WEST SIDE OF BROADWAY, 100 FEET SOUTH OF MURVON STREET, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-1, BUFFER BUSINESS DISTRICT, TO B-1-E, BUFFER BUSINESS EXTENDED USE DISTRICT, LIMITED TO "ANTIQUE SHOP" ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on Lots 12 & 13 Ewald, Shreveport, Caddo Parish, Louisiana, located on the W

side of Broadway 100 feet S of Murvon Street, **be and the same is hereby changed from B-1, Buffer Business District, to B-1-E, Buffer Business Extended Use District, limited to “antique shop” only.**

SECTION II: THAT the rezoning of the property described herein is subject to compliance with the following stipulations:

2. Development of the property shall be in substantial accord with a revised site plan showing alternate landscaping to be submitted to the Zoning Administrator with any significant changes or additions requiring further review and approval by the Planning Commission.
3. No outside storage allowed.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

#### **ORDINANCE NO. 119 OF 2004**

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 85 OF 2004 WITH REGARD TO THE RIVERVIEW PROJECT; AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-ENTRY AGREEMENT WITH THE UNITED STATES OF AMERICA., THROUGH THE U.S. ARMY, CORPS OF ENGINEERS RELATIVE TO THE PROJECT; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, Ordinance Number 85 of 2004, adopted July 13, 2004, authorized a temporary construction servitude and a permanent servitude and encroachment on a portion of Festival Plaza to the United States of America, through the U. S. Army, Corps of Engineers (the “Corps”), as the acquiring federal agency, for purposes of construction of a retaining wall and other related appurtenances in connection with construction of the J. Bennett Johnston Regional Visitors’ Center, a component of the RiverView Project (the “Project”); and

WHEREAS, this ordinance would amend Ordinance Number 85 of 2004 to authorize a permanent servitude and encroachment be granted to the Red River Waterway District instead of the Corps; and

WHEREAS, this ordinance would also authorize the Mayor to execute a Right-of-Entry Agreement with the Corps to permit construction of the retaining wall in connection with the Project.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that Ordinance Number 85 of 2004 is hereby amended to grant and authorize a permanent servitude and encroachment on a portion of Festival Plaza to the Red River Waterway District for maintenance of a retaining wall and related appurtenances in connection with construction of the J. Bennett Johnston Regional Visitors’ Center and the Mayor of the City of Shreveport is hereby authorized to execute and deliver, for and on behalf of the City of Shreveport any and all documents relative to the authorization granted herein after review and approval of such document(s) by the Office of the City Attorney.

BE IT FURTHER ORDAINED that the Mayor is authorized to execute a Right-of-Entry Agreement with the Corps to permit construction of the retaining wall in connection with the Project after review and approval of such document by the Office of the City Attorney.

BE IT FURTHER ORDAINED that a certified copy of this ordinance and any or all documents executed by the Mayor relative to the authorization granted herein shall be filed and

recorded in the conveyance records of Caddo Parish, Louisiana and Bossier Parish, Louisiana.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

#### **ORDINANCE NO. 120 OF 2004**

##### **AN ORDINANCE AMENDING THE 2004 AIRPORTS ENTERPRISE FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, the City Charter provides for the amendment of any previously adopted budget; and

WHEREAS, the City Council finds it necessary to amend the 2004 budget for the Airports Enterprise Fund to reallocate funds among expenditure categories and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 161 of 2003, the 2004 budget for the Airports Enterprise Fund, is hereby amended as follows:

In Section 2 (Appropriations):

Decrease Operating Reserves by \$400,000 and increase Transfer to Capital Projects Fund by \$400,000.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 161 of 2003 shall remain unchanged and in full force and effect.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications; and, to this end, the provisions of this ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

#### **ORDINANCE NO. 121 OF 2004**

##### **AN ORDINANCE AMENDING THE 2004 CAPITAL IMPROVEMENTS BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

WHEREAS, the City Charter provides for the amendment of any previously-adopted budget; and

WHEREAS, the City Council finds it necessary to amend the 2004 Capital Improvements Budget to reduce existing appropriations for water and sewer capital projects and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 159 of 2003, the 2004 Capital Improvements Budget, be further amended and re-enacted as follows:

**In Program C (Streets Improvements):**

Increase the appropriation for **Youree Drive/Kings Highway Intersection Improvements (89C027)** by \$860,000. Funding source is 2003 GOB.

Decrease the appropriation for **I-49/Norris-Ferry Road Connector (96C012)** by \$468,000. Funding sources are decrease State Grant by \$720,000 and increase 2003 GOB by \$252,000.

Increase the appropriation for **Ellerbe Road at Flournoy-Lucas Road Intersection (98C004)** by \$1,615,000. Funding source is 2003 GOB.

Decrease the appropriation for **I-49/Murphy Street/Texas Avenue Corridor Improvements (98C007)** by \$1,500,000. Funding source is 1999 GOB, Prop. 4 (Streets).

Increase the appropriation for **Caddo Street Improvements (01C002)** by \$1,500,000. Funding source is 1999 GOB, Prop. 4 (Streets).

Increase the appropriation for **Southern Loop Extension (01C015)** by \$720,000. Funding source is State Grant.

Decrease the appropriation for **Street Projects for Economic Development - 2001 Bonds (01C032)** by \$2,727,000. Funding source is 2003 GOB.

**In Program H (Airports Improvements):**

Establish a new project entitled **Jet Bridge for Northwest Airlink (04H006)** and fund it at \$400,000 from Shreveport Airport Authority.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 159 of 2003, as amended, shall remain in full force and effect.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications; and, to this end, the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

**Amendment No. 1 to Ordinance No. 121 of 2004**, An Ordinance Amending the 2004 Capital Improvements Budget.

**AMEND THE ORDINANCE AS FOLLOWS:**

**In Program H (Airports Improvements):**

Establish a project entitled **Runway 14/32 and 5/23 Pavement Rehabilitation (04H007)** at \$1,308,700. Funding sources are Federal Aviation Administration \$1,070,700, State Grant \$119,000 and Shreveport Airport Authority \$119,000.

Adjust totals and subtotals accordingly.

**Amendment No. 2 to Ordinance No. 121 of 2004**, An Ordinance Amending the 2004 Capital Improvements Budget.

**AMEND THE ORDINANCE AS FOLLOWS:**

**In Program A (Buildings and Improvements):**

Establish a project entitled **Improvements at Beaird Facility (04A005)** at \$500,000. Funding source is General Fund.

Adjust totals and subtotals accordingly.

**ORDINANCE NO. 122 OF 2004**

**AN ORDINANCE AMENDING THE 2004 BUDGET FOR THE COMMUNITY DEVELOPMENT SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO**

**BY:**

WHEREAS, the City Charter provides for the amendment of any previously adopted

budget; and

WHEREAS, the City Council finds it necessary to amend the 2004 budget for the Community Development Special Revenue Fund, to appropriate additional funds and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 167 of 2003, the 2004 budget for the Community Development Special Revenue Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts):

Under "Fiscal Year 2004 Funds":

Increase WIA Grants by \$3,493,000.

In Section 2 (Appropriations):

Under "Prior-Year Funds":

Decrease CHDO by \$300,000.

Increase HOME Program by \$300,000.

Under "2004 Revenues":

Decrease Codes Enforcement - Contractual Services by \$100,000.

Increase Codes Enforcement - Other Charges by \$100,000.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof shall be held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications; and, to this end, the provisions of this ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED that all ordinances or portions thereof in conflict herewith are hereby repealed.

#### **ORDINANCE NO. 123 OF 2004**

**AN ORDINANCE LEVYING VARIOUS TAXES TOTALING EIGHTEEN AND EIGHTY-TWO ONE HUNDREDTHS (18 AND 82/100THS) MILLS PER DOLLAR ON ALL PROPERTY SUBJECT TO AD VALOREM TAXATION WITHIN THE CITY OF SHREVEPORT FOR THE YEAR 2004 IN THE AMOUNTS AND FOR THE PURPOSES DESCRIBED HEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

BE IT ORDAINED by the City Council of the City of Shreveport in due and legal session convened, that:

An ad valorem tax of Ten and Ninety-nine One Hundredths (10 and 99/100ths) mills per dollar of assessed valuation be and the same is hereby levied on all property subject to ad valorem taxation within the City of Shreveport, for the year 2004; for the purpose of general operating expenses of the General Fund.

BE IT FURTHER ORDAINED that an ad valorem tax of Eighty-nine One Hundredths (89/100ths) mills per dollar of assessed valuation be and the same is hereby levied on all property subject to ad valorem taxation within the City of Shreveport, for the year 2004; for the purpose of operating and supplying recreational facilities and appurtenances and maintaining the same, title to which shall be in the public, in accordance with the results of a special election held April 5, 2003.

BE IT FURTHER ORDAINED that an ad valorem tax of One and Fifty-seven One Hundredths (1 and 57/100ths) mills per dollar of assessed valuation be and the same is hereby levied

on all property subject to ad valorem taxation within the City of Shreveport, for the year 2004; for the purpose of providing revenues sufficient to enable the City of Shreveport to provide a three-platoon system in the Police Department, now in effect in the City of Shreveport in accordance with Act 323 of the Legislature of Louisiana for the year 1936.

BE IT FURTHER ORDAINED that an ad valorem tax of One and Nineteen One Hundredths (1 and 19/100ths) mills per dollar of assessed valuation be and the same is hereby levied on all property subject to ad valorem taxation within the City of Shreveport, for the year 2004; for the purpose of improving, repairing, and maintaining the streets of the City of Shreveport, title to which shall be in the public, in accordance with the results of a special election held April 5, 2003.

BE IT FURTHER ORDAINED that an ad valorem tax of One and Nineteen One Hundredths (1 and 19/100ths) mills per dollar of assessed valuation be and the same is hereby levied on all property subject to ad valorem taxation within the City of Shreveport, for the year 2004; for the purpose of continuing the salary and wage schedule of City employees, in accordance with the results of a special election held April 5, 2003.

BE IT FURTHER ORDAINED that an ad valorem tax of One and Nineteen One Hundredths (1 and 19/100ths) mills per dollar of assessed valuation be and the same is hereby levied on all property subject to ad valorem taxation within the City of Shreveport, for the year 2004; for the purpose of police and fire personnel and allowance for uniforms and equipment for said departments in accordance with the results of a special election held April 5, 2003.

BE IT FURTHER ORDAINED that an ad valorem tax of One and Eighty One Hundredths (1 and 80/100ths) mills per dollar of assessed valuation be and the same is hereby levied on all property subject to ad valorem taxation within the City of Shreveport, for the year 2004; for the purpose of providing funds for the City's portion of pensions, employee life insurance and hospitalization plan for City employees in accordance with the results of a special election held April 5, 2003.

BE IT FURTHER ORDAINED that this ordinance shall be full authority to the Tax Assessor of Caddo Parish and the Tax Assessor of Bossier Parish to extend said taxes on the assessment rolls of the City of Shreveport for the year 2004.

BE IT FURTHER ORDAINED that the Director of Finance, Ex Officio Tax Collector of the City of Shreveport, be and she is hereby empowered, authorized, and directed to cause said taxes, as herein above set forth, to be spread upon the tax roll of the City of Shreveport for the year 2004, to collect said ad valorem taxes for and on behalf of said City, according to law, and to place the same to the credit of the funds described herein above as authorized by law. The taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

BE IT FURTHER ORDAINED that the Clerk of Council shall provide a certified copy of this ordinance to the Tax Assessor of Caddo Parish and the Tax Assessor of Bossier Parish immediately after its final passage by the City Council and approval by the Mayor.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance and the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

**ORDINANCE NO. 126 OF 2004**  
**AN ORDINANCE LEVYING A TAX OF EIGHT AND THIRTEEN ONE HUNDREDTHS (8**

**AND 13/100THS) MILLS PER DOLLAR ON ALL PROPERTY SUBJECT TO AD VALOREM TAXATION WITHIN THE BOUNDS OF THE DOWNTOWN DEVELOPMENT DISTRICT OF THE CITY OF SHREVEPORT AS DEFINED BY ACT 554 OF 1978, AS AMENDED, FOR THE PURPOSES AS SET FORTH HEREIN, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that:

An ad valorem tax of Eight and Thirteen One Hundredths (8 and 13/100ths) mills per dollar of assessed valuation be and the same is hereby levied on all property subject to ad valorem taxation within the bounds of the Downtown Development District, as defined by Act 554 of 1978, as amended, for the year 2004, and to be expended by the Downtown Development Authority for administration, operational expenses, capital improvements, project expenses or the retirement of bonds or other evidences of indebtedness, all in accordance with the results of a special election held November 5, 2002, and this shall be full authority to the Tax Assessors of Caddo Parish and Bossier Parish to extend said tax on the assessment rolls of the City of Shreveport for the year 2004.

BE IT FURTHER ORDAINED that the Director of Finance, Ex Officio Tax Collector of the City of Shreveport, be and she is hereby empowered, authorized, and directed to cause said taxes, as herein above set forth, to be spread upon the tax roll of the City of Shreveport for the year 2004, to collect said ad valorem taxes for and on behalf of said City, according to law, and to place the same to the credit of the funds described herein above as provided for and authorized by the special election held on November 5, 2002. The taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

BE IT FURTHER ORDAINED that the Clerk of Council shall provide a certified copy of this ordinance to the Tax Assessor of Caddo Parish and the Tax Assessor of Bossier Parish immediately after its final passage by the City Council and approval by the Mayor.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance and the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

#### **ORDINANCE NO. 119 OF 2004**

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 85 OF 2004 WITH REGARD TO THE RIVERVIEW PROJECT; AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-ENTRY AGREEMENT WITH THE UNITED STATES OF AMERICA., THROUGH THE U.S. ARMY, CORPS OF ENGINEERS RELATIVE TO THE PROJECT; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, Ordinance Number 85 of 2004, adopted July 13, 2004, authorized a temporary construction servitude and a permanent servitude and encroachment on a portion of Festival Plaza to the United States of America, through the U. S. Army, Corps of Engineers (the "Corps"), as the acquiring federal agency, for purposes of construction of a retaining wall and other related appurtenances in connection with construction of the J. Bennett Johnston Regional Visitors' Center, a component of the RiverView Project (the "Project"); and

WHEREAS, this ordinance would amend Ordinance Number 85 of 2004 to authorize a permanent servitude and encroachment be granted to the Red River Waterway District instead of the Corps; and

WHEREAS, this ordinance would also authorize the Mayor to execute a Right-of-Entry Agreement with the Corps to permit construction of the retaining wall in connection with the Project.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that Ordinance Number 85 of 2004 is hereby amended to grant and authorize a permanent servitude and encroachment on a portion of Festival Plaza to the Red River Waterway District for maintenance of a retaining wall and related appurtenances in connection with construction of the J. Bennett Johnston Regional Visitors' Center and the Mayor of the City of Shreveport is hereby authorized to execute and deliver, for and on behalf of the City of Shreveport any and all documents relative to the authorization granted herein after review and approval of such document(s) by the Office of the City Attorney.

BE IT FURTHER ORDAINED that the Mayor is authorized to execute a Right-of-Entry Agreement with the Corps to permit construction of the retaining wall in connection with the Project after review and approval of such document by the Office of the City Attorney.

BE IT FURTHER ORDAINED that a certified copy of this ordinance and any or all documents executed by the Mayor relative to the authorization granted herein shall be filed and recorded in the conveyance records of Caddo Parish, Louisiana and Bossier Parish, Louisiana.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

**UNFINISHED BUSINESS:**

1. SUBDIVISION APPEAL S-52-04: Doug Shurling, Emberwood Homeowners Association, approval of Subdivision Request, dtd - July 7, 2004. (D/Gibson) (Postponed Aug 9, 2004)

Councilman Gibson: Mr. Chair, I'm going to ask that this be remanded back to the MPC.

Councilman Jackson: Is that your motion?

Councilman Gibson: That is a motion, yes.

**Motion by Councilman Gibson to remand S-52-04 to MPC dies for lack of a second.**

Councilman Jackson: Mr. Clerk what is the correct terminology. The vote would be to do what?

Mr. Thompson: I think on this one, you could vote either uphold the MPC's action or to Overturn the action of the MPC. Either one would be proper.

Councilman Green: Do we have to have a motion on the floor in order for Mr. Kirkland to come up to speak.

Councilman Jackson: Yes, I would think so.

Mr. Thompson: I believe the board voted 7-2 to approve the request to subdivide the

proposed property into five lots.

**Motion by Councilman Gibson, seconded by Councilman Green to approve.**

Councilman Gibson: Mr. Chair, I want to ask Mr. Kirkland to come forward and I'm going to defer to my colleague, Councilman Green.

Councilman Green: Thank you. Mr. Kirkland, I've heard a lot of discussion about this as to the four houses and then the five houses and then, we just the report that there were 7-2 to approve this. Could you just kinda give us some background as to how you all rendered your decision and how did we get to where we are? And I don't know if this would be in your ballpark, but how much difference would one more house be different from. You know we talked about four houses. How much difference would one more house be as to having the four houses.

Mr. Kirkland: Let me try to respond first. A little quick background and we're really talking about four more houses rather than just one more. The original lot provided for only one site. This developer, I think is clearly as everybody knows, originally did want to put seven home sites there. Then they did, after the MPC deferred at least one meeting, to give the opponents and the applicant time to kinda re-group and re-think the proposal, then the board voted at that subsequent meeting did vote to approve the (unclear). The ordinance is very clear. If the lot that is in question and the Subdivision Request is not compatible with the contiguous, that is lying next to and adjacent and across the street, only three lots. Let me put this up on the screen, it might work a little better, if Robert will get me a picture up. This is the subject property right here, that the request is being made to divide into now five lots. These are the contiguous lots as defined by the ordinance if in fact this had been perhaps two maybe three lots, it would have been called a 'no brainer' and probably would have been a non issue. However, since the applicant wanted more than that, the ordinance allows the MPC to make a judgement based on a finding of "good cause". Good cause typically, and it's my words, typically to the MPC Board means compatible. The lots that the MPC and there were seven or at least five different scenarios that were looked at by staff at the specific direction of the Board to determine or try to fine what would make good cause. These lots in this immediate area here were the lots that clearly were the most, I guess you'd say, relative to the question, in that Emberwood Subdivision clearly had much smaller lots, even though that doesn't show, so the Board didn't take Emberwood Subdivision, per se into account. And you know, you heard some reference to the small *Jim Walter Homes* up in this area, the Board clearly didn't take those into account, otherwise, they could have rented up to perhaps 10 or 12 here. So, it's a judgement call made by the MPC that said we think based on the specific analysis with Mr. Jambor and our staff did, clearly indicated that one acre size lots would be compatible and that's what the Board decided. And so, long story made short is the Board saw that five would be compatible and that's why they approved that.

Councilman Gibson: Thank you Mr. Chair. Two weeks ago, or four weeks ago I believe it was, this Council got into a tough decision making mode, and decided to remand something back to the MPC because it was too hot to handle. Gentlemen, I don't know of anybody that's been down Chinquapin lately, I have. You can't drive down Chinquapin without having to pull off the side of the road. I understand we have a letter from the Fire Department and I appreciate that, but the fact is not even a Fire Truck can get down there right now, even if they wanted to go down there and turn around with this new development. Could I ask the group that's from this subdivision or that lives on Chinquapin to stand up? Thank you. I mean, they're here (unclear) for this particular

development. This City has got a real problem with looking at long range planning. We haven't had an update on Master Planning in a long time. I've had tough decisions to make in my district. I've pulled together both parties, of which I've done. In fact the day that we came to a - - -, and I'll use Mr. Shurling's statement, a gentleman's agreement. Both parties were in my lobby way discussing this issue. I pulled them into my conference room, and said what can we do to resolve this? There were several discussions. First of all, I met with both the developer and the homeowner's group separately, and then met together. And it was clear after that day, that the developer stated in my office that they could live with four lots, but they needed to check with their partner. If two partners can say in a room with the appellant that they can go with four lots, Councilman Green, I agree. What's the difference between one lot and two lots? It's one lot and all those people sitting over there are going to have to deal with that additional one lot. And this is land, if you hadn't looked at it, it's my district. There is some drainage problems out there, and there going to continue to be drainage problems. In fact, one of the developers from years ago, Mr. Shurling was nice enough to show me in the same area a similar development, that now the homeowners are having to spend \$100,000 in new drainage just to take care of what he bought from a previous owner. I don't think this is planned properly. I think that again we have - - - I appreciate the developer talking about how much more money its going to add to the tax rolls, but I think that with the group standing up over there, it's significantly a heck of a lot more in terms of the tax base that we're talking about here. Not to mention it would sure be a shame that those people one-by-one start to sell their homes and then we start to have a real problem. Because my reason for asking for the remand back to the MPC is just as Councilman Walford, who made a flip-flop, there about four weeks ago and said yeah, I'm going to change my mind. Lets remand it back to the MPC. And guess what? One of the people that's in the room, came up with a solution that was amenable to everybody and they brought it back before us two weeks ago and we approved it. Gentlemen, this is my district. I know it from start to finish. I've met with all parties. I had what I thought was an agreement, and if I hadn't been there to hear it, I wouldn't be telling you that. And that's why I asked for a remand on it. But I guess my councilmen know better than me and my district. So, I guess I'm going to be watching to see just as some statements were made to my Councilman colleague, down at the other end of the isle, Councilman Hogan who was accused of being a hypocrite two weeks ago on something which was totally false. But again, I'm not asking for anything that you wouldn't ask of me, because I gladly was to give you my vote when a remand went back there, because this is obviously something that needs to be re-discussed, brought back to the table because again, two owners of this developers sat in my office, looked me in the face and said, 'we think we can live with four lots, but we need to check with partner', and the appellant was sitting there, heard the same thing and Doug Shurling, and I am deeply disappointed. Because at the end of the day, this City has got a problem with the street out there. It's clear, we've heard from the homeowners out there. It's gonna only get worse before it gets better, which in my opinion's gonna lower the property values versus increase the property values out there. But those people out in the audience are going to have to live with that and I will tell you, I am very sorry. I looked you in the eye, I told you that I would work to come to a compromise. I have done that with every single situation that's come to my district to date. But this doesn't look like it's going to be one of 'em. And I'm awfully sorry for that. Because I believe that if you bring two people to the table, you can come up with a solution to anything. And y'all have been reasonable, extremely reasonable in this process. Probably more so than I would have been. So again, I asked for the remand. I was glad to give my vote a few weeks ago on something that was very similar, which again created a great outcome for the developer, for the City of Shreveport and everybody else. This isn't the question Mr. Kirkland and staff. I think

unquestionably, they are very professional. This is about doing the right thing for those people who laid their money on the table years ago, before it was the correct thing to do. In fact, it was before this City even talked about annexing them. And now, we've annexed them and then we basically said 'forget you'. I think that is extremely embarrassing. I think that is extremely disappointing. Again, I don't ask much of my colleagues up here. Again, you didn't sit in those meetings, I did. And I would have done the same thing for you. Do, I feel like or do I come across as being upset? Sure I am. Because I just felt like I wasted their time, I wasted the developer's time and I wasted the taxpayer's time on this particular issue. Because I've asked for delay, I think at least three delays on this. One at the developer's request and a couple of them just because of logistics. I think one of them was at the appellant's request too. To try to do the right thing to come to a compromise that would be a win/win for everybody. Thank you Mr. Chair.

Councilman Jackson: Gentlemen, I have - - - I want to ask if we would consider a suspension of the rules to hear a public comment. I have received three public comments that were after the fact, yet on this particular issue and if we do not give them an opportunity to speak at this time, it would be too late after the vote has been cast. And so, would ask if it's the pleasure of this Council to suspend the rules please.

**Substitute motion by Councilman Jackson, seconded by Councilman Carmody to suspend the rules.**

Councilman Lester: It wouldn't be a substitute motion, it would be a motion to suspend to allow the public comment, not a substitute.

Councilman Jackson: But I think we're in the process of a motion on the floor.

Councilman Lester: Okay.

Councilman Jackson: So in essence, would the motion to suspend the rules be a substitute motion?

Mr. Thompson: The reason I didn't think that it would be, is that it does not resolve this issue.

Councilman Jackson: Right, so it's clear, it doesn't have to be a substitute motion, just a motion to suspend the rules.

Councilman Lester: Right.

**Motion by Councilman Jackson, seconded by Councilman Carmody to suspend the rules. Motion approved by the following vote: Ayes: Councilmen Carmody, Gibson, Hogan, Green, Lester, Jackson. 6. Nays: Councilman Walford. 1.**

David Langston: (*111 Malibu Dr*) I'm not a public speaker, but I'll give it my best shot. I grew up in Shreveport and Shreveport is a great community to live in. I chose not to move. I've had opportunities to be transferred, I've had people ask me to move to Bossier and I don't do it. Because I love Shreveport. When I looked around for a place to move to after moving out of Broadmoor, and sold my house to move to this neighborhood, I tried to find a neighborhood that would be a good place to live. To raise my children, elementary and junior high age children. I want the same thing anybody wants and that's a safe area for my kids. When I lived on Patton Avenue, it was a narrow street on the E. Kings Hwy side and those residents have asked to not ever had that widened, because it makes it safer, because it is narrower. It keeps people driving slow. That's what I want. I was one of the first people to call the Police and have them set up a speed deal, to set a speed on my

end of Patton because it was wide. And people would fly down it. This is a dead end street, Chinquapin is dead end. We intend to put in a cul-de-sac that as the Fire Department provided was a letter that says, they will build a turn around (unclear). I don't know about the sanitation trucks that pick up the solid waste, I don't know how they manipulate back in there. But at our expense, we're going to put in a cul-de-sac. We did originally want seven lots, we went to Tim Abendrotz's office to discuss it with him. He is the neighbor right next door. He met with me and Mark. We asked him or told him what we intended to do. We had three investors. All three of us wanted to live in there. And Tim said this looks like a good deal. We told him we were going to sell off some other lots. He said my only advice is keep them as large as you can, it'll keep the values up. He said this is a better deal than a deal I was involved in which, and I'm quoting him, "which was Brunswick". And we said, "well, thank you, that's good". And he said, good luck to ya. So, we left. We wanted to talk to other neighbors. And I know, I'm probably getting close to my time, so anyway, we tried to go around and we kinda got shut down. We don't know what happened from the time we left there to try and discuss it with the neighbors. We did have a meeting at Mike Gibson's office. Our partner was out of the country and in front of everybody, I tried to call him. We could not get him. We discussed the four lot option. We had Doug Shurling there, and Mike Gibson there. And it was not a planned meeting, it was a chance meeting. When you feel like you're being put on the spot, and you try to come up with an agreement, you don't have a third partner there, you can't make a decision. We said, we will get back with you Mike and we had to talk to Robert. There was a lot of money being invested by us in this for our families and for Shreveport. We called you and told you we cannot go with four. But I don't want to move to Bossier. I guess that's all I got to say. I like Shreveport and I'll be honest with you, I applaud all you politicians from the Mayor down for the time you have to put in, because of the Council Meetings and MPC Meetings I've sat through, it's amazing what you have to put up with and I appreciate your time. It's given me a great appreciation for y'all. Thank you.

Tim Abendrotz: (750 Chinquapin) My lot borders the proposed subdivision of lot 52 on the west side. Todd Walker's newly acquired home also borders the subdivision on the west. Rita Rogers' borders the subdivision on the northeast. Todd Walker's lot is in excess of three acres. Rita Rogers' lot is in excess of three acres. My lot is just over two acres. Laura Gregorio's lot lies just to the left of my lot and it's over three acres. We think the new subdivision should have lots no smaller than two acres. All the mentioned property owners are opposed to the re-subdivision. I spoke with Rita and Laura both this morning and they are still opposed to the subdivision. I spoke with Todd Walker's father-in-law this morning and he told me that Todd is very disturbed over the new subdivision and that he would not have bought his new property if he had known that the new subdivision would be built next door. All these property owners signed a petition opposing the subdivision that was presented to the MPC along with the signatures of virtually every resident in the Homeowners Association of Emberwood. The issue is really development versus over development. The residents favor development, but oppose over development. The addition of five new homes at the end of our little 12 foot street is not in keeping with the personality of our neighborhood. Five new homes would add 10-20 new vehicles, that would overload our street. The City infrastructure will not support that large of an addition. Due to the elevation changes, the City sewer lines stops across the street from the northwest corner of my property. It cannot be extended cause there is not enough elevation, so the sewer has to flow downhill. I also believe that the existing water lines won't support five new homes without a significant drop in water pressure and water deliver ability. Drainage and erosion at this location should be a concern of the City. The

proposed subdivision lies on a steep section of the Ellerbe Ridge as it follows Bayou Pierre. When the sandy soil of this ridge is disturbed by over development, drainage and erosion problems occur. Todd Walker's place was formerly owned by Gordon Roundtree. This lot has steep contours and sandy soil in certain areas just as the proposed subdivision, especially next door. Twice in the last 10 years, Roundtree had major erosion problems. After one big rain, over ½ the earth that support his swimming pool has eroded away. As the swimming pool drained, I could see it. It took about two or three months of dirt work to repair the problem. Only for him to have it again happen about two years later. Mr. Myatt lives about 600 feet to the north of the proposed subdivision. His lot included areas of steep contours and has had major erosion problems also. Just to the north of Mr. Myatt, Charles Knically developed an area with five 2 acre lots. This area also has sandy soils and steep contours. Drainage and erosion problems have plagued this area. About 5,000 feet from the north of the proposed subdivision lies Glenmore Drive which lies on the sandy Ellerbe Ridge above Bayou Pierre. A local builder, Jeb Breithaupt, built three homes on the east side of Glenmore in the early 90s. Drainage and erosion problems still exist today. One of the homes was condemned and torn down because of too much foundation movement. There are many lots on Chinquapin that are less than 2 acres, but they all lie on relatively flat land. As you travel east on Chinquapin, the lots get bigger and the homes get bigger. The proposed subdivision lies at the east end of Chinquapin. There are no hills on Chinquapin. The original subdivision placed Chinquapin Drive roadbed on flat land. Until last night, we all thought this problem had been resolved. I was told that the new subdivision developers in the presence of Mr. Gibson had agreed to include a cul-de-sac and a total of only four lots on their land. So, the surrounding lot owners agreed to these conditions and allowed our homeowner association President to make this compromise. I was told the deal was done. Last night our President called me to tell me that the developer had just called him and that we were no longer had a compromise. I can only assume that by pulling out the last minute on the deal, that they had made, that we would be unable to put together any opposition. They were wrong. City Councilmen, please do not allow these type of tactics to succeed. We the residents of the Emberwood Homeowners Association live in a special place. We would like to keep it that way. Please do not let our subdivision be over developed as proposed. Thank you.

Councilman Gibson: In the meeting that I had with your neighbors, I had separate, just as I had a meeting separately with the developer, and then we had a joint meeting. It was clear to me that y'all had never, no one has ever said they were opposed to the proposed development in terms of what was put in front of you originally. As I understand it, from everybody in that room, and again, y'all would have had to do some heck of a comparing notes that y'all understood that the originally proposal was put in front of y'all of three lots. Is that correct?

Tim Abendrotz: Josh Clark, who is my neighbor, lives directly across the street. He was told by David Langston, that they were going - - - that three people were going to buy the property. And they were going to put three houses on it. So, that's where I heard it first. I never heard it directly from them.

Councilman Gibson: And again, I guess, just like y'all - - y'all love Shreveport, everybody that lives out there loves Shreveport. I think there's no doubt, in fact I'm business colleagues with David Langston and Mark Prevot. Have worked with them since I moved back to Shreveport on a variety of subject matters. So, this isn't a personal issue in any form or fashion. In fact, I probably should be on the other side of the fence, but again, I've listened to both sides on this thing. I guess when I hear that I don't want to move to Bossier, I don't want to lose y'all to Bossier either, or anywhere else. And again, the history right now leans toward the people sitting in the audience. How long have you owned your home out there?

Tim Abendrotz: I bought the lot 22 years ago and I owned it for 10 years and then I built the house 12 years later. So - -

Councilman Gibson: Again, there is a big difference in the area that I'm in construction- - -

Tim Abendrotz: I'm not new to the area compared to some of my- - - .

Councilman Gibson: After I walked and looked at the contours of the area, this developer's got some huge challenges out there.

Tim Abendrotz: No question about it.

Councilman Gibson: And again, at some point in time, that developer could do just like some people back some years ago on another development that's right next to that, Mr. Shurling showed me, to where the new owners had to spend an exorbitant amount of money because of some improper planning. And again, I'm pro-development, I'm pro-construction. I represent obviously the construction industry out there, but at the same time, if the City is going to be responsible, on the hook, somewhere down the line, that comes back to planning and things of that nature that didn't affect quality of life and then you guys are going to be looking to either me, which it won't be me, it'll be somebody else down the line - - - what happened? And the taxpayers are going to have to reach in their pocket to resolve something that could have again be, what I consider a compromise, which again, that's where we are with that. But I do appreciate you coming forward. Thank you Mr. Chairman.

Councilman Jackson: Mr. Abendrotz, is it true then, technically, that you all would probably prefer- - probably two houses versus three or four?

Tim Abendrotz: I wish they wouldn't build there, honestly. You know it's next door to me, but I'm a realist, and I understand it's going to be developed at some point. I didn't know if it would be five years after I built my house or 10 years or 20 years. But I knew it was going to be developed. I don't want it to be, but you know, I'm not saying don't do that.

Councilman Jackson: Two or four, neither one technically, fully satisfies you, because you'd prefer it not be - - -

Mr. Abendrotz: If I owned the tract and had plenty of money, I don't think I could put over two houses on it, because of the drainage problem. Gordon Roundtree called me over and said Tim, come look at my swimming pool. And I literally walked under and I could see his drain. Cause it just washed all down the hill and washed the dam out from his pond. And that sandy soil, if you walk on it, it's going to go. My lot's flat and I bought on top of the hill, I was lucky. If you talk to Jeb Breithaupt, he can tell you about housing movement. He was in several lawsuits over that. Anything else?

Councilman Jackson: Thank you.

Robert McBride: (*1219 Chopin, Bossier City*) And I'm proud to say that we started this. The entire reason that this project was that we were looking for places to re-locate our families. I live in a very nice neighborhood. Plantation Trace in Bossier. I'm looking somewhere that I can actually upgrade my property value. And this is the perfect place to do it. It worked. It was centrally located, a beautiful neighborhood. And you know I hear the neighbors talk about how, what a great place it is to live. Well, that's why I personally want to live there. And that's why I'm amazed by the opposition. We talk about doing the right thing. We talk about problems. You know all three of the people involved in this, we're planning on building our own personal homes in this area. Why would I build a street, why would I put in infrastructure that I'm going to live in and I'm going to make problems for myself? That doesn't compute. So, I can't agree with that. I'm not going to take every issue they've raised, because I know good and well, that we've put the answers in front of you. As far as the streets, we've done everything we could. We took their initial concerns with the

streets and the drainage and we've addressed those. We've actually put in a cul-de-sac in our neighborhood which makes it easier for public support vehicles, emergency vehicles to turn around in our neighborhood. That was the compromise. That was us trying to help the neighbors be okay with this. Because we want to be good neighbors. We fully support and fully plan on living in this neighborhood. Drainage, you know, the (unclear) for drainage for that lot, you know I heard a couple of Councilmen say, they've seen that lot. They've walked that lot and as you're aware and I know you are. By law, we can't change the drainage. We have to maintain the drainage as it is and we are. That's not a problem. This is what we do for a living. This is what I do for a living. This is what Mark Prevot does for a living. It's not going to be a problem. The utilities, we've actually spoke- - - we spoke with every department in the City and had their approval, not cut in stone, but we at least showed them what we were trying to do. Said, here's what we've got in mind, this is what we want to do, can we do this? And they said yes you can. So, we got their initial approval. You know and back with the right thing, we talk about the right thing, the day that we brought this matter to the MPC, that very same meeting, before we came to the podium, there was another lot down the street. I mean, six lots-seven lots down the street. They took that 1 acre lot and they subdivided out a quarter of an acre of it and had it approved to subdivide it out. And of course at that meeting, they said there was no intention of doing anything with it, we're just doing it because we want to. You know, three weeks later, they're building a house on it. The fact that we show you, that's in there as well. So the right thing is - - - okay. And there was no opposition. Let me go on the record to say that. There was absolutely zero opposition from the neighbors, from our hopefully future good neighbors, to that issue. None at all. It passes 7-0 with approval from the MPC. No comments whatsoever. You know, we're down the street, and we're wanting five. Actually, we started at seven. And in an effort to compromise with the neighbors, we said we'll take five, we'll do five. That's the point where it's feasibly good for us to do this project. That's where we are at five. Thank you very much.

Councilman Jackson: Any questions. Thank you Mr. McBride. We're back to item 10-1 on our agenda with regard to the Subdivision Appeal. Currently there was a motion and a second on the floor. Are there any other questions?

Councilman Lester: What was the - - - ? Could you restate the motion.

Councilman Jackson: The motion was by Councilman Gibson to adopt the subdivision appeal and we were having discussion with regards to - - -.

Councilman Gibson: Mr. Chair, I want to make a substitute motion to ask for a remand back to the MPC, a second appeal to my Councilmen.

**Substitute motion by Councilman Gibson to remand S-52-04 to MPC  
Substitute motion fails for lack of second.**

Councilman Walford: Mr. Chairman, to make sure I understand, the motion is to adopt the decision of the MPC?

Councilman Jackson: That is correct.

**Motion fails by the following vote: Nays: Councilmen Lester, Walford, Carmody, Hogan, Green and Jackson: 6. Ayes: Councilman Gibson. 1**

**NEW BUSINESS:**

Councilman Jackson: I show we have none.

Councilman Walford: Mr. Chairman, we do. Going back to Resolution No. 175, which was involving the public hearing. This Body two weeks ago voted to leave this on the agenda and then today, I supported adopting that resolution because it calls for a Public Hearing and I think that's the right thing to do. Now that we've adopted that, Mr. Chairman, we need to set a Public Hearing. It's going to have to be advertised for 30 days and if I could make a request of you and my fellow Council Members in fairness to the public, could we have that Public Hearing after 5:00 so that those who work could be here. I've had less than 10 phone calls and emails regarding the roll back/roll forward. And I just think we owe it to the public to hear them and if we could, if it would be at the pleasure of this Council if we could have it after 5:00 so that the public- - - although we have voted that we have to have it now, and I'm asking Mr. Chairman, that we do it to convenience the public.

Councilman Green: Do we need a motion on that?

Ms. Glass: Mr. Chairman, we appreciate Mr. Walford bringing that up. We have just double checked the resolution and it actually has an outdated date for the public hearing. So the best way to do it probably would be for us to do a quick amendment and reconsider the vote and adopt it with the correct date and time. So, if you'll let us know if that's what you want to do, we'll write one.

Councilman Walford: I was just bringing to your attention, I was after the 5:00 Mr. Chairman, was my whole motivation here.

Councilman Jackson: Okay, but there was a date, that's still, I think you brought it up, that we still need to call the public hearing, and there is a date that needs to be set. Is that correct?

Ms. Glass: Correct.

Councilman Jackson: And we could at this time have a motion to reconsider item 175 and then at that point as we reconsider, we either then take a motion to amend 175 to add a date and time?

Ms. Glass: That's correct.

Councilman Lester: The person to reconsider would have to be someone that voted on the affirmative? Okay, okay.

**Motion by Councilman Lester, seconded by Councilman Green to reconsider Resolution No. 175.**

Councilman Jackson: What was- - - ?

Councilman Hogan: Mr. Chairman, would you mind just one more time to clarify?

Councilman Jackson: We are voting to reconsider item 175, which is the Public Hearing. At that time, if the motion passes to reconsider, then we'll receive a motion that will amend 175 to add a date and time.

Councilman Walford: How many votes does a reconsideration take?

Councilman Jackson: If we get seven, we'll have enough. I think it's a two-thirds vote.

**Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Green, and Jackson. 5. Nays: Councilmen Gibson and Hogan. 2.**

Councilman Jackson: Now we have 5-2, so at least it requires two-thirds, so we've met that standard notwithstanding what the requirement may be. Is that correct?

Mr. Thompson: Correct.

Councilman Jackson: As we reconsider item 175 gentlemen, what is your pleasure.

Ms. Glass: Mr. Chairman, it does need to be 30 days after the advertising the Public Hearing.

Councilman Walford: So, we need five weeks Mr. Chairman.

Mr. Dark: You meet five weeks from today.

Councilman Lester: My question is do we need to set a date certain?

Mr. Thompson: She's looking for a date now.

Councilman Jackson: We have a meeting five weeks from today don't we? We have an extra week or a fifth Tuesday or something I think.

Councilman Lester: So, is the Council's pleasure to do it on a Tuesday or a Monday?

Councilman Jackson: I would suggest, Monday.

ALL SPEAKING AT ONCE: UNCLEAR AND INAUDIBLE.

Councilman Jackson: Well, let me say that there's - - - Councilman Walford suggested a few minutes ago and I don't know what the spirit of it was, but he suggested that we would wait until after 5. I'm assuming that waiting until after 5, was to give it exposure to the general public, but I assume that, that after 5 also meant after 5 and on television.

Councilman Walford: No, not necessarily. Mr. Chairman, if I may, my whole thing in voting for that was to give the public a chance to make their points known. Their feelings. So, no. Monday's fine with me.

Councilman Green: Monday at 5 or Monday after 5?

Councilman Walford: We could have it at 5 or a few minutes after 5. That is a suggestion to make it more accessible to the public.

Councilman Jackson: Okay, do we have a date? I'm assuming the date would be the 28<sup>th</sup>?

Councilman Walford: The 27<sup>th</sup> is a Monday.

**Motion by Councilman Lester, seconded by Councilman Green to schedule the public hearing for Monday, the 27<sup>th</sup> at 5:00.**

Councilman Walford: We may need to ask Mr. Thompson, do we need to - - - does that need to be an amendment?

Mr. Thompson: She's writing it.

Councilman Walford: Mr. Lester, I think that'd probably the- - -?

Councilman Lester: Right.

Councilman Walford: That's what you're after, right?

Councilman Lester: Right.

Councilman Walford: I thought correct.

Ms. Glass: Mr. Chairman, I have written an amendment and we've been - - - there's a little bit of uncertainty because you have to do the advertisement and the length of time to get the advertisement in the newspaper and have the 30 days run, is that is not absolutely certain. We think we know when we can do it. But this would be what I think may work. In the **NOW BE IT THEREFORE RESOLVED** paragraph, **Delete** the date September 14, 2004 and the time 3:00 and **Substitute** the date and time, Monday, September 27, 2004 at 5:00 or at a date set by the Chairman. That would allow him to revise it if we have trouble with the advertising.

Councilman Walford: Okay.

Councilman Lester: That's acceptable.

Ms. Glass: Let me say, it should say *at a date and time*.

**Motion by Councilman Lester, seconded by Councilman Green to amend item 175 as outlined by the City Attorney, Ms. Glass. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Hogan, Green, and Jackson. 5. Nays: Councilmen Carmody and Gibson 2.**

Mr. Thompson: Mr. Chairman, did you do "as amended", did you re-adopt it as amended?

**Motion by Councilman Lester, seconded by Councilman Walford, to adopt Resolution No. 175 as amended approved by the following votes: Ayes: Councilmen Lester, Walford, Hogan, Green, and Jackson. 4. Nays: Councilmen Carmody, Gibson and Hogan. 3.**

**REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES.** None.

**CLERK'S REPORT:**

Zoning Appeal: Case No. BAC-82-04; Wyvornia Decarol Nunley, 4103 Santa Monica Court. Special Exception Use in an R-1D District.

Mr. Thompson: It cannot be adopted today.

**ADJOURNMENT.** There being no further business to come before the Council, the meeting adjourned at approximately 5:30 p.m.

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*Theron Jackson, Chairman*

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*Arthur G. Thompson, Clerk of Council*

