

CC 3827
03 15 05

Council Proceedings of the City of Shreveport, Louisiana
March 8, 2005

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Mike Gibson at 3:01 p.m., Tuesday, March 8, 2005, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Hogan.

The Pledge of Allegiance was led by Councilman Lester.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody (Arrived at 3:12), Gibson, Green, and Hogan. 6. Absent: Councilman Jackson. 1.

Motion by Councilman Green, seconded by Councilman Hogan to approve the minutes of the Administrative Conference, Friday, February 18, 2005 and Council Meeting, Tuesday, February 22, 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Green, and Hogan 5. Nays: None. Absent: Councilman Jackson. 1. Out of the Chamber: Councilman Carmody. 1

Councilman Gibson: I will say Councilman Jackson today is in Houston on business, and will not be able to join us. So, I want to pass that along to you.

Mr. Thompson: Mr. Chairman, we would request that you would consider the amendment to the February 8, 2005 minutes.

Amend the February 8, 2005 minutes as follows:

In the section, "ORDINANCES ON SECOND READING AND FINAL PASSAGE (Numbers are assigned Ordinance Numbers)", and immediately after the following title:

8. Ordinance No. 9 of 2005: Zoning C-79-04: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the east side of Vaughn 230 Feet north of Stoner Avenue , Shreveport, Caddo Parish, Louisiana, from R-3, Urban, Multiple-Family Residence/Extended Use District "Limited to a Beauty Salon" Only, and to otherwise provide with respect thereto. (B/Walford)

Delete the following:

Motion by Councilman Lester, seconded by Councilman Hogan to postpone Ordinance 9 until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Green, Hogan and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

And insert the following:

Having passed first reading on January 25, 2005 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford seconded by Councilman Green for adoption. Approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Carmody. 1.

Motion by Councilman Walford, seconded by Councilman Green to approve the amendment to the minutes of February 8, 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Green, and Hogan 5. Nays: None. Absent: Councilman Jackson. 1. Out of the Chamber: Councilman Carmody. 1.

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

Councilman Gibson: Councilman Lester, I understand you have a recognition.

Councilman Lester: Yes, thank you Mr. Chairman. If I could ask Mr. Gary Faircloth if he could come to the front please sir? To the microphone. Mr. Chairman, Members, Mr. Mayor. With us today is Gary Faircloth, he's the District Manager of the Family Dollar in Shreveport, La. I'm very proud and I'm very excited about what Family Dollar is doing in Shreveport, but I'm particularly proud of what Family Dollar is doing in the MLK Community. They are opening their store. The grand opening is going to be this Thursday at 9:00. I'm just excited because this is the first corporate retail business that we have had to locate on the Martin Luther King Drive in the Cooper Road area in a number of years. I'm very excited about what Family Dollar is going to do. I'm excited about the partnership that we have. Some months ago, I had an opportunity to speak with Willard Green who at the time was their District Manager, and we talked about expansion of Family Dollar into the MLK area, and we took the time to ride around the area for the better part of two hours. And basically we talked about what the Cooper Road area is about, what the Martin Luther King area is about, and I assured him then, and I will say again to him that if they opened a store in the area, not only would it be successful, but I dare say that it would meet all expectations, projections and probably be one of the best grossing Family Dollars in the City or in the Country. They took a leap of faith, they invested in the community, they've built a building there, they've hired people from the community and they're just doing a great job and we're very excited. Opening stores in some areas is something that's routine, but when you have a major corporate entity like a Family Dollar that believes in your community and locates a store, that's something that should be celebrated and we're very excited about that. So, I'd like to introduce Mr. Faircloth, and if he would want to make a brief statement, or whatever at this time, I will turn it over to him.

Mr. Faircloth: I'd just like to personally thank Councilman Lester and this entire body for the support and the help in opening this store and getting this development underway. The store has been extremely well received. We've had what we call a soft opening, we just opened the doors without any advertisement. Tomorrow is the official grand opening. As we stand right now, this store in the last ten days has beaten the sales of every store in Shreveport, that has already been established and opened. So we know that this is going to be a tremendous location for us. We believe in this area, we believe that we can be an asset there, and we believe that maybe we can be the first of many other retail establishments that will take a look at MLK and follow behind us. We hope that there won't be too much competition coming in because, well

we'd like to keep most of it for ourselves, but we're excited. It has already been beyond any expectations that we had and again, thank you to the Council, thank you Councilman Lester, and thank you for the opportunity to be here and express that gratitude to the City for your support.

Councilman Lester: Thank you Mr. Faircloth, thank you Mr. Chairman.

Councilman Gibson: Councilman Lester, again, congratulations on your leadership and Family Dollar has been a great corporate citizen I know throughout all of our districts. We've got quite a success story going in everyone of those Family Dollar Stores, so we appreciate that leadership. I do have one other recognition in this portion, and specifically, not so much toward Councilman Green, but his wife Verne had a luncheon for City Council last week. It was reported to the public that we had a luncheon for City Council which Roy Burrell said he thinks it was first in the City's history for seven City Councilmen to come together to visit in an informal session even though we're required under law to publicly advertise. But I do want to publicly thank Councilman Green and his wife Verne for being gracious hosts in providing some outstanding food and fellowship for this Council. One of the things that the Councilmen of this Body when first elected, Mayor Hightower had orchestrated a luncheon at a well known restaurant here in town right we were installed and several of us around the table had mentioned that we thought it would be a good idea from time to time to get together. But unfortunately, like everything else, a funny thing happened on the way to the Council and also in our day-to-day lives, everybody got busy. And we had to kinda come full circle. We've dealt with some real challenging issues over the last couple of years, and we were able to do that, and in fact some of the things we'd talked about is maybe getting together with our families to have a picnic or something of that nature. And I think we're committed trying to work on some of those issues. But I appreciated our State Representative Roy Burrell being in attendance and having some comments on our achievements. And again, Councilman thank you again for the time and effort. I know you and your wife Verne put a lot of time and energy into that. And even offered to feed the media, although I don't think we had any takers. I think they were afraid to break bread with us. But we definitely had a good time. Any comments?

Councilman Walford: I do. Councilman Green's favorite media outlet reported that the Council was divided 4-3 on how many had pork chops and how many chicken. And I'm gonna have to say that they were incorrect because they failed to take into account those of us that straddled the fence and had pork chop and chicken.

Councilman Gibson: There you go.

Councilman Walford: But it was excellent and I do thank you and your wife. It was a very good experience, and wonderful food.

Councilman Lester: I would again, say it was a great idea. I appreciate Councilman Green for hosting. You know a lot of times we have ideas up here and that's all they are, but I appreciate Councilman Green for walking it like he talks it in bringing us together. And I'm hopeful that the spirit of that meeting will live on and we'll start to do things in a more cohesive fashion. I know we don't always get to do that and as I appreciate it, in a few minutes, we might have the first and second and third test of that new found unity very shortly. But I think it was a great idea, and I think it was something that needs to happen. I just want to tell Sister Green that I know that she did more than the salad. There was a vicious rumor that all she did was the salad, but I could tell that she did a little bit more than that. Thank you Mr. Chairman.

Councilman Gibson: Well, she let most of know what she did and I'm glad she did. Because they make a good pair and they did a great team effort for us. So, thank you again.

Councilman Green; Mr. Chairman, I'd just like to say thank all of you for coming and certainly we had a great time and BAM!

Councilman Gibson: For those of you, that is a location joke. You had to have been there.

Councilman Hogan: Thank you Mr. Chairman. And Councilman Green, I'd also like to express my thanks to you and to your wife. And, I just never understood, did she do all the cooking or what was the truth about that?

Councilman Green: I'm taking the 5th.

Councilman Gibson: He's taking the 5th.

Councilman Lester: Good answer.

Councilman Hogan: Well, whoever prepared the food, it was wonderful. In fact, it was so good, as you remember, and I'm gonna confess before these people, that I took some of it home with me that day. The Sweet Potato Pie. So, it was good. Thanks again. Thank you Mr. Chairman.

Councilman Gibson: Thank you gentlemen. Confirmations and Appointments. Well first of all, let me back up, I've skipped over a couple of things. Let me state for the audience real quick, we have a couple - - - three items that we have several people here to speak on. If you have not filled out a form to speak, please go in the back in the foyer out there. You will need to fill out one of those forms and hand it to our Clerk, to be able to get on the agenda to speak on whatever item that you're here for. And we will be coming to some of that hopefully very shortly. So please fill those forms out. If not - - - we don't want to miss anybody on that particular item. Any other recognitions of distinguished guests? Communications of the Mayor?

Mayor Hightower: Nothing today Mr. Chairman.

Reports:

Convention Center and Convention Center Hotel

Mr. Antee: Yeah, I passed, or you should have in front of you the responses to Councilman Carmody's questions as well as a copy of the management contract with HRI that answers some of his questions. Also if some of you are interested in, I do have a copy of the Attorneys General's opinion that states that the \$12,000,000 in capital outlay can be used for the hotel and was enacted into the Capital Outlay Bill specifically for the hotel that I can get y'all a copy of.

Councilman Carmody: Mr. Antee, I appreciate you getting these back to us. I just want to make sure that the public has the benefit of these as well. If you'd like to elaborate, let me go ahead and at least read the questions and the responses so that we've got those. The first question was "Under the Administration's plan, who will build the Convention Center Hotel? Will the hotel be built by the City or by the Hotel Trust Authority?" Your answer is the City will build it.

Mr. Antee: Actually, the City will issue the bids and sign the contract with the contractor.

Councilman Carmody: The second question is "Under the Administration's Plan, the hotel will be built by the Trust Authority. Will the City Council be required to adopt additional legislation to authorize the Trust Authority to build it? If the answer is no, please explain and cite the documents which support your answer." There you indicated no response?

Mr. Antee: Well, it's not applicable. It says, "If the hotel will be built by the Trust Authority", which the prior question answered that.

Councilman Carmody: "Under the Administration Plan, then who will own the Convention Center Hotel? Would the Convention Center be owned by the City or will the hotel be owned by the Hotel Trust Authority, or be part of the Trust Estate?" Your answer is the City will own the hotel. For then, if the Administration's plan that the City is owned by the Trust Authority, you're saying that it won't be owned by the Trust Authority and therefore the City Council will not be required to adopt any additional legislation to dedicate the hotel to the Trust Authority. And the 5th and final question is "Under the Administration's plan, will the hotel's revenue and proceeds belong to the hotel Trust Authority be part of the Trust Estate?. If so, will the City Council be required to adopt additional legislation to dedicate the revenues and the proceeds to the Trust Authority? If the answer is no, please explain and cite the documents which support your answers."

Mr. Antee: That one, I've not answered as I've told you in the elevator earlier today. I'm getting the documentation. That's been answered, primarily by some of the legislative ordinances or acts by this Council. And so I'll have some further information on that one.

Councilman Carmody: I'll look forward to that. Question 6. "Under the Administration's plan, will the City or the Trust Authority enter into a contract or contracts with a private firm or firms to manage the day-to-day operations of the hotel and provide the goods and services to the hotel?" You've attached a qualified management agreement. I assume that's between HRI and who? The Hotel Trust Authority?

Mr. Antee: That is correct. And that's the next question gets into more specifics on the types of contracts. The City nor has the Hotel Trust Authority, nor will they enter into those contracts. Those will be entered into between HRI, who is the manager of the hotel, and the companies providing those services.

Councilman Carmody: The contracts then will be negotiated with HRI and not with the City, although the City will be the owner of the hotel?

Mr. Antee: That's correct.

Councilman Carmody: So, let me go ahead and finish out, the last - - -

Mr. Antee: But keep in mind, the hotel is being operated by the private firm, HRI Lodging. Now within the operation agreement, there are various reporting requirements, Fair Share requirements, and things of that nature. All of which is subject to the opens information act and the other requirements that were placed on the Trust Authority when it was enacted.

Councilman Carmody: HRI will answer then periodically to the Hotel Trust Authority and not to the Shreveport City Council?

Mr. Antee: They can answer directly to the Council as well. I mean the Council can call them up periodically or whatever and get a report from them. Absolutely.

Councilman Carmody: I mean, I'm just one member of the Council, but I think as a Council Member, I'd feel more comfortable about having the Manager whose managing a City-owned facility report directly to the Council. Again, I guess this all leads to whether or not we really, if the City of Shreveport is the owner, what's the rationale behind maintaining the Hotel Trust Authority?

Mr. Antee: Well, there's several things. First and foremost, being on the Risk Management Committee, myself and you, it's an extra layer of insulation from liability with the Trust Authority. Also, the Trust Authority with the cooperative endeavor agreement that was

adopted by this Council, has the responsibility to deliver to the City, basically the development and the plans and the designs so that then the City can take it and go publicly bid it.

Councilman Carmody: Thank you Mr. Antee, I'll go ahead and look over this information. I did want to ask though, at yesterday's work session, an inquiry was made as to the status of the project. I believe two weeks ago, we were advised that there was a lawsuit in which the City had demanded that those seeking the suit, go ahead and abandon their efforts. I think that we had given them an ultimatum of 14 days or 15 days in order to do so. Could you give us an update on where that is?

Mr. Antee: Yeah, they've since realized that they left out very pertinent information including the original request for the capital outlay as well as the amendments. And so, they amended their suit. I've just gotten off the phone with the attorney. She was faxing me a copy, and I've asked Nancy to bring that to me when it comes. But as a result, they have not dismissed it, but they amended the suit. And that's why we've got the Attorneys General's opinion which was at your request back in August of last year, which addresses that specific issue that's the basis of the lawsuit.

Councilman Carmody: That's Mr. McGimsey's opinion?

Mr. Antee: Right.

Councilman Carmody: Thank you Mr. Chairman.

Councilman Gibson: The Chair would just like to echo and I appreciate the votes of my colleagues. I've been on record as a Hotel Trust Authority member back last fall of dissolving the Hotel Trust and I was told that, that wasn't the place to do it, I'd have to bring it before the City Council, which I did introduce that, and we as a Body decided not to dissolve the Hotel Trust. Because I felt like the Hotel Trust is not needed. The liability issue as I understand it from the legal side, if we own the hotel, we've got the legal liability, there is no insulation. We're going to be right in the middle of any legal matters whether there is a Trust or not. Which again, I've said all I could say regarding that particular issue. But I too believe that this Council at the end of the day will be held accountable. And as a result, anything that has to do with Hotel Trust should be approved by the City Council. But again, Councilman Carmody, I can appreciate where you were coming from in terms of the questions that were asked on your letter dated March 8th.

Mr. Antee: Mr. Chairman, I would reiterate that every contract that HRI enters into for the operation of the hotel, whether it be from the purchase of the coffee pots that go in the room, to the laundry service, to the waste disposal will all be subject to the open records request. And so it will all be an open book.

Councilman Gibson: Well, I understand that. And again, Mr. Antee, I guess philosophically, in the business I'm in, I believe philosophically we ought to competitively bid everything. Because I know at Expo Hall, if right now, if the Expo Hall had a roof that leaked or had some additional equipment that needed to be ordered, an RFP would be sent out and it would be competitively bid, and I really see no difference between the Expo Hall that currently sits on Clyde Fant and the Convention Center and the Hotel now, because all three of them are publicly owned by the taxpayers of the City of Shreveport. But that's philosophical and I appreciate where you're coming from. And this Body's already spoken on that particular item.

Mr. Antee: And it will be publicly bid.

Councilman Gibson: It will be?

Mr. Antee: The hotel will be publicly bid.

Councilman Gibson: Well, that will be nice to see.

Property Standards Report

Councilman Gibson: Mr. Bowie, we had some questions from the Council yesterday. Are there any other comments from the Body? Is Mr. Bowie here?

Councilman Lester: Yeah, here he is.

Councilman Gibson: Mr. Bowie, at least from where I sit, I had said we had an issue over on 73rd and Line Ave. Would you, next week, give me an update of whether there is a violation there. And if there is, that's that tree that's been sliced into pieces that's on the corner of 73rd and Line, and tell me if we do have a Code violation, if not.

Mr. Bowie: We got a violation and it's been written up.

Councilman Gibson: It has been written up?

Mr. Bowie: Yes sir.

Councilman Gibson: And the status?

Mr. Bowie: Within the next 30-45 days, something ought to be - - we ought to have a resolution of some type too.

Councilman Gibson: Okay, I appreciate that Mr. Bowie. Again, you're always Johnny on the Spot and I appreciate that. The residents of Cedar Grove have been extremely concerned about that.

Councilman Carmody: Mr. Chairman, Mr. Bowie, I know this is going to be the second time you've heard it, but I just want to make sure, because yesterday at the work session we did cover this. I had requested from our City Attorney an opinion as to whether or not the City as the owner of the public utility that provides water and sewer service to the different citizens of the City of Shreveport could basically utilize the utilities' ownership of the meters in order to enforce delinquent liens against properties owned by persons in order to get compliance with the requirements for them to pay the City what is owed for maintaining their property. Mr. Lafitte had pointed out that basically, the City is only able under law to terminate water service at a property with the same owner. So it would require in essence the property owner who had failed to pay his water bill there at his property, where we would have the right to terminate and pull that meter. That being the case, what I had asked Ms. Moore to do yesterday was to go ahead and work with our department (Code Enforcement) to review the outstanding monies that we have indicated that are owed to the City and provide us with a report, the Council with a report, of those that both Community Development and Codes Enforcement feel cannot be pursued without some good resolution for the City. In essence, if y'all felt like it would be good money paid after bad, so to speak.

Mr. Bowie: Right.

Councilman Carmody: And that if indeed that number is such that the Administration in conjunction with Community Development feels like that there is no way to ever pursue receiving the monies owed to the citizens for their having paid for property owners' maintenance and securing and demolition of their properties, that I would go ahead and bring forward a resolution to basically wipe the slate clean, and to start from those that you feel that your department and Community Development has valid documentation of having followed the correct procedures in order to pursue those monies that are owed. It just seems to me like you've got a huge amount that we say that we're owed, but my question back to you and Ms. Moore would be realistically, what could we pursue through the courts and expect to have the courts rule in our favor? If we've not followed the proper procedures in the past and documented every

step, so that the judge could see that we had done our portion of following the right procedure, then I can't see where we would want to go ahead and have a City employee work on trying to bring those matters before a judge just to have them dismissed. And there is no reason to continue to have this huge number that the public repeatedly hears, that's owed to the City of Shreveport, if indeed we'll never see a dollar of it. So, again I would ask that y'all provide us that information as soon as possible, so the Council can take a look at that. Thank you sir.

Councilman Walford: Mr. Chairman, I'm probably out of order, but for the benefit of all the people that are standing in the back, this is not church, and we have a number of seats up front.

Councilman Gibson: We do have seats up front, please.

Councilman Walford: If they'd like to come forward and sit down, there are seats.

Councilman Gibson: We would encourage you to take one of those seats. Thank you Councilman Walford. I do also want to recognize a few elected officials that we have in the audience. Other appointed officials. We have School Board Members, Juanita Crawford to join us today, Ms. Crawford, good to see you. Bessie Smith with Metropolitan Planning Commission, it's good to see you. We also have Danny Allen with the Local 764 of the Carpenters who is the Regional Training Director who does a tremendous job of training our young and existing experienced workers in the area. We appreciate Mr. Allen coming today. We also have Chuck Pourciau with Broadmoor Baptist Church here today. We appreciate y'all for joining us.

Public Hearing: None.

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

Confirmations and/or Appointments.

Councilman Gibson: I think we have some that are due to be heard over the next 30 days that the Mayor has submitted to the Council.

Adding Legislation to the Agenda

1. **Ordinance No. 29 of 2005:** ZONING – C-1-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the southwest corner of Ford and Dale Street, Shreveport, Caddo Parish Louisiana, from R-3, Urban, Multiple-Family Residence District, to R-3-E, Urban, Multi-Family/Extended Use District, "Limited to a Childcare Facility, Office, Barbershop, Beauty Shop or Grocery Store" only, and to otherwise provide with respect thereto.

Mr. Thompson: This would replace Ordinance No. 3 that was remanded to the MPC.

2. **Ordinance No. 30 of 2005:** ZONING – C-11-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the south side of Mount Zion Road, 1200 feet west of Linwood, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District, to B-2-E Neighborhood Business/Extended Use District "Limited to a landscape office and outside storage of trucks/material" only and to otherwise provide with respect thereto.

3. **Ordinance No. 31 of 2005:** ZONING – C-13-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northeast corner of Fuller and Bernstein, Shreveport, Caddo Parish Louisiana, from R-1H-E, Urban, One-Family Residence/Extended Use District, (Limited to a Daycare) to R-1H-E, Urban, One-Family Residence/Extended Use District, “Limited to a Restaurant” only, and to otherwise provide with respect thereto.
4. **Ordinance No. 32 of 2005:** ZONING – C-14-05: 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 Woolworth Road, 750 feet south of Shirley Francis Road, Shreveport, Caddo Parish, Louisiana, from R-A, Residence Agriculture District, to I-1, Light Industry District, and to otherwise provide with respect thereto.
5. **Ordinance No. 28 of 2005:** An ordinance amending Chapter 14 of the Code of Ordinances, styled Animals, and to otherwise provide with respect thereto.

Mr. Thompson: That one is offered by Councilman Green.

Motion by Councilman Green, seconded by Councilman Carmody to add Ordinance No(s) 28, 29, 30, 31, and 32 to the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Gibson, Green, and Hogan. 5. Nays: None. Absent: Councilman Jackson. 1. Out of the Chamber: Councilman Walford. 1.

Public Comments (*Agenda Items to be Adopted*)

Councilman Gibson: Ladies and gentlemen, we have several people here today on a variety of subject matters. The chair would like to make a motion to suspend the rules.

Councilman Carmody: Second.

Councilman Gibson: Regarding Zoning Case No. B-5-05 dealing with Ringgold Bank. I have a motion and a second by Councilman Carmody.

Motion by Councilman Gibson, seconded by Councilman Carmody to suspend the rules to consider S-5-05, Bank of Ringgold.

Councilman Walford: Question. So, you want to move that case ahead of Public Comments or do you want to have the Public Comments and then move the cases up to vote on?

Councilman Gibson: What I’m suggesting is we suspend the rules in order to have the Public Comments on those particular items. Am I out of order on that?

Councilman Green: My question would be, if in fact, we’re going to remand this back to the MPC, then would it still be in order for the comments to be made today, when we don’t know what their findings will be once, it goes back?

Mr. Thompson: It’s a matter, I think, for this Body to decide.

Councilman Gibson: I guess the intent was to ask for a suspension of the rules so we could get the comments on record, so we could get to a vote on this thing, to allow those people to leave to take the next item, take the next item so we wouldn’t have everybody in the audience.

Councilman Green: And my question is are we going - - - once we suspend the rules, is it to remand it back to the MPC or are we going to wait until after all of the comments are in, and then do the same thing? My question is which are we going to do today.

Councilman Gibson: The intent would be to allow the Public Comments, and then I have a motion to remand it back, once the comments are made.

Councilman Walford: Mr. Chairman, I'm wondering if, and I'm gonna ask - - -

Councilman Gibson: I'm looking for some help here.

Councilman Walford: Would it be more appropriate to go ahead with the Public Comments and then move up the Zoning Cases for a vote right behind those? Ms. Glass, you're looking right at me.

Ms. Glass: Well, I think you are at the point for Public Comments at this point, so you would not need to suspend the rules.

Councilman Walford: Right.

Ms. Glass: So, you would not need to suspend the rules to hear that.

Councilman Walford: Would it be better to hear the Public Comments and then suspend-
- - ?

Councilman Gibson: I'll rescind that back Councilman Walford.

Councilman Walford: I'm asking because the Public Comments are more items than that.

Councilman Gibson: Right, and again how about if I rescind that back and we'll ask for Public Comments on these particular items?

Councilman Green: And my other question would be, would it be fair to these folk who have come to speak on this item, and then we send it back to the MPC and then it comes out totally different as to what they are talking about? If in fact, we send it back to the MPC and the MPC rules in their favor as to what they want, then would it be a waste of their time to go through all of the procedures today, when we don't actually know what the MPC is going to say? One thing we know is that we're going to remand it back to the them today. So, would it be to their advantage to basically say, we'll save our comments to see what the MPC will do, versus pre-programming when we don't know what they will do?

Councilman Gibson: First of all, it is the hope from a motion and second that we will remand it, but again, that's based on the pleasure of the Body which that vote has not been taken yet. So, I'm not sure.

Councilman Green: Well my vote is going to be with you Mr. Chairman.

Councilman Gibson: Well, I appreciate that Councilman Green. But I do think, Councilman Walford, I'll take the lead of Julie Glass and we will proceed with the Public Comments. And we have several. And again, Public Comments, we have two portions for the people in the audience. We have public comments that are germane to the agenda, then we have public comments that aren't germane. The recognition of the comments that we will be announcing are germane.

Councilman Carmody: Excuse me, I don't mean to interrupt you. Accept, could I ask if we could sort those public comments so that at least we have those that are commenting on one case go first, and then - - -

Councilman Gibson: Sharon has put this in order,

Councilman Carmody: Thank you very much. It just gets confusing when we take 'em Willie Nilly, and then - - -

Councilman Gibson: I'm very slow and I told her that.

Councilman Carmody: Thank you Sharon.

Councilman Gibson: I told her that when y'all elected me, that I needed all the help I could get. And Sharon put these in the order that I received. So, in case something messes up, I'm blaming Sharon.

Councilman Walford: Excuse me Mr. Chairman. Can we assure those that are here, that our plan is to hear the public comments, then suspend the rules on the three Zoning Cases and hear them for those that want to stay for the vote?

Councilman Gibson: Yes.

Ms. Anne Higdon: (564 Dunmoreland) I am here to speak on the Ringgold Bank issue. My husband and I filed the appeal along with Marty and Bud Westmoreland. We are asking that the issue be rescinded back to the MPC. I would like to say that Mike Gibson was not the instigator of this as the paper implied this morning. That he received 137 calls from people in one weekend, from people in this area concerned about the safety at that intersection, and I know that other members of the Council and the Mayor have received calls this past weekend about our concerns. We would like to say that we want the bank. We are not against the bank as that business on the corner. Our concern is that Dunbarton is a busy street. It is a thoroughfare now. A short cut between 70th Street around Creswell to Line Avenue. People drive very quickly through there. And we, the residents would drive through that intersection 3, 4, 5 times a day. We know how busy it is, how dangerous it is. We've tried to do other things to improve the traffic hazard there. But it is something that we want the MPC to look at again. We'd like them to take another look at this plan and therefore, I'm asking you to refer this matter back to the MPC for another vote.

Ms. Mary Anna Adams: (8702 W. Wilderness Way) I live the closest property to the property that the bank is looking at. I'm at the corner of Line Ave and Dunbarton, which is just south. All of my north windows face this property. My husband and I observed the traffic here all the time. And I would like to say, that I was delighted when I heard that the bank would be looking at this property because it is zoned B-2. The bank is a B-1 use. We've had someone representing a service station company look at this property previously, and I was scared to death that, that would happen. So, I was very happy to see that they, the bank, would be looking at it. I just want my neighbors to understand about this property. This is commercial property. If you have a piece of commercial property on a major thoroughfare in the city, and it has a corner, you can pretty well determine that your corner is going to be a retail use. And property owners value their property when it has a corner on a major thoroughfare, much higher than they do their property, that would be further on down the street. So we could not expect a - - - they previously said they would like to have a CPA or a lawyer or someone like that there. But you really can't expect a landowner to lower his price from a retail use to a business use, when it's zoned B-2. The landowner should expect to get a higher price for a corner on a major thoroughfare. And that's why we have not seen a CPA there and we probably won't. We'll see probably a B-2 use which could be a drug store or a retail use such as a service station. The bank's probably the safest use we could have. They'll have cameras to monitor. It'll be well lighted and we won't have the situation which we have now. If you drive by, you'll see tracks going up into the woods on the property there. Either parkers or loiterers and now we think that the people who live behind the ditch should be very concerned about that. So, it would be very good, if we had a bank there with the surveillance cameras. Also, I'd like to squelch the rumor that was passing around the neighborhood, that the median there is going to be cut back. That is not a fact. And Mr. Gene can testify to that. From the City. I just want to affirm the traffic engineers report that this will not be a problem and also the MPC decision. On the day of the MPC hearing, my husband counted traffic there on that corner that morning from 7:30 to 8:10. Twice there were six cars at the light, and once there were seven. The seventh car did go back to where the cut would be. But that happened only once. And after, at 9:00 he never saw more than three there.

We have over a thousand households in the Spring Lake. And I know there are a lot of neighbors here in opposition today to the curb cut on Dunbarton. But with the price the bank is paying for this property, they should expect to have a curb cut on Dunbarton. We don't see a problem with it, the Traffic Engineers Department didn't see a problem with it, and the MPC did not see a problem with it. And I hope that y'all will support us on that and help us, help the Bank of Ringgold to locate there. Thank you.

Councilman Hogan: Ms. Adams, I have a question for you. I appreciate you coming down today, and I know that you're involved in real estate. You do have a current license don't you.

Ms. Adams: I do.

Councilman Hogan: And you're here in no way representing the owners of the property today? I just want to make sure.

Ms. Adams: No sir, I'm not. They are represented by Mr. Michael Morrison of Caldwell Banker Group. And Joanne Wheeler represents the owner.

Councilman Hogan: Thank you for making that clear. Could you again explain to me where your home is in proximity to - - - ?

Ms. Adams: I'm directly across the street. They're looking at the property. The property is Dunbarton, on the north side of Dunbarton on Line Avenue, and I'm on the south side of the corner of Line Avenue and Dunbarton. The entire side of my lot and home faces that lot.

Councilman Carmody: I've asked that the staff can go ahead and put the map, display the site, so that anyone that speaks just like Ms. Adams, she can point out where she lives in proximity to the site.

Ms. Dorothy Moore: (513 Marlborough Cir) I really haven't had any really strong feelings one way or the other, but I did hear a concern today that kinda of does make me want to look at it again. As you go in Dunbarton off of Line Avenue, there is going to be a turn left. Someone is telling me today, that perhaps there is not enough room for a right lane and a left lane. Currently there is not a line down the middle of Dunbarton right now. And that concerns me. Is there room enough to have a turn lane and then the residents of the Spring Lake to go in there too. So, the other concern I have is two cuts on Line Avenue. If you have two cuts on Line Avenue, one of them is going to be close to that intersection. My concern is, is that as safe to have two cuts on Line Avenue as opposed to the one on Dunbarton? I don't have the answers, but I'm looking for guidance from you all to do the right thing concerning this.

Ms. Carol Cook Baremore: (8745 E. Wilderness Way) I am a corner house. My big driveway side is on Dunbarton. First thing I want to say is about this article in the paper this morning about Mike Gibson. Mike Gibson didn't call us, trying to recruit us to raise cane about this. We are not opposed to the bank. We're opposed to the cut out onto the Dunbarton side. We've already had two deaths and several accidents while I was living there before we got the lot. So, that's the first thing I want to straighten out. Mike Gibson didn't have anything to do with it. We called him. And he's our representative. Next thing is my concern is people coming off, coming north on Line Ave, turning right into Dunbarton. It's not very far before you have to turn into this entrance they're talking about on the Dunbarton side. Where they've got the cut out plan. If it backs up traffic out into Line, that's going to cause problems. There are only - - - they've gone back to the one entrance into the Line Avenue side, and only going to do this one, on the Dunbarton. These are our - - - we only have two entrances, into Spring Lake. These are our entrances into our subdivision. We don't need anything coming out into our inlets to our

subdivision. And that's my main problem is that we don't need anything coming out into Dunbarton side. Thank you very much.

Mr. William E. Bill Bryan: (4415 Thornhill Avenue) Thank you Mr. Chairman. I'm Bill Byron. I'm a local attorney here in Shreveport. I've had the pleasure of representing Bank of Ringgold for 15-20 years. I find them to be a very upstanding group of gentlemen. It's a pleasure to be here and I'm proud to speak on their behalf. The bank's concern is in providing a good service to all his customers. Hopefully, there'll be some Shreveport customers, even from the Spring Lake area, if this project is approved. But in looking at this project and speaking with the MPC and meeting with the neighbors, the bank would like to retain the Dunbarton cut for two reasons. Some people will feel more comfortable exiting the bank, if they're going south on Line Avenue, by using a traffic control signal. The people at the MPC, Mr. Kirkland's staff, Mr. Gene did a very thorough job in analyzing this site plan. There were some suggested revisions made after meeting with citizens. Those revisions included changing - - - at one point the bank agreed to change the drive-thrus from the east side of the bank which would be closest to the Spring Lake Subdivision homes to the north side. The bank agreed to do that. The bank wanted one cut through, a 25 foot cut through on Line and one 25 foot cut through at the very back of the lot on Dunbarton. Because of the residents concern about people exiting from the drive-thrus which are now on the north side of the bank. They agreed to put an egress only at the very northern portion of the lot. So people coming out to go north on Line very easily. The bank's concern is and Traffic Engineering has looked at this closely. Their studies don't show that there is going to be a problem with what they call stacking or cueing. Ms. Adams, I'm surprised to say, that they're going to have a lawyer there. I didn't know lawyers were wanted anywhere, frankly in my experience, we're not liked anywhere.

Councilman Lester: Not all of us now.

Mr. Bryon: Well, that's true, but Ms. Glass can tell you that. I went to law school a number of years ago. I know she looks a lot younger than I am, but point being a very close study was done from a traffic engineering standpoint, by the City at the direction of the MPC. Their study which was done in 2003 has a life span of according to Mr. Michael Erlund of about 3-5 years, does not show a stacking problem at that intersection. The peak hour is 7-8:00 a.m. The bank doesn't even open till 9:00 a.m. So there's not going to be - - - I mean, I wish this was Hibernia, and I could say that I represent Hibernia, but I'm proud to say I represent the Bank of Ringgold. But they're not going to have 3 or 400 cars going in their drive-thru a day. They've been in Ringgold since 1906 I believe, and they have an average of 185 cars going through the Ringgold main office of the Bank on a given day. That's not going to have cars stacked up all the way out at the Dunbarton. It's just not possible. It is possible, it's not probable. It's not going to happen. The bank is not going to be that type of facility where it's a Wal-mart where you have people lining up to get in. It's a small bank that's trying to get a foot hold in Shreveport. But it does want the Dunbarton cut through to provide the best possible service for the people it serves. It wants to be a good citizen of this community. But it does want the Dunbarton cut through with all the other concessions that have been made. If you look at and I'm sure you all have had access to the MPC notes. The January 10th meeting notes indicate questions were posed to traffic engineering staff representative that was there, Mr. Erlund and he said that occasionally, cars backed up 65 feet from the intersection. The banks drive-thru is going to be located 127 feet from the intersection. That is a significant distance. And if the Citizens in that area, and I can understand, Larry and Anne Higdon are close friends of mine, and I would not stand up here and argue in front of this Council or any other Body for a client of

mine if I thought it was endangering one of friends, or their families. That's not the kind of person I am. But Traffic and Engineering information doesn't indicate that there is any reason not to give the bank the cut through, and a curb cut. Lets say there are more cars than expected. That's pretty easy to remedy if there is stacking problem as is described by the Traffic and Engineering people, let the green sequence for letting traffic out of Spring Lake Subdivision at Dunbarton run a second or two longer. That's an easy remedy. The MPC approved this 9-0, and I know the Council's already decided to send it back for further consideration. But I had photographs of seven different businesses in this same vicinity, all of which had Line frontage, all of which had curb cuts off of streets leading into Line. And you know, it's done all the time, and there's really no- - - and I understand they have valid reasons and a valid argument. But, Traffic and Engineering is what determines where streets should be cut and not cut. And there's not data here that says this is going to present a risk to the motoring public going in or out of that subdivision, whether they be residents, people attempting to utilize the Dunbarton entrance for the bank.

Councilman Hogan: Mr. Byran, I understand you're representing the owners. And there's a separate, there's a real estate agent or something that is their site development consultant for lack of a better term. But you may not know the answer to this, but had any other locations been considered that you know of? I was not at the MPC meeting, so forgive me it was talked about.

Mr. Byran: Mr. Hogan, this is the only Shreveport location the bank is considering. There was another site that one of the- - - frankly board members at the bank is pushing in Bossier City, but this is the only site, that they've gone to the extent of looking at a contract, analyzing the contract, doing site plan preparation, those things. This is the only site in the City of Shreveport.

Councilman Hogan: Okay, so is Shreveport the first city that the Bank of Ringgold is branching out to?

Mr. Byran: It has a bank branch in Castor, and has had for a number of years, but this would be the third location for the bank, and then hopefully, I think long term, I think they would like to have more than one branch in Shreveport and a Bossier City Branch. That's the long term objective as I understand it.

Councilman Hogan: I appreciate that. The reason I'm asking is because I'm wondering if you had encountered any problem like this similar in the past. Castor as I know it is not a very big town, so you probably didn't have any problem there.

Mr. Byran: Mr. Hogan, to my knowledge, Mr. Hogan, no problems were encountered in putting the Castor Branch in and actually the property presently is owned by Motor Finance and Mr. Morrison that was mentioned previously is representing the bank in connection with this proposed acquisition of this lot depending on what happens with the site plan.

Councilman Hogan: Just for the record, I got a lot of calls as well as the other Council Members, and I could tell that it was going to be a hot issue and it was important to me to see first hand what it was going to be like, so I took the time to go out there and look at the site. I've met with one of the residents there and so I can see first hand what you're describing and what other people have said as well. But what will happen if you don't get the curb cut on Dunbarton, what do you plan to do?

Mr. Byran: It is my understanding that the bank will indicate to the Motor Finance that it was no longer interested in purchasing the lot. And will seek alternate location?

Councilman Hogan: Okay. In Shreveport?

Mr. Byran: That's not my understanding. At this point, they have a location at Airline, that a board member is highly interested in. They have this location in Shreveport, and to my knowledge, and I have not been told differently by anybody else at the bank that they've considered a second location in Shreveport or it's initial branch in this area.

Councilman Hogan: Well, that's fine. Just in case, that does happen, see me after the meeting. I know a location in District E that will take you. Just in case that happens. And that's all. Thank you for your time.

Councilman Walford: I want equal time for this too. I'm sure there is property in District B as well. Thank you Mr. Chairman.

Councilman Gibson: And I do appreciate- - - any other questions for Mr. Brown? I do appreciate you coming down. I will say, you are the legal representative, but in terms of what decision making, that comes from the Bank Board of Directors, is that correct?

Mr. Byran: Yes sir, that is correct.

Mr. J. Allen Bell: (8650 W. Wilderness Way) My mother Dorothy Bell owns the home located at 8650 W. Wilderness Way. That's the property directly behind the bank. It's the corner property on W. Wilderness and Dunbarton.

Councilman Gibson: You can point to it on the screen if you want to.

Mr. Bell: It's one of two homes that will share a boundary with the bank. We do not oppose the bank locating at the corner of Line and Dunbarton, and believe the bank would be a very satisfactory corporate neighbor. However, we do have a concern with the proposed access by the bank on Dunbarton. My mother's driveway exits at the intersection of Dunbarton and the 8700 block of W. Wilderness Way. From review of the bank's proposal, her driveway would be about 35 feet from the bank's entrance on Dunbarton. Given the fact that the 8600 block and the 8700 block of W. Wilderness way intersect within a 150 feet of each on Dunbarton. The access proposed by the bank would further congest this area, and in our opinion, could cause additional safety concerns to an intersection that already has significant safety issues. I ask the City Council to recognize our concerns and the safety issues on Dunbarton and ask our neighbors and the Bank of Ringgold to continue to work together to find an acceptable compromise for all the parties involved. Thank you.

Ms. Osherowitz, Augusta: (510 Dunbarton) And as other residents have already spoken before me, I'm concerned about traffic issues. And I'm against the opening of Dunbarton Drive for Ringgold Bank. (inaudible) like Amsouth Bank and across the clinic, Highland Clinic- - in that corridor, like (inaudible) before- - -

Councilman Gibson: Ma'am, could I get you to speak into the microphone a little bit.

Ms. Osherowitz: Like Mr. Bell was telling before, in his corner where his mother lives, the school bus stop, the children waiting in that corner to be picked up by the school bus, to be dropped by the school bus, the City bus, SPORTRAN stopping there, or the traffic from since they built I-49 coming off the inner loop or getting (inaudible) the inner loop, they just cut across Dunbarton, to go a fast way to get in the Spring Lake area, creating a jam that is already bad. Plus we have all the Spring Lake Apartment complex. There is a stop sign, nobody observe the stop sign on Dunbarton, they just zoom across to turn left to come on Line Avenue. They gonna hit these people that come out from the Ringgold Bank. (Inaudible) And I'm asking you to reconsider to put this issue back to the Metropolitan Commission for reconsideration, and hopefully, they do.

Councilman Gibson: Thank you Ma'am. Any questions? That's the last speaker we have on this subject matter. If I could, as the Councilman in the district, could I ask for those

who are in support of the - - - well, I tell you what, that are opposed and are interested in remanding this back to the Metropolitan Planning Commission, please stand? If you're here in opposition and want to remand this back to the Metropolitan Planning Commission for reconsideration. Okay. Thank you. If I could ask for those who are in support- - -

Councilman Carmody: Approximately 30.

Councilman Gibson: Thank you ladies and gentlemen, that's what we have on that particular item. The next item we have for public speaking is dealing with the Bellemead zoning issue and the appeal that was filed. Ladies and Gentlemen, we will be voting on each one of these items at a latter issue.

Mr. Dick Bremer: (Chamber of Commerce, 401 Edwards) I'm the President of the Greater Shreveport Chamber of Commerce, 400 Edwards street, and I'm speaking today on behalf of the Shoppes at Bellemead in support of that development and in support of the recent decision granted by the Zoning Board of Appeals, whereby they unanimously approved the variance to these three zoning, allowing the alcoholic beverage sale at potentially four restaurants, at the Shoppes. I would encourage this Council to approve the variance to the B-3 zoning. The Shoppes at Bellemead is a very successful development. It's doing exactly what we need to be done in this community and that's to bring quality shops, create jobs for the people in our area. And it's my understanding that future development is eminent and that this zoning variance will be very beneficial to attract additional high quality restaurants to that particular area, and it really fits the mission of our Chamber. And that's to promote economic development in our community, and to protect the business of interest. It's also my understanding that the developers have followed the rules as set by this City, the rules as set by our State, and are in total compliance. So, I would urge this Council to approve the variance to the B-3 zoning and allow the development to continue at the Shoppes at Bellemead. Thank you very much.

Councilman Lester: Yes Mr. Chairman, thank you. Dick, are you here in your capacity as the President of the Chamber?

Mr. Bremer: Yes I am.

Councilman Lester: Okay, that's what I wanted to know. Because I know sometimes we have other hats that - - - thank you. That answers my questions.

Mr. Don Horton: (631 Milam) Thank you sir. Mayor. As I appreciate the problem or the question is whether the restaurant is too close to the Captain Shreve School. As a former instructor at Shreve, and a former Administrator at Shreve, I can tell you from my experience that when a high school student wants to do something bad, he doesn't walk across the street and go to a high end restaurant. At Shreve, you usually get in your car, and you slip away from campus and try to get back on.

Mayor Hightower: I'm not sure you know what you're talking about. Don't look at me.

Mr. Horton: So, I think that now as a business man, I'm concerned that a former partner of mine has gone through all of the hoops. He has met all of the standards, and now it appears that, that we're trying to change in the middle of the stream. And I have a problem with that. But that's your decision. I just want to say that yes, this facility is going to be close to a school. I asked the MPC personally, myself, two people. Charles Kirkland, and Alan Clarke. Is this legal? That's what I wanted to know. Is it legal? And both of 'em have assured me that it is totally legal. And I asked Alan first, and he said yes. Well, I didn't take Alan's word, I had to make sure. I had to make sure that I got somebody who did the work because I didn't want to get up here and look like a buffoon saying that it's legal and it's not. So, Mr. Chairman and Councilmen, I as a former Administrator of a school, of a high school, I say that the idea of

students walking away from Shreve Campus across to a high end restaurant is almost non-existent, the way that I appreciate it. And I'll entertain whatever questions you have.

Mr. Ken Kreft: (157 Archer Ave) Are they going to serve 'Gatorade' there?

Councilman Walford: Ohhhhhh!

Mr. Kreft: Well, you mentioned Captain Shreve. This is a letter from Rev. Steve Dyer, Pastor of Broadmoor Presbyterian Church, dated today to the City Council Members and honored guests. And I'm going to read it on his behalf. He went to watch his son play Lacrosse. Let me introduce myself. I'm Steve Dyer Pastor of Broadmoor Presbyterian Church, seven (7) blocks from the proposed eating establishments with the liquor licenses. I speak today, not as the Pastor of a neighboring church, for we have not had time to officially formulate a policy - - - although you can imagine what that policy would be. Rather, I speak as the father of a 16 year old young man, whose sport (Lacrosse) is mostly played at Lee Hedges Stadium, and a citizen of Shreveport who drives down Roma Drive every day on his way to work. I am appalled that the application has made it this far! With the lesson on the Red River District, why would we put even one alcohol-serving facility across the street from the premier sports facility in this Parish? The proposed establishments would be no more than a 2 minute walk from any part of the huge Parish Stadium parking lot. In fact, it is just across the Street! Free parking to come and drink! In high school, prestige is tied to participation in sports, which means we will be giving our most influential students even more exposure to alcohol-related activities. Visiting teams from as far away as Dallas and Fort Worth come to the stadium to play Lacrosse games and in 'laxing on the Red,' the winter tournament. Will the only view that Texans get of us be the casinos and alcohol-laden sporting events? Is this the image we want to project to parents and students? We are asking for trouble, which will include underage drinking (getting brother's ID and walking over after a game, without parents' knowledge), bringing of rivalries into an alcohol-laden environment, and just plain after-game thirst quenched with beer and not soft drinks. I go to the Independence Bowl every year, and I have to say that I was almost crushed when the drunken fans immediately in front of me started a brawl in 2003. There is nothing more dangerous than the combination of underage young people, sports rivalries, and alcohol. How can we justify four alcohol-serving establishments in that place at any time? It cannot be done! Even Bennigan's, which may be the kind of establishment that is envisioned, is nothing more than a big bar that sells some food. It emphasizes alcohol, not food. If you think for just a moment with me, you will realize that at least one, if not all four of those establishments will be alcoholic watering holes for thirsty sports fans. And in the near future, when the property is sold, who knows what kind of businesses will be using this license? Hooters? I can find no justification for the granting of these licenses. Please refuse the request. My only personal statement is when all this is over, I'd like the City Council and the Administration to look at adding the words "as the crow flies" to the ordinance. It's not in there now. I think it should be. It could even be less than 300 feet. It could be 200 feet, but I think serious consideration in the future will eliminate a lot of this confusion if we had those four words, "as the crow flies".

Ms. Jean Cason: (2944 N. Pointe Dr) I speak to you in support of sustaining the Zoning Board's decision to allow restaurants that serve alcohol to locate in the development, Shoppes at Bellemead. I'm a parent of two children, one being a current student at Captain Shreve High School. I'm a board member of the PTA of Captain Shreve and I'm an officer of the Caddo District PTA. I work as a licensed marriage and family therapist in Shreveport. Today, I speak as a parent of a teenager, I speak as a parent who does not condone underage drinking. Judging from the exceptional selection of tenants thus far at Bellemead, which target a mature clientele,

It follows that accompanying restaurants will attract a similar market group. I echo what Mr. Horton said that any members of this Council who have teenagers know that going into a public upscale restaurant offers an environment of very little concern regarding underage drinking. The restaurant locations are in compliance with state and local law regarding the distance from school property. I personally am thrilled to see a distinctive and unique project taking place and by a local realtor and development company. It's my opinion that the alcohol serving restaurants present not threat to our community or to the welfare of our children. To the contrary. By allowing quality establishments to locate there, we are providing the very best safeguard against future, possibly less desirable businesses from being able to locate there. We are not talking about a drive-thru liquor store. It is my experience that the safety of our children is sometimes used as a catch all phrase to promote our own agendas for whatever reasons. Why would the Council want to stifle a noteworthy project or jeopardize it's success. I believe the restaurants at Bellmead pose no increased risk to our youth or to our community. I applaud Vintage Realty and welcome the continued development of more of these new high end, high caliber shopping areas, and I hope the City Council in honoring the State and local laws that are there for our protection already will support the zoning boards approval for the restaurants serving alcohol in the Shoppes at Bellmead location.

Pastor Chuck Pourchiau: (7341 Capistrano) Nine-tenths of a mile from the entrance to Bellemead. And I suppose it could be measured to make it nine miles or 29 miles, but in reality, it's nine-tenths of a mile. And when I look at what we're doing here, I'm aware that there are laws on the books that enable us to measure and create in unusual ways to make this more than 300 feet. But in reality across the street is not 300 feet. And that's the bottom line. And what kind of precedent we're setting. And so, what I ask you to do is two things. 1) Reject the opportunity to sell liquor across the street from a public school. And secondly, amend the City ordinance so that in the future, like Ken said, we don't have this problem. This is not the first time, I've encountered this. I've discovered that the property across the street, immediately north of our church, across Ockley, is technically legal through the measurements of the Metropolitan Planning Commission, it's technically legal to serve alcohol there, and it's right across the street from our church. So, what I've discovered is, based on the way the law is now written, these protected sites aren't protected at all. But you can send a message about these supposedly protected sites, and you can protect them in the future, by rejecting this one, and amending the ordinance to say 300 feet from property to property by the shortest route. Because that is in reality is what the intent is, and that's what we thought it was. And that's what I thought it was until the developer across the street from our church contacted me. And I said, well, there's no way. I've gone out there with my laser ranger finder. I hunt. I like to know how far things are. And I know it's not 300 feet to where you're talking about. He said no, you go down here and you measure down here and over there, and around here and over there. So, what it amounts to is you got a corner where you got a church straight across the street, and you got A. C. Steere School diagonally across the street from a place that can serve liquor. So there aren't any protected sites. There really aren't. I really believe that the MPC was completely within the bounds of the law when they granted this, but that doesn't mean you can't reverse it. It wouldn't be the first time you reversed a unanimous decision of the MPC. There was a former City Council that did so, and that's why the 300 block of Atlantic is still open. So doing what's right for a community. Doing what's right for a site is what you seek to do. And I just ask you strongly consider not allowing liquor to be served here and really protecting these sites, we're so

supposedly protecting. Thank you for your consideration of my comments. And I'll take any questions.

Mr. U. L. Coleman: (207 Milam) Thank you for the opportunity to address you. Let me say as I have previously, that I'm not certainly opposed to this development. I'm not opposed to the restaurants. The problem that I have a concern about is the liquor adjacent to a school. And let me also say, I have five children who've all gone through Caddo Parish Schools, all of whom have participated in sports. So we've been very active participants in and around the Caddo Parish Stadium. So, I'm very familiar with it and including some of the not so good activities that have occurred in and around the stadium. The problems that I - - - there are a number of reasons that I feel like that the liquor in the restaurants is not appropriate, and those include really as I read it, the way the law is written, I think that's up for grabs as to how that's written, and I think that's only to be finalized by a court as to exactly what it does mean. But I don't think the intent of the law was to allow a liquor establishment adjacent to a school or right across the street. I don't think that rises to the level of anybody's sense of fair play and fairness about how the law was intended. That being said, even if the site is determined to be outside the 300 feet by the measurement method that's utilized, I still don't think it's good either public policy or good planning to have a liquor, four liquor establishments adjacent to a school. And I might tell you a little about - - - you know once this zoning is granted on a blanket basis, these things take their course of evolution. Just examples, you can look up and down Shreveport/Barksdale Highway, come down to Kings Highway, Mansfield Road. You can take Steak and Ale, TS Station, the Carousel, Sansomes, Brocattos, you can look along Mansfield Road at how a lot of the liquor establishments have changed. And as those evolve over the years, if you're looking at restaurants, they don't change for the better. They generally evolve toward a lesser quality. There was also one that was developed by one of the same developers in the group, that's a pizza restaurant I believe initially, but it was a restaurant going east on Shreveport/Barksdale Highway, before you go across the bridge. The Shreveport/Barksdale bridge toward Bossier, and it's the last establishment on the right. I think it's a sports bar now, and it originally started out as another type of restaurant. So, that's an example. It's been suggested that maybe putting covenants in leases were a way to address the needs and concerns. That generally - - - those leases can turn over fairly rapidly, and so those tend to be ineffective ways to controlling stipulates and the only way to do that is by covenant, by the City Council, or by the law itself. I'm concerned with the people having four restaurants there, putting people out on these streets adjacent to the schools and adjacent to the adjoining developments. It's a high concentration of restaurants with liquor that are adjoining these. I'm concerned about the precedent that it creates, because if we allow this here, then what's to say we don't allow one across from Arthur Circle, you know? What's to say that we don't allow them in other neighborhoods. One adjacent to Broadmoor Baptist as possibly been suggested north of Ockley. So, it creates a precedent, and it creates a very difficult situation on the City Council, where you're going to have people come back to you and say, well you let them do it there, so why don't you let us do it on our site in our neighborhood. I'm also concerned about the legal liability. I think there's no telling what an attorney might do, but I would say, if there were an accident that happened as a result of this, that an attorney might have a field day with both the Caddo Parish School Board and the City Council over having liquor adjacent to a school. Where that might come is anybody's guess, and where that might finally be resolved, that I think that it would be an expensive proposition, and it would be an exposure that I don't think our City needs. If you want to look at in economic terms, we have probably who knows? A \$100-150,000,000 facility there

in Caddo Parish Stadium and Captain Shreve High School. We don't need to jeopardize that kind of infrastructure and that kind of facility with this kind of development. They can have a quality development. Again, we wish them the best on it, but they can have it without having four liquor establishments adjacent to a school. We urge you to have a comprehensive plan. Certainly we have legalized alcohol, that's not the problem. But to have districts and have a comprehensive plan and what I call a proactive plan as opposed to being reactive with kinda spot zoning that we have. And I think with doing that we can eliminate a lot of the being forced into this situation with kinda of political solution as opposed to a planning solution. And if we had some firmer planning guidelines for our City, we would have the opportunity to avoid the heartburn that I'm sure the developers are going through and place us in a better situation where we're not having to make political decisions at every turn. And I think that's unhealthy for the City and I think it's not a clear direction for developers to follow. I do thank you. I think the decision is being made for our kids, our grandkids and the future generations in our City. And I really think it's a crossroads, and it's a serious crossroads. And I really urge you to think carefully about your decision. Be glad to answer any questions you might have.

Mr. Barry Rachal: (523 Rock Hollow) Thank you Mr. Chairman, Mayor Hightower and Councilmen. I want to start off and let y'all know that I appreciated our dialogue yesterday and learned quite a bit from it. After I got home, I had an opportunity to digest what we had talked about and it became quite clear to me that there were some things that I did not understand and y'all shed some light on it and I want y'all to know what these things are. That we all agreed according to the 300 foot law that this development meets all of the requirements of that and that the MPC made the correct determination according to the 300 foot law, and I believe that we all agreed to that yesterday. That also in our discussions, that if it were not for this 300 foot law, that each one of y'all had some serious reservations in the proximity of being across the street from the school. And actually, and Councilman Walford even recommended that I personally go to our legislator and communicate with him and see if we couldn't do something about this. We also had a discussion about the intent. And I truly learned a great deal about what the intent was after thinking about this, and you did shed some light on what the intent of the law was, where as I may have been trying to read something into it, and it's very easy to read something into it. So, I think I've come to agree with you, that me trying to put their intent was not quite appropriate. But I also want to thank y'all's encouragement. Because y'all did encourage me. Y'all voiced your opinion, and you said if it were not for this 300 foot long, we had serious reservations here. And that's encouraging to me. This may be one step closer. Maybe this might be the step today. And I also want to make a comment here to Mayor Hightower in his support of our educational system, which by the way I need to make it known, that I'm not speaking for the School Board, I am here on my own. But Mayor Hightower has supported diligently, and I've been with him on two different occasions in the past month in some celebrations that we have had and I want to let you know how much we appreciate you supporting it by the way. But what we are here to do is not to deal with the 300 foot law. The 300 foot law has already been mandated. There is no choice inside the 300 foot law. The law states anything situated inside the 300 feet cannot have liquor sales. So now, we've resolved that. We're not going to deal with the 300 feet. We're going to be working outside the 300 feet. The first 300 feet is taken care of. So, now we're going to be working outside of that. And so as we all were discussing yesterday, and agreeing that a 300 foot law was a problem, the 300 foot law is not a problem. We're outside the 300 feet, so we're not dealing with the 300 foot law anymore. The law, and I actually have the ordinance here and will gladly read it. So, now what it is, it's time for this government body to

make a determination on what happens after the first 300 feet. And that's where we're at. Now, this 300 feet happens to be situated right the street from one school, one facility. And I think that here is where we really need to take a close look. And again, I need to thank Councilman Walford for sharing some concerns in some past history. In the minutes as I was reviewing them last night, that one of the cases that came before, he was very concerned along with some other Council Members of the precedent that may be set. What precedent are we going to set, excuse me, what precedent are y'all going to set today on the outside the 300 feet, which is what we are dealing with. Are we going to agree today, that if it's okay to sell across the street from this facility, then I'm going to say that we've set a precedent that it's going to be okay in another facility, across the street. We have many other schools that are on busy intersections. And on busy highways, and it could very easily happen. So, I don't want y'all to set a precedent today for others to walk through the same door. And following up on that, I have talked with many of you guys, and one of the things that was shared with me is in a lot of cases, the direction that happens with the Councilman of that district is the direction that other Council Members tend to go. And I really want to remind Thomas Carmody, that he had a real issue with the 300 feet which we are not dealing with the 300 feet anymore is that if one Councilman says that its okay in theirs, and you actually feel in your heart, it would not be right in yours, that's when we start running into some real problems. Because if you support it in this other one over here, what are you going to do when it comes to your back door. When it comes to your neighborhood school, when it comes to the school your children, or your grandchildren, or your niece or your nephews go to. If that's how you feel at your neighborhood schools, then you need to look at the community as a whole. And I think the issues get very clouded when you do that. There's an old terminology, but I'm not going to use it because I don't think it's appropriate.

Councilman Gibson: Mr. Rachal, could I ask you to wrap up please.

Mr. Rachal: I'm gonna go as - - - I have three more points here. There is another issue that comes into play here that would also cloud the water also is that if a developer says, well we'll do this, we'll do this, we'll do this, we'll do this. All we're doing is letting loopholes be built in for future purposes. We're across the street from the school. The issue to me is very clear cut. As many of you shared yesterday in our meeting is, if it were not for the 300 foot law, you would take real issue with this. We're not dealing with the 300 foot law, we're outside of it. You as the government body today will determine what happens with property outside the 300 foot law across the street from our schools. Where are we going to hang our hat.

Mr. Alvin Childs: (330 Marshall) Mr. Rand Faubum and I are the developers at Shoppes at Bellemead. Bellemead which is a (inaudible) retail development that has as one of it's distinguishing features, very unique tenants. And synergy between those tenants. 50% of those tenants out there, Chico's White House, Black Market, we're going to have Ann Taylor loft and Joseph A. Bank, and Cold Water Creek. Restaurants are an essential component in that tenant base. And just as that has the other restaurants are in the immediate area, those restaurants offer alcohol as part of their menus. Knowing this as developers, we applied to the ZBA for the standard normal customary variance of B-3 site for restaurants to serve alcohol. Presented our case. We had one situation where one tenant wants a drive-thru for breakfast items, (inaudible) coffee and we requested one with a specific prohibition for alcohol ever going through that drive-thru. And let me remind you this variance was for restaurants, not bars, not lounges, not liquor stores. Our application despite opposition was unanimously approved by the ZBA. I offer the following reasons why the Council should sustain the ZBA's unanimous approval. You've heard some thought of from some other people today about underage drinking. At the ZBA

hearing, Cpt Holley with the Shreveport Police Vice Squad presented some evidence and statistics that confirm that teenage underage drinking in restaurants in this area is not a problem. He also specifically stated that this development would not increase the probability of underage drinking. There's been a lot of talk about the precedent. The precedent's already been set for many restaurants in the same vicinity which has served alcohol for years. And underage drinking is not a problem in those restaurants. Restaurants like Imperial Café, On the Border, Chili's, Olive Garden, Ruby Tuesday's and Roadhouse Bar and Grill are several. Shoppes at Bellemead is as Mr. Bremer pointed out, it is a unique high quality retail development. And it is economic development in it's purest form. It what you want in the City. It's new tenants, new merchants, new sales – that's new sales tax. I estimate that the sales tax will be about \$3,000,000 from this project. New property tax and new jobs. Ironically one of the new jobs that I know will be created by one of the restaurant concepts will be managed by a local product of our high schools and a graduate of Louisiana Tech. And it's interesting to me, that even the opposition acknowledges that our restaurants and our development is 100% in compliance with local and state law. And in fact, I think it's interesting, they're not only in compliance, our restaurant locations exceed the required distance by 191%. At what point is it enough. Frankly, I think the law is pretty specific as 300 feet. But is 191%, is that enough. I mean, I think that fact speaks loudly. And finally, we are also local developers. And we consider ourselves responsible. We selected this site, we met with MPC, we researched the law, and we proceeded with the normal applications. And we've heard concerns and objections. We didn't just bow up and say full steam ahead. We listened to these concerns and we've offered some specific steps to try to address them. Mr. Rachal and I met several times, and I've met with PTA groups, I've met with educators, formal and past educators. And we've heard concerns, and I've met with many groups. In fact I met with one yesterday, the Caddo Parish School Board. Mr. Rachal here today is a citizen, but yesterday, he was the at the School Board as a School Board Member, and he offered a resolution to ask the School Board to oppose this project. I explained to the School Board the specific steps that we've offered to address their concerns, a copy of the letter that I gave to you was furnished to them.

Councilman Gibson: Mr. Childs are you about ready to wrap up?

Mr. Childs: I certainly am. Thank you Mr. Chairman. And the School Board defeated that motion, and I think that speaks in volumes for the real issue about the children. You've heard Mr. Coleman as a parent, but the School Board also has a position on that issue. I'll be happy to enumerate the specifics of the offers that I made, but in summary, the project is not going to pose underage drinking problems. It brings new tenants to the market. It's a 100% in compliance with the law and we've listened to the concerns and we've taken responsible steps to address them. I'll be happy to answer any questions.

Councilman Carmody: Mr. Chairman, is this the last public comment - - -?

Councilman Gibson: That's is the last one.

Councilman Carmody: Mr. Chairman, if I could ask that those that are in support of the ZBA's decision to allow alcohol sales at Shoppes at Bellemead if they could please stand? Hold on just a second, I'm counting as fast as I can. I'd say right at 40?

Councilman Green: 45.

Councilman Carmody: Oh yeah, I didn't catch those over here. 45. And those that are in opposition to the MPC's decision to allow the alcohol sales at Shoppes at Bellemead, if I could ask you to stand please? I note six. Thank you.

Ms. Bessie Smith: (1810 Viking Drive) I'm President of the Stoner Hill Neighborhood Action Group. I'm going to yield my three minutes to Gloria Miller of Highland. Thank you.

Mr. Antee: Mr. Chairman, if I may while she's making her way to the mic. I just want these nice surroundings that we're in with this nice new building, one of the two ladies responsible for it is Ms. (inaudible) Brubaker who is about to leave. And before she wanted to leave, I wanted everybody to know that she was one of the primary people involved in these nice new settings that we have, that aren't so new now.

Councilman Gibson: Well, we appreciate all the amenities that we have. It makes life a lot easier. Thank you Mr. Antee.

Ms. Gloria Jean Miller: (3048 Lufkin Street) I'm here today to thank Councilman Walford for his effort to reach a compromise with the potential business owners to change from a lounge to a restaurant at 2905 Youree and Anderson. In the past there has been a food store there, and right now, there is a Pizza King there. We have no problems, I have no objections, nor my neighbors to having a restaurant there, but we do have problems if the restaurant is going to stay open until 2:00 a.m. Because we feel like the restaurant would only attract people that have been out to clubs drinking, and it would only cause high traffic because of the cut through our community, and loud noises late at night. We are proud of our community and working hard to keep Valencia safe and healthy environment, and a decent place to live and for our children to grow in. So, at this time, we're asking would you please look into the restaurant staying open late at night. We have no problems with the restaurant being there, but the late hours, we do. Thank you.

Councilman Hogan: I just wanted to ask you, if it were up to you, what time would you prefer it close down. Instead of 2:00?

Ms. Miller: I would think 12:00 would be a decent hour. We have a Pizza King there now, and they close at a decent hour and there has been no problem at all. You know they serve, I think they serve pizza and hamburgers and stuff there, but they close at a decent hour and there's no problem.

Councilman Gibson: Gentlemen, that's the last that we have on request for speaking that are germane to the agenda.

Motion by Councilman Gibson, seconded by Councilman Carmody to suspend the rules to consider S-5-05, BAC-4-05. and BAC-6,7,8,9-05.

Councilman Walford: They're actually four different cases for Bellemead. Let me make sure real quick. Ms. Glass, do we need to hear four separate votes?

Ms. Glass: They are four different cases.

Councilman Walford: So, you're including all those.

Councilman Gibson: Suspending on those three items. And we would take them in order.

Ms. Glass: You can if someone wanted to make a motion on all four, if they felt the issues were the same. Such a motion could be made. And then if anyone disagreed, then they could ask to divide the question.

Councilman Gibson: Any other questions? So, the motion was to include them all and take them one at a time and in order. Okay.

Motion approved by the following vote: Ayes: Councilmen Carmody, Walford, Gibson, Green, and Hogan. 5. Nays: None. Absent: Councilman Jackson. 1. Out of the Chamber: Councilman Lester. 1.

2. **S-5-05:** Motor Finance Company, LLC, *John R. Bowman and Associates*, Northwest Corner of the intersection of Dunbarton Drive and Ellerbe Road (Line Avenue), B-2, SPRING LAKE COMMERCIAL SUBDIVISION - UNIT 4. (D/Gibson)

Motion by Councilman Gibson, seconded by Councilman Carmody to remand this case to the Metropolitan Planning Commission to consider a stipulation that there should be no curb cuts on Dunbarton and hold a public hearing on that issue before voting thereon.

Councilman Hogan: I don't know if you can answer this Mr. Kirkland from your seat, but do you know when the public hearing would be held? It would be the next MPC meeting

Mr. Kirkland: It would be the first Wednesday in April, I believe.

Councilman Hogan: And the residents would be notified within how many feet?

Mr. Kirkland: Typically, no less than 300, but we normally use at least a 500 feet radius.

Councilman Hogan: Okay.

Mr. Kirkland: Probably larger in this case.

Councilman Hogan: Okay, I would hope that you could. Thank you Mr. Kirkland.

Thank you Mr. Chairman.

Councilman Gibson: Thank you Mr. Hogan. Mr. Kirkland, could I ask you to come forward to answer a question please. It was a question by one of my colleagues at yesterday's work session. Councilman Walford had ask a question and it was very germane to the discussion. I do appreciate Councilman Walford bringing it to our attention. In the fact that, the question was, and I asked you afterwards and then Councilman Walford and I both heard your response. But the question regarding if this body remands it back, is it gonna just be one of those situations that's just heard and then kicked back to us? Could you elaborate on that particular item?

Mr. Kirkland: All I can say is a remand by the Council will be considered by the MPC in light of your request also that a public hearing be held to hear the sentiments of the public. I learned a long time ago, not to second guess what those nine members will do.

Councilman Gibson: I understand that, but in terms of curb cuts and concerns from the residents that is germane- - -

Mr. Kirkland: They'll certainly, based on the subdivision and the curb cuts, those are the relevant issues. The subdivision appears to be a done deal. The curb cut appears to be the only real issue on Dunbarton. It is my understanding of what I've heard this afternoon..

Councilman Gibson: Right, I just wanted to make sure, because again, Councilman Walford had brought that up.

Mr. Kirkland: And we will ask the City Traffic Engineer, Mr. Erlund, Mr. Mike Strong, head of that DOS Department, also probably one of the City Engineers to provide testimony that will be part of our written record.

Councilman Gibson: Thank you Mr. Kirkland. The other thing being is in January 19th, there were two meeting held regarding this particular property. On January 19th, the question was fired by the residents of Spring Lake to the bank about their site plan. At that time, they had no formal site plan. A question was asked about when they would expect that to occur? They

said they thought it would be within the next week or so. The request was from the residents. Could you bring a copy of that site plan of which I think what has created this issue is the site plan was never delivered to the residents of Spring Lake. They were not aware of it. In fact I mentioned yesterday that the MPC, a couple of representatives had called me, wanting to know why the residents weren't down there at the regular MPC meeting. They were not informed or had not seen any site plan. If they had, they would have been down at that meeting.

Mr. Kirkland: I don't know if this will clear up much, but the bank is well aware that the site plan itself was never a legal issue before the MPC. This property is already zoned, it was zoned many years ago. The bank willingly provided at our staff suggested the site plan so that the public could see how those curb cuts would work. So, the site plan and the improvements on the site, the bank did agree to a number of changes willingly. There was no way the Boards could, or in my opinion, the Council could impose those on the bank. That's why - - - I don't know if the bank just - - - the bank knew what they wanted in terms of the curb cuts, and then eventually get a designer to come up with a site plan.

Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Gibson, Green, and Hogan 5. Nays: Walford. 1. Absent: Councilman Jackson. 1.

3. **BAC-4-05: 2905 Youree Drive, LLC, Special Exception Use and/or variance on property located on the SE corner of Youree Drive and Anderson (B/Walford)**

Councilman Walford: I have a motion and I did have a copy passed out, but I'm gonna have to ask you to bear with me and let me read this into the record.

Motion by Councilman Walford, seconded by Councilman Gibson to modify the decision of the Zoning Board of Appeals to approve the application as a restaurant only subject to compliance with the following stipulations:

1) Alcoholic beverages can be sold.

a. Receipts from food sales should be at least 60% of the gross (food and alcoholic beverage sales, and

b. Food service shall be available at anytime the restaurant is open for business.

2) Alcohol and Food Service and/or sales shall be restricted to the areas specifically designated for this purpose on the site plan.

3) The development of the properties will be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Zoning Board of Appeals.

Councilman Walford: This was a contentious issue with the neighborhood, with Habitat for Humanity whose putting in some (inaudible) Valencia area and I really, we did come up with a compromise that as you heard was acceptable, as you heard to the neighborhood, the developer, or the property owner was very cooperative. So, I want to thank Mr. Joyner, Mr. Howard Allen,

everyone from the neighborhood that was involved. Mr. Harold Rosbottom, the property owner, Bo Lockert who represents him for Rosbottom, and Mr. Kirkland, your staff for helping me put this together where everybody's happy.

Councilman Hogan: Councilman Walford, was there any consideration to limiting the hour? Serving the alcohol from 2:00 a.m. from there.

Councilman Walford: It's a B-3 area, so it'll be with the B-3 hours like any other restaurant in the B-3 (inaudible).

Councilman Hogan: I understand, but we can limit? We can do that can't we? Under the B-3, with these stipulations, we can also limit the hours that alcohol is served from - - - if it's allowed till 2:00 a.m., we can bump it up to 12:00 midnight, can't we?

Mr. Kirkland: Well, actually Mr. Walford in his motion as I heard it and I reviewed it earlier, he did not recommend extended hours, so the B-3 hours would control 7:00 a.m. to 12:00 midnight.

Councilman Hogan: Okay, I'm clear.

Mr. Kirkland: So, unless you wanted to try to limit them further, and even that might be debatable legally.

Councilman Hogan: Okay, I thought the original request was until 2:00 a.m.

Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

Motion by Councilman Walford, seconded by Councilman Hogan to consider BAC-6,7,8, and 9-05 as one item. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

4. **BAC-6-7-8-9-05:** 6535 Youree Drive, *SHOPPES AT BELLEMEAD, LLC*, (#209, #308, #401, and #408), located within Shoppes at Bellemead, Special Exception Use in a B-3 District, Restaurant with the on-premise consumption of high alcoholic content beverages.

Motion by Councilman Carmody, seconded by Councilman Green to uphold the decision of the Zoning Board of Appeals on BAC 6,7,8, and 9-05.

Councilman Carmody: Mr. Kirkland, if you don't mind stepping up to the microphone, I have a quick question. Our Metropolitan Planning Commission as well as our Zoning Board of Appeals are charged with what's specific responsibility?

Mr. Kirkland: How long have you got?

Councilman Carmody: Let me ask the question in the way that I've always come to understand what their function is.

Mr. Kirkland: The Zoning Board of Appeals is the one that made this decision, not the MPC.

Councilman Carmody: Correct.

Mr. Kirkland: But both bodies are charged with promoting the orderly growth of the community and that includes the entire land use area. I could go on for several hours, if you'd like, but that's the - - -

Councilman Carmody: You basically confirmed what my understanding was of the function of those bodies. Gentlemen, those of you that presently on the Council with the exception of Councilman Green, we are now under mandate to hear public comments on any item that has appealed to us. Councilman Green and I both served in a time where any matter that had been that had a prior hearing, we didn't have to take it. But I will say, that although it's been more time consuming, that I think that it is the right way to proceed. Because the public has a right to come down here and to make their thoughts known to the people that are going to be making the decision. Now, on to the issue at hand. This is a case that I certainly do not take lightly. I don't take any of it, cut specifically this one. First and foremost, there's great latitude that's granted to those of us that are up here, that get to make the motions and then offer the amendments to the motions and then try to come to a decision and reach a vote. If this were another type of establishment and there are other types of establishments who have been granted the right to sell alcohol. They would certainly be inappropriate in a setting in which I feel, as Mr. Rachal has pointed out, is in such close proximity to Caddo Parish School Board property. In my memory, I can recall actually a restaurant being within 300 feet of A.C. Steere School. I cannot tell you that I recall it being a problem. That's not to say it could have been, or might have been, but that it didn't seem to be a problem. As a matter of fact, they're no longer there. And there is not someone there that is selling alcohol in that particular leased space. However, what we're talking about here is that the developers are looking at restaurants. Restaurants who are asking for the ability to sell alcohol as part of a restaurant, which is primarily in the business of selling food. The City has placed criteria on restaurants, so that you cannot come in under the guise of being one thing and operate completely as the other. If we were talking about a business that has through the window liquor, I would be concerned. I spoke to persons that had said that they were very concerned about the problems that are already occurring on the Captain Shreve High School parking lot at Lee Hedges Stadium. Having spoken to the Caddo Parish Sheriff's Department yesterday and today to ask them to report on the number of instances that they have in their records of problems, I was assured that in reviewing the last five years activities at that particular location during sporting events, they do not have records of problems with alcohol. Now, that's not to say that teenagers are not going to be teenagers, and push the limits of what they think they can and cannot do. But in my experience with teenagers, they are not going to walk into a restaurant to try to pass themselves off as being of age, especially not in a development like we're talking about. A lot of discussion was on the precedence that we're setting here. And I agree with Mr. Rachal. I'm very concerned about the fact that the City of Shreveport and the State of Louisiana decides that we have protected uses. Matter of fact, we have four of 'em. Churches and Synagogues being the first, schools being second, libraries being the third, and then parks being the fourth.

Mr. Kirkland: Playgrounds.

Councilman Carmody: Excuse me. Playgrounds. I always think of playgrounds as parks like A. C. Steere. But the reality in this case and a comment was made up here, if you look at the number of people that are standing in support, this is an easy one for us to decide, as opposed to the persons that are in opposition. But I will tell you that those persons that are in opposition have very valid concerns that this particular Councilman, and I think these others have also heard, and realize that we need to be very sensitive as to what we're saying we allow and what we don't. The developers of this project have fine reputations. I don't think they look to see their reputations tarnished. I also think that they have a lot at stake, in making sure that the tenant mix stays the way that they're proposal and the development shows. Because the last

thing I would think any new business coming into Shreveport wants to see is problems in which the place in which they've located because the owners of that establishment have just let it become a free for all. I doubt very seriously that that will be the case in this instance. I just want to assure the public, that all of us up here pray for wisdom and try to discern what is right and what is wrong and the right way to proceed for our community, in it's best interest. I do feel like that because of the quality of the development, because of the tenants that they have in that particular development, and again, look at the area that this is going into. Granted, it's close to Caddo Parish School Board property. I do feel like, and now that is very apropos that I see one of our elected State Officials walk in, that I would, there she goes back out, that we do need to look to the State as to correcting what appears to be a problem. Because if we are to protect different uses and say that they are suppose to be a certain distance from any other type of uses that are going to have alcohol, then dog gone it, they ought to be able to figure out how to measure it so that they get what they're saying. I don't know how many other members of the Council that contacted any other municipalities, but I was curious about this same thing, because other municipalities have also gone the same way that Shreveport has. We've adopted the State regulation. Everyone that I spoke to, to a person said that they advised their boards who make the decision, that although the law says this distance, there are times in which you can build adjacent to a protected use, and you need to be sensitive to the fact of what you're doing. I think that, that's what we've tried to do here today, is to be sensitive to the fact of what is happening out here. I would ask for the support of this. I made my motion of the Council to approve these. The ownness is upon the developer and their tenants to prove to the community that what you have told us is true, and factual, and that you live up to your word. And I trust that's what you will do. Seems to me you've got a lot more than just your word at stake. But my hope is that the project is a success. That these businesses which are new to Shreveport succeed, and that y'all provide economic opportunity, additional tax base, but not at the expense of our children or anybody else in providing this business, at least in District C and in the City of Shreveport. Thank you Mr. Chairman.

Councilman Lester: Yeah, I have a comment. Thank you Mr. Chairman. I appreciate the discussion, and this honestly is one of the one decisions that I have wrestled with for a number of reasons. We've had a lot of people and a lot of commentary. We've had what I consider some of the, some people would say, the high and mighty folks come down and say that this is something that they are all about. They think that this is a good project. Some people have characterized this as a rich boy's fight. That may or may not be true, but regardless of whether it's a rich person's fight or two competing developers arguing, I think everyone understands and has a desire and appreciate to protect their children. Ultimately, I think this comes down to an issue of business and commerce versus the protection of the children. This is where I'm coming from. Its been interesting to hear the dialogue and the discussion. Folks coming down here who just realized that there are many times, you have a school, and you have a church and you can put an establishment that sells liquor across the street from the school or from the church. And a lot of people are waking up and saying that I can't believe that this happens. Well, I'd advise those folks to take a ride over in Allendale, to take a ride over in Cedar Grove, to take a ride over in Hollywood. Its happening and it has happened on my side of the tracks for years and years, and years. As matter of fact, there is one particular street on Pierre Avenue where you have two competing institutions. You have school on one side of the street, you have YWCA on the other side of the street, and then adjacent to those you have one place that sells alcohol and another that sells alcohol. And it's not even as the crow flies. It's as the

rat runs, or the cockroach crawls, it's not even a 300 feet issue. It doesn't get - - - whether you walk up the side, throw a rock or whatever. It's literally devastating. You know we talk about economic development, and I think that's a positive thing. But I ask people what happens to that person that comes to Shreveport that gets off on I-49, and makes a wrong turn. I mean, we're telling them to come to the Convention Center, we're telling them to come to the hotel, they make the wrong turn on I-49, and they drive into what looks like Beirut on a good day. Something that they tell us in Law School, I think is very appropriate. Bad law makes for bad facts, or bad facts make for bad law actually. And this is a very bad fact pattern, and I think we've got a bad law. This has, in my mind has absolutely nothing to do with the developer, his reputation, or his development. I have nothing but the highest esteem and regard for Mr. Childs and that group. But I just can't phantom us putting an establishment that sells alcohol across the street from a school. I just can't see under what circumstance that I knowing what that has done in my district, can look myself in the mirror and say I can vote for this. And I really just can't. Someone says you know the State law says this, the State law says that. Well, true enough, we have adopted certain guidelines, although we are under the home rule charter. And we can choose to opt out of that situation, if it be the pleasure of this Board, and ultimately, the question is whether or not we decide to give a variance or we decide not to give a variance, and I think that's been lost in the conversation. Just because someone qualifies for an exception, it does not mean that we automatically have to grant that exception. At the end of the day, the decision rides with the seven of us. And we have to use our own moral background, our own philosophical background, our own intuition or whatever it is you use to guide your decision making. And I think that is where we should be. It's not about the money. I just as the representative for District A, and I understand that the high end restaurant is not the same thing at the end of the day, as a liquor store masquerading as a grocery store in Allendale. But it's awful close, and if it's not the same thing, they're kissing cousins. And I just have a problem with that. I feel like Sisyphus, the guy that's doomed to roll a rock uphill every time, knowing full well, it's going to roll back down. But sometimes, as an elected official, if you have an idea, and if you have morals, and if you have conviction, you gotta get up every morning and roll that rock.. And my vote is going to reflect me rolling that rock. It's probably not going to make a difference in the ultimate outcome, but as a representative of District A and seeing what that process has done for my neighborhoods, and my - - - because I think one of the School Board Members said it very appropriately. If this was an issue in District A, there would be no question where I was. If you're trying to put something that sells alcohol across the street from a school in District A, it's not going to happen. No ifs, ands, or buts about it. As a matter of fact, we've got a situation where we remanded something back to the MPC because this gentleman wanted to do the same thing. And the folks in the neighborhood said we don't want it. And it came back and we're going to have deal with him appropriately, because apparently, he doesn't get the picture that he's not going to put a grocery store that sells alcohol in Allendale. So, I guess we have to step up the level of discourse, but we'll get to that down the line. I just want my vote to reflect that's where I'm voting. And that's my opinion.

Councilman Walford: There are times that we have to make some difficult decisions up here. We all took an oath, and we have a sworn obligation to uphold the law and sometimes we may not agree, or we may find it difficult, but that is our moral obligation. I believe the development is a good one. I don't believe it truly poses a threat. But like I told Mr. Rachal yesterday, I understand his commitment to what he believes. And I will say again today, like I said yesterday if you don't agree with the law, take the steps necessary to try to get the law

changed. And I urged Mr. Rachal yesterday to talk to his State Representative and State Senator and urge them to carry that forward to Baton Rouge, and I'll sit right here and commit that if the State law is changed, I will introduce the necessary legislation to bring our City ordinance into being consistent with the State law. With that said, I am going to support Mr. Carmody in his motion.

Motion approved by the following vote: Ayes: Councilmen Carmody, Walford, Gibson, and Green, 4. Nays: Councilmen Lester and Hogan. 2. Absent: Councilman Jackson. 1.

Councilman Gibson: Gentlemen, we will return back and I want to apologize to one of our speakers who was wanting to speak on an item that was brought to my attention, that is germane to the discussion. None of which we have just voted on, but I would like you to indulge me for a second on Public Comments. I Have a Donald Cowdin.

Mr. Donald Cowdin: (633 Slattery Blvd) I'm with Easter Seals of Louisiana, and that's 2620 Centenary Blvd. We're having a fundraiser in conjunction with the Korner Lounge which is located at 800 Louisiana Ave, which is on the Corner of Cotton Street and Louisiana. The only part of a dead end block of Louisiana, and they're the only business on that block. I'm before you asking today that we be granted a liquor permit in the waiving of the seven days to carry out that fundraiser this Friday, March the 11th. It will be secured by boundaries also with security officers. No one - - - and IDs will be checked. The event will take place from 7:00 p.m. to midnight.

**CONSENT AGENDA LEGISLATION
TO INTRODUCE RESOLUTIONS AND ORDINANCES
RESOLUTIONS: None.
ORDINANCES: None.
TO ADOPT RESOLUTIONS AND ORDINANCES:
RESOLUTIONS:**

The Clerk read the following:

**RESOLUTION NO. 36 OF 2005
A RESOLUTION REJECTING BIDS RECEIVED ON IFB #04-081, OAKLAND
CEMETERY WALL REPAIR FOR THE SPAR/PLANNING AND TO OTHERWISE
PROVIDE WITH RESECT THERETO.**

WHEREAS, two bids were received as a result of solicitations for Oakland Cemetery Wall Repair for the SPAR/Planning, IFB #04-081; and;

WHEREAS, the City has rejected all bids because they were over budget;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the bids received on IFB #04-081 be rejected.

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 declared repealed.

RESOLUTION NO. 37 of 2005

A RESOLUTION AUTHORIZING GARY WAYNE ADDISON & PAMELA ANN ADDISON LEBLANC, LOCATED AT 325 FLOURNOY LUCAS RD., TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Gary Wayne Addison & Pamela Ann Addison Leblanc have agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Gary Wayne Addison & Pamela Ann Addison Leblanc, be authorized to connect the building located at 325 Flournoy Lucas Road, to the water system of the City of Shreveport.

BE IT FURTHER RESOLVED that if any provisions or items of this resolution or the application thereof are 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 resolutions or parts thereof in conflict herewith are hereby repealed.

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Green to adopt Resolutions No(s) 36 and 37 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

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

The Clerk read the following:

RESOLUTION NO. 28 OF 2005

A RESOLUTION AUTHORIZING THE MAYOR TO DONATE SURPLUS VIDEO CAMERA EQUIPMENT LISTED IN APPENDIX "A" TO THE CADDO PARISH SHERIFF'S OFFICE OF CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport Police Department desires to donate ten video cameras, listed in Appendix "A" to the Caddo Parish Sheriff's Office which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, the Caddo Parish Sheriff's Office has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, the video camera equipment listed in Appendix "A" is no longer needed by the Shreveport Police Department, the equipment is deemed surplus to the City of Shreveport; and,

WHEREAS, this donation under the circumstances provides for the most efficient manner to dispose of this property.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the Caddo Parish Sheriff's Office for the donation of the video equipment listed in Appendix "A" effective March 8, 2005, substantially the same as the document filed in the Office of the Clerk of Council on February 22, 2005.

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 Carmody, seconded by Councilman Walford to adopt.

Councilman Carmody: Thank you sir. Yesterday at our Work Session, I had asked for clarifications that all the donations that we are considering today do not have any ties to any federal money.

Mr. Antee: I got an email from Liz Washington stating that it does not have any federal money.

Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

RESOLUTION NO. 29 OF 2005

A RESOLUTION AUTHORIZING THE DONATION OF SURPLUS FIRE DEPARTMENT EQUIPMENT TO CADDO PARISH FIRE DISTRICT NUMBER 8 AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City of Shreveport Fire Department desires to donate a Ford F-350 Water Rescue Vehicle, listed in Appendix "A", to Caddo Parish Fire District Number 8, which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, Caddo Parish Fire District Number 8 has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, the equipment listed in Appendix "A" is no longer needed by the Shreveport Fire Department and is deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective manner to dispose of the property, and will aid Caddo Parish Fire District Number 8 in firefighting and rescue operations performed by them,

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and Caddo Parish Fire District Number 8 for the donation of the 1986 Ford F-350 Water Rescue Vehicle listed in Appendix "A", effective March 8, 2005, substantially the same as the document filed in the Office of the Clerk of Council on February 22, 2005.

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 Carmody, seconded by Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

RESOLUTION NO. 30 OF 2005

A RESOLUTION AUTHORIZING THE DONATION OF SHREVEPORT POLICE DEPARTMENT PROPERTY AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City desires to donate Shreveport Police Department Mounted Patrol horse Nancy to Jim Taliaferro which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, Jim Taliaferro has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, due to age, the horse described herein is unable to perform his duties as a mounted patrol horse for the Shreveport Police Department and is hereby deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most humane and dignified way to retire the animal.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and Jim Taliaferro donating Shreveport Police Department Mounted Patrol horse Nancy effective March 8, 2005, substantially the same as the document filed in the Office of the Clerk of Council on February 22, 2005.

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.

RESOLUTION NO. 31 OF 2005

A RESOLUTION AUTHORIZING THE DONATION OF SHREVEPORT POLICE DEPARTMENT PROPERTY AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City desires to donate Shreveport Police Department Mounted Patrol horse "Preacher" to Michael West which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, Michael West has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, due to age, the horse described herein is unable to perform his duties as a mounted patrol horse for the Shreveport Police Department and is hereby deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most humane and dignified way to retire the animal.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and Michael West donating Shreveport Police Department Mounted Patrol horse "Preacher" effective March 8, 2005, substantially the same as the document filed in the Office of the Clerk of Council on February 22, 2005.

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.

RESOLUTION NO. 32 OF 2005

A RESOLUTION AUTHORIZING THE DONATION OF SHREVEPORT POLICE DEPARTMENT PROPERTY AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City desires to donate Shreveport Police Department Mounted Patrol horse "Quest" to Byron Harms which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, Byron Harms has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS, due to instability and failure to complete annual certification tests, the horse described herein is unable to perform his duties as a mounted patrol horse for the Shreveport Police Department and is hereby deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most humane and dignified way to retire the animal.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and Byron Harms donating Shreveport Police Department Mounted Patrol horse "Quest" effective March 8, 2005, substantially the same as the document filed in the Office of the Clerk of Council on February 22, 2005.

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 vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

RESOLUTION NO. 33 OF 2005

A RESOLUTION AUTHORIZING THE DONATION OF CERTAIN SURPLUS FURNITURE AND EQUIPMENT TO THE YWCA OF NORTHWEST LOUISIANA, INC. AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: Councilman Theron Jackson

WHEREAS, by Resolution No. 179 of 2004, the Shreveport City Council invited ten High Schools and two Private Schools to participate in the City of Shreveport Youth Council by nominating one student from each school; and

WHEREAS, the City finds that the Youth Council program can be implemented most effectively by contracting with the YWCA to administer the program; and

WHEREAS, said contract is in the public interest and it serves a public purpose; and

WHEREAS, the YWCA is willing to administer the program but certain furniture and equipment is needed to do so; and

WHEREAS, the City of Shreveport has and desires to donate certain used available surplus furniture and equipment, listed in Appendix "A" to the YWCA of Northwest Louisiana, Inc., to facilitate the administration of City of Shreveport Youth Council program; and

WHEREAS, Ordinance NO. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and

WHEREAS, the YWCA of Northwest Louisiana has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and

WHEREAS, the equipment listed in Appendix “A” is not in use by the City of Shreveport and is deemed surplus by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the YWCA of Northwest Louisiana, Inc. and/or take the necessary action to donate the furniture and equipment listed in Appendix “A” to the YWCA.

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 Green, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

9. **Resolution No. 34 of 2005:** Stating the City of Shreveport’s endorsement of **Mid-City Plaza, LLC** to participate in the benefits of the Louisiana Restoration Tax Abatement Program and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Green to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

RESOLUTION NO. 38 OF 2005

A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES AND CHAPTER 106 RELATIVE TO ZONING FOR THE KORNER BAR AND LOUNGE LOCATED AT 800 LOUISIANA AVENUE FOR A FUNDRAISER FOR EASTER SEALS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN MONTY WALFORD

WHEREAS, the Korner Bar and Lounge located at 800 Louisiana Avenue will host a fund raiser social for the Easter Seals of Louisiana, Shreveport Chapter on March 11, 2005; and

WHEREAS, the establishment desires to dispense, and allow the consumption and sale of alcoholic beverages on the parking lot of the establishment, between the hours of 7:00 p.m. - 12:00 a.m.; and

WHEREAS, no one under the age of 21 will be allowed to be in the party; and

WHEREAS, all proceeds of this event and partial liquor sales will go directly to Easter Seals of Louisiana; and

WHEREAS, Section 106-130(6) provides that unless otherwise excepted, all uses shall be operated entirely within a completely enclosed structure; and

WHEREAS, any special exception approval granted to the establishment for alcoholic beverage sales, consumption and/or dispensing does not specifically authorize outside sales and/or consumption on the premises; and

WHEREAS, Section 10-80(a) makes it unlawful for any person to sell, barter, exchange or otherwise dispose of alcoholic beverages except within those sections of the city wherein such sale is permitted by the applicable zoning ordinance; and

WHEREAS, Section Chapter 10-103(a)(5) provides that the city council may suspend or revoke any permit if a retailer allows any person to consume any alcoholic beverage on the licensed premises or on any parking lot or open or closed space within or contiguous to the licensed premises without a proper license; and

WHEREAS, the adoption of this resolution would allow the dispensing, sale and consumption of alcoholic beverages on the parking lot of the Korner Bar and Lounge, 800 Louisiana Avenue, on March 11, 2005 for a fund raiser social for Easter Seals of Louisiana, Shreveport Chapter.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened Section 106-130(6), 10-103(a)(5) and 10-80(a) are hereby suspended on March 11, 2005 for a fund raiser social for Easter Seals of Louisiana, Shreveport Chapter, between the hours of 7:00 p.m. - 12:00 a.m. at the Korner Bar and Lounge, 800 Louisiana Avenue.

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. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

RESOLUTION NUMBER 39 OF 2005

A RESOLUTION DECLARING THE CITY'S INTEREST IN CERTAIN ADJUDICATED PROPERTIES AS SURPLUS AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, there are numerous parcels of property which have been adjudicated to the City of Shreveport and Caddo Parish for non-payment of ad valorem taxes; and

WHEREAS, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; and

WHEREAS, pursuant to Section 26-294 of the Code of Ordinances, the city's interests in said properties can be sold after the City Council declares them to be surplus; and

WHEREAS, the purchasing agent has inquired of all city departments regarding the property described herein and has not received any indication that it is needed for city purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the following described properties are hereby declared surplus:

Lot 4, Hazel Heights Subdivision Municipal Address: 1911 Hazel Street Council District "A"	Geographic Number 181417-025-000400
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10 Block M, Forest Glen Subdivision Municipal Address: 3000 Jewella Avenue Council District "G"	Geographic Number 171409-009-007100
Lot 77, Legary Hills Subdivision, Unit No. 1 Municipal Address: 1787 Jessie Owens Street Council District "A"	Geographic Number 181417-047-007700
West ½ Of Lot 24, Oak Forest Subdivision Unit No. 1 Municipal Address: 20940 None Council District "A"	Geographic Number 181419-002-015500

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof be 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 Hogan to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

INTRODUCTION OF RESOLUTIONS:

1. **Resolution No. 40 of 2005:** A resolution authorizing the execution of a cooperative endeavor agreement with Northwest Louisiana Chapter of the Barbershop Harmony Society, Inc., and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Green, seconded by Councilman Carmody to introduce Resolution No. 40 of 2005 to lay over until March 22, 2005 meeting Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

INTRODUCTION OF ORDINANCES:

1. **Ordinance No. 25 of 2005:** An ordinance authorizing the incurring of debt and issuance of not to exceed Twenty-Six Million Dollars (\$26,000,000) of General Obligation Refunding Bonds, Series 2005B, 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. 26 of 2005:** An ordinance amending and replacing Section 72-2 and Section 72-6, Sexually Oriented Business, and otherwise providing with respect thereto.
3. **Ordinance No. 27 of 2005:** ZONING – C-73-04: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by continuing the re-zoning of B-2-E, Neighborhood Business/Extended Use District, of property located on the northwest corner Shreveport/Barksdale Highway and Camilla, Shreveport, Caddo Parish, Louisiana, Limited to “Automotive Repair, Sales, and Storage”, only, and to otherwise provide with respect thereto. (C/Carmody)
4. **Ordinance No. 28 of 2005:** ZONING – C-1-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the southwest corner of Ford and Dale Street, Shreveport, Caddo Parish Louisiana, from R-3, Urban, Multiple-Family Residence District, to R-3, Urban, Multi-Family/Extended Use District, “Limited to a Childcare Facility, Office, Barbershop, Beauty Shop or Grocery Store” only, and to otherwise provide with respect thereto.
5. **Ordinance No. 29 of 2005:** ZONING – C-11-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the south side of Mount Zion Road, 1200 feet west of Linwood, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District, to B-2-E Neighborhood Business/Extended Use District “Limited to a landscape office and outside storage of trucks/material” only and to otherwise provide with respect thereto.
6. **Ordinance No. 30 of 2005:** ZONING – C-13-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northeast corner of Fuller and Bernstein, Shreveport, Caddo Parish Louisiana, from R-1H-E, Urban, One-Family Residence/Extended Use District, (Limited to a Daycare) to R-1H-E, Urban, One-Family Residence/Extended Use District, “Limited to a Restaurant” only, and to otherwise provide with respect thereto.
7. **Ordinance No. 31 of 2005:** ZONING – C-14-05: 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 Woolworth Road, 750 feet south of Shirley Francis Road, Shreveport, Caddo Parish, Louisiana, from R-A, Residence Agriculture District, to I-1, Light Industry District, and to otherwise provide with respect thereto.
8. **Ordinance No. 32 of 2005:** An ordinance amending Chapter 14 of the Code of Ordinances, styled Animals, and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Walford, seconded by Councilman Green to introduce Ordinance No(s). 25, 26, 27, 28, 29, 30, 31 and 32 to lay over until March 22, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

ORDINANCES ON SECOND READING AND FINAL PASSAGE (Numbers are assigned Ordinance Numbers)

1. **Ordinance No. 19 of 2005:** An ordinance authorizing and providing for an encroachment into a portion of the utility easement located adjacent to the north side of the New Convention Center and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on February 22, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

2. **Ordinance No. 23 of 2005:** An ordinance authorizing the donation of City-owned property identified as Lots 1 and 2, Block 11, Queensborough Addition Subdivision to Shreveport/Bossier Community Renewal and to otherwise provide with respect thereto. (B/Walford) (Not to be adopted prior to March 22, 2005)
3. **Ordinance No. 24 of 2005:** An ordinance authorizing the donation of City-owned property in the Lakeside Subdivision to Urban Housing of America, Louisiana INC., and to otherwise provide with respect thereto. (Not to be adopted prior to March 22, 2005)

Having passed first reading on February 22, 2005 was read by title, and on motion, ordered passed to third reading. Read by title and as read, motion by Councilman Green, seconded by Councilman Carmody to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

4. **Ordinance No. 20 of 2005:** ZONING – C-7-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on north side of Idema, 425 feet west of Moore, Shreveport, Caddo Parish, Louisiana, from R-A, Residence District, to I-1, Light Industry District, and to otherwise provide with respect thereto. (D/Gibson)

Having passed first reading on February 22, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Gibson, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

5. **Ordinance No. 21 of 2005:** ZONING – C-8-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the east side of Mansfield Road 560 feet north of Ardis Taylor, Shreveport, Caddo Parish, Louisiana, from I-1, Light Industry District, to B-3, Community Business District, and to otherwise provide with respect thereto. (E/Hogan)

Having passed first reading on February 22, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Hogan, seconded by Councilman Walford to adopt. Motion approved by the following

vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

6. **Ordinance No. 22 of 2005:** ZONING – C-09-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on a tract of land 750 feet north of W. 70th Street and 350 feet west of Jewella, Shreveport, Caddo Parish, Louisiana, from R-3, Urban Multiple-Family Residence District, to I-2, Heavy Industrial District, and to otherwise provide with respect thereto. (F/Green)

Having passed first reading on February 22, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Green, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

The adopted ordinances and amendments follow:

ORDINANCE NO. 19 OF 2005

AN ORDINANCE AUTHORIZING AND PROVIDING FOR AN ENCROACHMENT INTO A PORTION OF THE UTILITY EASEMENT LOCATED ADJACENT TO THE NORTH SIDE OF THE NEW CONVENTION CENTER AND TO OTHERWISE PROVIDE WITH RESEPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that an encroachment of approximately 2 feet wide by 106 feet long is hereby authorized into the utility easement located adjacent to the north side of the new Convention Center for the purpose of construction, location and placement of the Shreveport Convention Center Hotel and, after due notice, publication, and compliance with all laws applicable thereto, and after the effective date of this ordinance, the Mayor of the City of Shreveport is hereby authorized to execute and deliver, for and on behalf of the City of Shreveport, a permit of encroachment into that portion of the utility easement identified on the map attached hereto and designated as Attachment 1.

BE IT FURTHER ORDAINED that a certified copy of this ordinance be filed and recorded in the office of the Caddo Parish Clerk of Court.

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. 20 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON NORTH SIDE OF IDEMA, 425 FEET WEST OF MOORE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-A, RESIDENCE DISTRICT, TO I-1, LIGHT INDUSTRY 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 north side of Idema, 425 feet west of Moore, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-A, Residence Agriculture District, to I-1, Light Industry District:**

TRACT 1: A 4.85 acre parcel, located in the NE/4 of the SW/4 of Section 36, T17N-R14W, being that part of the NE/4 of the SW/4 of said Section 36, lying between the Inner Loop Expressway and Idema Street, Shreveport, Caddo Parish, Louisiana. TRACT 2: A 5.59 acre parcel, located in the NE/4 of the SW/4 of Section 36, T17N-R14W, being that part of the NE/4 of the SW/4 of said Section 36, lying between the Inner Loop Expressway and Idema Street, Shreveport, Caddo Parish Louisiana.

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

- I. **Development of the property shall be in substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**
- II. **Prior to the issuance of any permits, the 2 tracts of land shall be re-platted to create 1 lot of record.**

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. 21 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE EAST SIDE OF MANSFIELD ROAD 560 FEET NORTH OF ARDIS TAYLOR, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM I-1, LIGHT INDUSTRY DISTRICT, TO B-3, COMMUNITY BUSINESS 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 east side of Mansfield Road, 560 feet north of Ardis Taylor, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from I-1, Light Industry District, to B-3, Community Business District:**

From the intersection of the E'ly R-O-W line of Mansfield Road (U.S. Highway 171) and the S R-O-W line of Baird Road, run S29E45'00"W along said E'ly R-O-W line of Mansfield Road, a distance of 1223.13 feet to the P-O-B for the tract herein described: from said P-O-B run S60E03'29"E, a distance of 266.54 feet, thence run S29E56'31"W a distance of 534.49 feet, thence run S60E09'25"E, a distance of 207.75 feet, thence run S29E50'35"W, a distance of 534.95 feet, thence run N60E09'25"W, a distance of 406.13 feet to a point on the E'ly R-O-W line of said Mansfield Road, thence run the following calls along said E'ly R-O-W line: N23E31'00"E - 191.67 feet, NE'ly along a curve to the right an arc

distance of 822.46 feet (said curve having a radius of 7559.90 feet and a chord bearing N26E38'00"E – 822.05 feet), N29E45'00"E – 58.62 feet to the P-O-B. Said tract contains 8.537 acres, Shreveport, Caddo Parish, Louisiana.

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

- I. **Development of the property shall be in substantial accord with a revised site plan showing landscaping plant types and locations to be submitted to and approved by the Zoning Administrator, 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. 22 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON A TRACT OF LAND 750 FEET NORTH OF W. 70th STREET AND 350 FEET WEST OF JEWELLA SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-3, URBAN, MULTIPLE-FAMILY RESIDENCE DISTRICT, TO I-2, HEAVY INDUSTRIAL 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 a tract of land 750 feet north of W. 70th Street and 350 feet west of Jewella, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-3, Urban, Multiple-Family Residence District, to I-2, Heavy Industrial District:**

beginning at the NE corner of said Lot 6, run S0E06'E along the E line of Lot 6, said line also being the W line of Lots 1 and 2, a distance of 300.0 feet, thence run N89E25'W a distance of 330.64 feet, thence run S0E06'E a distance of 610.0 feet to a point on the N R-O-W line of West 70th Street, thence run W'y along the N R-O-W line of West 70th Street a distance of 60.0 feet, thence run N0E06'W a distance of 610.0 feet, thence run N89E25'W a distance of 510.36 feet to the W line of said Lot 6, thence run N0E06'W along said W line a distance of 300.0 feet, thence run S89E25'E along the N line of said Lot 6 a distance of 841.10 feet to the P-O-B; less and except the S 400 feet of Lot 6, New Castle-Jewella, said tract containing approximately 6.6 acres, Shreveport, Caddo Parish, Louisiana.

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

NONE

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.

UNFINISHED BUSINESS:

1. **Ordinance No. 98 of 2004:** An ordinance authorizing the Lease of City-Owned property to North Shreveport Development Corporation, Inc. (A/Lester) (Tabled December 27, 2004)
2. **Resolution No. 239 of 2004:** A resolution approving certain matters with respect to the sublease of space within the Multicultural Center of the South, approving signage for the Center. (B/Walford)(Tabled January 25, 2005)

Councilman Walford: I'm going to defer to Mr. Thompson, if I may? There was discussion about removing those.

Mr. Thompson: I thought we were on Ordinance 89, authorizing the Lease of City-Owned property. That is to I believe remain on the agenda.

Councilman Gibson: 98 was to remain.

Mr. Thompson: Right, but items 2 and 3 are to be removed from the agenda.

Motion by Councilman Walford, seconded by Councilman Lester to remove Resolution No. 239 and the amendment from the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

3. **Ordinance No. 3 of 2005: ZONING APPEAL: C-01-05:** An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances by rezoning property located on the southwest corner of Ford & Dale Street, Shreveport, Caddo Parish, Louisiana, from R-3, Urban, Multiple-Family Residence District, to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (A/Lester)(Remanded to MPC)

Motion by Councilman Lester, seconded by Councilman Green to remove Ordinance No. 3 of 2005 from the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

3. **Resolution No. 25 of 2005:** A resolution stating the City of Shreveport's endorsement of Calumet Lubricants Co., L.L. P. to participate in the benefits of the Louisiana Enterprise Zone Program and to otherwise provide with respect thereto. (F/Green)(Tabled – February 22, 2005)

Motion by Councilman Green, seconded by Councilman Hogan to remove Resolution No. 25 of 2005 from the agenda.

Councilman Walford: I really don't know who I'm addressing the question to, but can you tell me the impact of this. What exactly we're doing when we don't approve someone for the benefits of the Louisiana Enterprise Zone Program?

Councilman Green: Basically, I'd just like to answer that I really don't want to cause them not to gain it, but in my district, the residents of that area, my constituents have a problem with that particular establishment. And they won't talk to us. They have some stuff going on, they have noise every night. And residents gotta leave and go somewhere else to sleep. And they won't talk. So, my constituents ask me if I would remove it from the agenda until we could come to some type of agreement as to what they can do to make life better for those folks that live around that plant. They had an explosion there, I think it was last week. And it scared some folk almost to death. So, they just need to be better stewards. Thank you Mr. Chairman.

Councilman Gibson: Councilman Walford, does that answer your question?

Councilman Walford: That tells me why, I don't understand what the impact will be to that company. Do they have to have our blessing? That's a State benefit that they're, I guess I'm asking. Is that a State benefit?

Councilman Lester: It is a State - - - Mr. Chairman?

Councilman Gibson: Are you directing that to Councilman Green?

Councilman Walford: I'm directing - - - I'm throwing that one - - - open to anybody that can answer.

Councilman Green: It's a State benefit, but I'm dealing with the lives that we save. I mean, they're dealing with a benefit and I'm dealing with the lives - - - dealing with the folk that live there who is basically nervous every night about whether they're going to be able to have a safe night's rest. So, it's a State benefit, but it's a life saving for some folk around.

Councilman Lester: Thank you Mr. Chairman. First of all, I think Councilman Green is square within his rights not to move forward in terms of endorsing their resolution. Now, to the question by Councilman Walford - - - will it affect their ability? I don't know that it will or it won't. I know that there is a process where many of those things are pass through type situations, and there is a check off on the program asking whether or not you got a City endorsement. And the cities don't have to necessarily endorse every application, which is not say that they might not get it. But certainly, if they get it, they get it without the City's endorsement and without the City's blessing.

Motion approved by the following vote: Ayes: Councilmen Lester, Carmody, Walford, Gibson, Green, and Hogan 6. Nays: None. Absent: Councilman Jackson. 1.

NEW BUSINESS:

1. **ABO Appeal:** Mr. Ernest Landman - Decision rendered March 7, 2005.
2. **S-5-05:** Motor Finance Company, LLC, *John R. Bowman and Associates*, Northwest Corner of the intersection of Dumbarton Drive and Ellerbe Road (Line Avenue), B-2, SPRING LAKE COMMERCIAL SUBDIVISION - UNIT 4. (D/Gibson)
3. **BAC-4-05:** *2905 Youree Drive, LLC*, Special Exception Use and/or variance on pproperty located on the SE corner of Youree Drive and Anderson (B/Walford)

4. **BAC-6-7-8-9-05:** 6535 Youree Drive, *SHOPPES AT BELLEMEAD, LLC*, (#209, #308, #401, and #408), located within Shoppes at Bellemead, Special Exception Use in a B-3 District, Restaurant with the on-premise consumption of high alcoholic content beverages.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES:

Councilman Gibson: I have one report from the Infrastructure Committee, of which we met yesterday after Work Session. Councilman Jackson was out of town, Councilman Carmody and I were there. Gentlemen, we have a recap of that meeting of which will be coming to each one of your attention in writing, that will piggyback off of the information that Mike Strong and his department provided. It was labeled in a bound book year end report on infrastructure. We would ask that you review that and over the next couple of meetings, be prepared, if you have any questions to ask Mike Strong's department, please do so. But we would ask, as Mike Strong refers to the Bible in terms of all the lists of projects whether they're funded or unfunded that we review that from time to time, just to see what's going on. I know we do that on a regular basis, but he always reminds us of that document.

CLERK'S REPORT: None.

ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned approximately at 5:36 p.m.

//s// Mike Gibson, Chairman

//s//Arthur G. Thompson, Clerk of Council