

COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA

MAY 10, 2005

As Amended and Approved on May 24, 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 3:05 p.m., Tuesday, May 10, 2005, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Green.

The Pledge of Allegiance was led by Councilman Carmody.

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

Mr. Thompson: Mr. Chairman, Mr. Lester's ill today and will not be in today.

Councilman Gibson: I've been in communication with him. Thank you for that.

Councilman Green: Also, he asked me if I would ask you all, the legislation that has to do with I think it's Ordinance 47, he asked that it be postponed, and that the American Legion, if we could pass that, he would appreciate it.

Councilman Gibson: We appreciate that Councilman Green. Is there a motion to approve the minutes of April 25th and April 26th?

Amendment to Council Proceedings of the City of Shreveport, April 26, 2005.

Amend the Minutes of the April 26, 2005, City Council meeting as published in the Official Journal (The Times) on Tuesday, May 3, 2005, as follows:

1. Relative to the motion to adopt Amendment No. 1 to Ordinance No. 37 of 2005, on Page 15B, in Column 9, immediately after the first space break, strike the following:

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

Insert the following:

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

2. Relative to the Substitute motion to reconsider the vote on Amendment No. 1 to Ordinance No. 37 of 2005, on Page 16B, in Column 1, immediately after the second space break, strike the following:

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

Insert the following:

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

And, make the same amendment in the April 26, 2005, Minutes in the official "Council Book, 2005", and in the City Council Meeting Minutes as published on the City of Shreveport/City Council Web Page.

Amendment No. 2 to Council Proceedings of the City of Shreveport, April 26, 2005.

Amend the Minutes of the April 26, 2005, City Council meeting as published in the Official Journal (The Times) on Tuesday, May 3, 2005, as follows:

3. Relative to the motion to adopt Amendments No. 5a, b, and c to Ordinance No. 37 of 2005, on Page 15B, in Column 6, immediately after the sixth space break, and right after the motion and seconded statement to withdraw these amendments, strike the following vote statement:

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

Insert the following:

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

And, make the same amendment in the April 26, 2005, Minutes in the official "Council Book, 2005", and in the City Council Meeting Minutes as published on the City of Shreveport/City Council Web Page.

Motion by Councilman Carmody, seconded by Councilman Green to approve the minutes of the Administrative Conference, Monday (April 25, 2005) and Council Meeting, Tuesday, (April 26, 2005) with amendments. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

Councilman Gibson: I need to make sure mine registered as a yes, I didn't register - - -

Mr. Thompson: Mr. Chairman, just for the record, that's on Amendments 1 and 2 as you have on the electronic agenda, is that correct?

Councilman Gibson: Correct.

Mr. Thompson: Thank you.

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

Councilman Gibson: Mr. Mayor, do you have anything for today?

Mayor Hightower: Nothing Mr. Chairman.

Councilman Gibson: From Council? If not, reports. Mr. Antee, Convention Center, and Convention Center Hotel.

Reports:

Convention Center and Convention Center Hotel

Mr. Antee: We gave that report yesterday. We'll be glad to answer any questions.

Councilman Gibson: From the Council? If not, Mr. Mayor, I apologize for not being here yesterday, but I'd like to - - - two weeks ago, I had asked this question, and I still now that we've got a little more clarity from the courts in the fact that Judge Brun obviously has ruled that we need to move forward and hear the facts in terms of what's (inaudible) with the hotel and the \$12,000,000. I expressed concerns two weeks ago, that my concern about the bill being in the fact that contractors as few as they are, but some contractors are estimating this project. And we've been trying to get some people interested in this project. Both from the majority community and the minority, in fact the Associated General Contractors provided the plans at no costs to all the disadvantaged businesses in town, including the Minority and Women Owned business to try to encourage them to come by and look at the project. But with that in mind, the bid opening is next week, and if we open those bids, then we have a period of time that we have to make a decision on whether we're going to sign those contracts. And I guess my concern being is that if we get an unfavorable ruling, I'm going back again two weeks, as I asked two weeks ago, what is going to happen in terms of signing those contracts without having the appropriate money to complete that project?

Mayor Hightower: Well again Councilman, we are confident that we're going to have the money as I stated two weeks ago. We have a cooperative endeavor with the State of Louisiana to provide the \$12,000,000. Yesterday's ruling, and I can let Ken probably talk a little bit more to it than I can, he was actually at the hearing. But Yesterday's ruling simply stated that the venue challenge was being denied by Judge Brun, and that it would be heard in Caddo Parish versus being heard in East Baton Rouge Parish. I'll let Ken talk a little bit more about what some of the discussions have been in that regard. But we fully expect to open the bids on the 19th. We fully expect to have several bidders on the project and we fully expect it to come in under budget. If it does that, they meet Fair Share, we'll sign a contract and move forward. If the plaintiffs want to continue the lawsuit, they're going to have to put up the bond to do so. Whether they'll choose to do that or not, I guess we'll wait to see. But we're confident in our case, we're certainly confident in our contract and don't have any reason not to proceed forward on the project. So again, I don't think anyone should hesitate from an 'am I wasting my time' standpoint, or 'are they going to award the contract' standpoint? We're going to award it assuming it comes in under bid, and we're confident that it'll do that. We think we've done enough homework to ensure that.

Councilman Gibson: So the money is in the bank to sign that contract?

Mr. Antee: Yes.

Councilman Gibson: And the cooperative endeavor agreement, the \$12,000,000 is earmarked for the hotel?

Mayor Hightower: It's earmarked for the hotel. We'll receive six and a half million dollars in '05, and the remainder in '06.

Councilman Gibson: And again, appreciate where I'm coming from here in the fact that last year, there was some discussion on another piece of litigation that dealt with a contractor that the city had litigation, or the contractor had litigation against the City and that was Whitaker Construction, and we were told we were confident we're were going to do something on that, and obviously the courts felt something different. Now, I understand that we're in appeal or something of that nature. But when we see some of this in the paper, and I'm talking about the business community. I don't know about my colleagues, but I do get those phone calls, and I feel obligated, I have to ask those questions because again, I see in the legislation or on the docket, that in two weeks, you've asked us to approve you signing the contract on the hotel.

Mr. Antee: Right.

Councilman Gibson: And again, I guess with that in mind, I would like some legal direction from Ramon Lafitte saying that 'yes, in fact the Legislative Branch of the City of Shreveport can take this under advisement' and the money will be there under the legal branch of the City of Shreveport saying 'yes in fact, that is a legal act'.

Mayor Hightower: Alright. Well, let me digress a minute and go back to the Whitaker. If you'll remember, the City actually won the contractual arguments in that particular case. We were found to have followed the contract to a "T", and the jury came back after the fact and awarded them money for who knows what. That was never defined. But we know for a fact that it was defined that the City paid all it was obligated to pay under the contract. Again, we have a contractual agreement with the State of Louisiana, six and a half million dollars committed for '05. Five and a half million dollars committed for '06 in Capital Outlay (inaudible). So we are again confident that those dollars are in place via the contract. Those funds are encumbered. The remainder of the money, this Council voted for us to sell the bonds several weeks ago. Those monies are in the hands of the Trustee ready to be spent as needed. So- - -

Councilman Gibson: The trustee being?

Councilman Carmody: Who is the trustee Mr. Chairman?

Mr. Antee: Region's Bank is the Trustees on the bond issue. The money goes to the trustee, the trustee oversees it and disburses. That's the normal procedure of a bond issuance.

Councilman Gibson: Thank you.

Mayor Hightower: So again, we're in good shape as far as 'are the dollars in line'? The dollars are in line and ready to go. We're bringing it before the Council as a result of Councilman Jackson's legislation of two weeks ago that says that the contract has to come back before the Council for approval before the Mayor's office can actually sign it. It's the only thing of it's sort, the hotel is. But nevertheless that the reason it's there. It's on the agenda today for the first reading. It'll be ready for signature- - - or ready for approval and consequently signatures as soon as Council approves it next week. Part of the reason we moved the bid date back to the 19th was two fold. 1) The bid date would have been today, and we didn't think that we would have time to review the bids and get them down here in order for you guys to be able to vote within a couple of hours. So we felt like if we could get instead of laying over for the next two weeks, letting you guys look at it, we'd be better off giving

it to the construction community for the next nine days and hopefully encouraging some more bids. And that's what we've chosen to do and that's the reason that it's out there for another nine days. So, hopefully that produces a little fruit during a period of time that we would have waited in either way. In either your hands or in their hands, we thought it'd be better in their hands hopefully again to secure some more bids.

Mr. Antee: In regards to the ruling yesterday, be careful what you read in the paper because the headlines don't always reflect what's in the article. And the hearing was not on the merits in any way, shape or form despite what the media has publicized. The hearing was merely on venue. And the venue has more to do with the precedent that is set, that the State does not want to have to defend any issue on Capital Outlay or the Capital Outlay process in 64 different parishes, as stated by Rick McGemsey the State's attorney yesterday. They have hundreds of projects with millions, and millions of dollars that go in all 64 parishes. And the proper jurisdiction for any issue arising out of Capital Outlay is in East Baton Rouge Parish. That's what that hearing yesterday was for. The other issue was on vagueness. And the court overruled the vagueness because he said that that's better heard in a no right of action exception, and encouraged the attorneys to bring that exception because it fit better than the vagueness. So, it had absolutely nothing to do with the merits of the case. As far as where we are in that process? The venue issue is the issue that the state has. We're going to follow their lead. If they want to appeal that, then we will join them in the appeal, if not, then we'll get prepared to bring that issue here in Caddo Parish.

Councilman Gibson: Well, if you'll remember, at the very beginning of this conversation, I said, it would put in a position to where the facts would come to the table. Okay?

Mr. Antee: I wasn't, I wasn't questioning what you said.

Councilman Gibson: I understand.

Mr. Antee: I was setting the record straight on what the media had reported.

Councilman Gibson: And I appreciate that. I did read the thing and did some research on it. And understood what took place in Judge Braun's court the other day. But I think it's important that we are dealing with the facts from both sides, and to understand this situation, again, that's why as a Councilman representing a district with a lot of business in an industry that I'm in that obviously is looking at this project. I've had to raise these issues because it is - - I get these phone calls on a routine basis. I guess, and the last question I have in terms of if something were to go to south gentlemen, and this is directed at the Administration, is there a contingency plan? A Plan B.

Mr. Antee: Yes, but we're not going to disclose that.

Councilman Gibson: I'm not asking you, I'm just asking is there a contingency plan.

Mr. Antee: Yes.

Councilman Gibson: I don't want to know what it is. But there is a contingency plan.

Mr. Antee: Yes.

Councilman Gibson: Okay. Thank you Mayor and thank you Mr. Antee. Any other questions or comments?

Councilman Jackson: Mr. Chairman, one of the things is and one of the reasons, I would submit to my colleagues, one of the reasons why I two weeks ago asked you to join me in requiring that the contracts come back to the Council is so that we can deal with it as it comes up. I know that the Chairman is to some degree is being pre-emptive in this, but I think we have at least now processes in place so that we don't have to predict a problem, but we can respond to issues. So as we move towards the next nine days or whatever the case may be, we still have the power to respond to those problems without being pre-emptive. And I'm in hopes that we can have a best case scenario where we get out of the courts and we can use the \$12,000,000. But that we still do the project right. And so I want to be sure that we don't forget that just because this item is on the agenda, Mr. Chairman, it doesn't mean we are in any way obligated to deal with it differently than we would anything else which includes, postponing it, removing it, acting on it, the whole nine yards, but I do think that it would be in error. And an error in judgement to wait until we have felt 100% satisfied that all things in order because all of us have different levels of comfort with what, with order would mean. So, I would hope that we would use the tools that are at our disposal which in my opinion is our process. And to continue to hold the Administration's feet to the fire, to allow the legal process to take place and to hopefully give to the citizens of Shreveport, the best project that we can. So, I would just like to stress to my colleagues that all is not lost and that we still in fact have control, and we just have to exercise that control with prudence. Thank you Mr. Chairman.

Councilman Green: Mr. Mayor, once we get out the courts with this, do you foresee any other stumbling blocks that will be put in the way?

Mayor Hightower: Councilman Green, I hadn't foreseen a lot of the stumbling blocks and hurdles that have been put in the way, but we've come too far. It's not a luxury, it's a necessity, I've said it a thousand times. We're not going to quit. We have to have a hotel to make the convention center work, and we're going to get there. And I'm confident that certainly, we're in the home stretch, but I thought we were in the home stretch six weeks ago, and low and behold we've rounded the corner and there's another hurdle. But we've continued to clear 'em and we'll continue to clear 'em, and we'll be in a whole lot better position and I think we have a good stretch ahead of us to get this done.

Councilman Green: The \$12,000,000. If we don't get it, who would get it?

Mayor Hightower: I don't know, but that \$12,000,000 - - - the bottom line is earmarked for the City of Shreveport at this point. And you know, I've said at this point, it's the largest capital outlay project the City of Shreveport's ever received - - - ever. And for some reason, we don't get it, I'm sure some of it'll go to New Orleans, some to Baton Rouge, some to Westwego, and Lake Charles, and probably everyone except the City of Shreveport.

Councilman Green: Has the Governor in any ways, wise, said to you in any ways, fashion, that she's hesitant about giving it to us? Or she's not going to give it to us? Have you had any type of communication with the Governor's office as to - - -? Because he who holds the money is the one that makes the rules. So, do you have any bad feedback from the Governor?

Mayor Hightower: She has been nothing but positive about this situation. I think we're fortunate that she came from the Lt. Governor's office and knew what tourism was all about. And how important it is to have all the parts of the puzzle working together. Every indication from her has been positive. Even up to the point of like I said a minute ago, her putting six and a half million dollars in her budget this year, and her agreeing to put five and a half million in capital outlay again next year. So her commitment has been steadfast.

Councilman Green: Is she the one who gives the order for the check to be signed?

Mayor Hightower: Well, I'm not real sure how all that works in that. But I know she's on our side at this point.

Councilman Green: Okay. And I guess there's a adjective that says 'he who holds the gold, makes the rule', so thank you Mr. Chairman.

Councilman Gibson: Thank you Councilman Green. Any other comments?

Councilman Hogan: Mr. Chairman, I was just curious. Mr. Antee, if you mentioned it a moment ago, forgive me, but did you say what kind of response so far we have gotten, or if we've received a certain number of bids or can you tell?

Mr. Antee: Well, the bids will be - - - come in all at one time next Thursday.

Councilman Hogan: Okay, they haven't.

Mr. Antee: But I did speak to the General Contractors today and specifically asked them are there any red flags in the subcontractors market or anything like that? And the questions that they brought up had to do with some design issues and time. They want more time to build it. And like I said to one of them if you, you know -- if we gave -- you want -- it's 14, you want 16. If we gave you 20, you'd want 22. He laughed and said you're right. He said but you know liquidated damages or issues. But that's something that comes up with every single contract as your counterpart can attest to. And 99.9% of the bid projects, they're out, the time of the construction and the liquidated damage issues are something that are discussed and they're always asking for more in that regard. So, I specifically asked if there were any red flags, and if so, let me know immediately and they didn't express any.

Councilman Hogan: I wouldn't hold your feet to the fire, but how many do you suspect or have told you already? How many do you know of already that going to (inaudible)?

Mr. Antee: There are three General Contractors who have picked up the bids. One of the contractors told me today that they have provided approximately 50 sets of plans to the subs which he said it was slow at first with subs coming to get the plans from them. But it's really picked up quite a bit. And that's one of the subs that has done projects with the City of Shreveport and locally.

Councilman Carmody: To the Administration, I just want to make sure that kinda of our State Government lesson for today. Capital Outlay is approved by who? The Capital Outlay is approved by who?

Mr. Antee: Capital Outlay budget is approved by the legislature and signed by the Governor. Our money is already been approved and gone before the bond issue with the cooperative endeavor agreement. Once that cooperative endeavor agreement is signed, we do not have to go back to the legislature each year.

Councilman Carmody: Okay.

Mr. Antee: The only thing that relates to that process with the legislature is the priority. They schedule it based on when the money is going to be needed. We've had about a million and a half or a million-eight in priority one the last two or three years with the rest of it. And priority five which is the (inaudible) money. Each year, they say when are you going to need the money? Well, we need the money starting this fiscal year, July 1st. So they've got six and a half million for July 1, '05 through June 30, '06 and five and a half million from July 1, '06 which works with our draw schedule for the construction.

Councilman Carmody: So the legislature actually votes and approves the Capital Outlay funding, but then they also vote to put it in the specific priority for the given year?

Mr. Antee: Right, they vote on the - - - the priority is what's set out in the bid. Priority I is money you get. It's contracted for and committed by the State and through the Bond Commission Approval. Priority V is money that is - - - what's called trailing money, that's approved and contracted for. II, III and IV in between is no man's land.

Councilman Carmody: But the Governor can basically lobby the legislature to say that she wants to see some monies that are in Capital Outlay for a project moved from a lower priority up to a higher priority, and she can't vote on that, but she can certainly request that they do so?

Mr. Antee: That's correct. And even though we're in Priority V for the trailing money, there's nothing to say that they can't and we've gone through the six and a half million and we're completing the project. The facility planning has the ability to go look and see, 'okay, well this project over here is in Priority I, but they're not to the level they thought they would and they have money there that they can bring some out of Priority V into Priority I since that project's moved further. They've got some of that flexibility.

Councilman Carmody: Thank you for the lesson.

Councilman Jackson: Just to add to that Councilman Carmody, (inaudible) there is an appropriations committee or at the house level who also serves at a dual capacity, kinda like us with the SRA on the Capital Outlay Committee. It all starts with House Bill 2. You could check it out and someone will start that at the beginning of each year and House Bill 2 will be Capital Outlay money and you'll find that once - - - no decisions really are made as Mr. Antee talked about. Those that are in II, III, IV, and V really stay there until the bonds are sold. And you know how much money there's going to be in order to do a project. And so, Priority I has already, as he said, contracts out, they get funded. Things that are Priority II based on the money that's available once you sell all the bonds, revenue estimating committees get together and all of those things. And then they make those decisions as an appropriations committee that ultimately goes to Senate Finance. And comes to us based on whatever a lot of people favor. So, it's a process of not only priority, but politics as well.

Councilman Gibson: Thank you Councilman Jackson. So, one last question here. The cooperative endeavor agreement signed, has been signed off by everybody. But also the - - - cause one of the things that still floats out there, the legislature approved this Capital Outlay money that was signed by the Governor. So the legislature approved it correct?

Mr. Antee: Correct.

Councilman Gibson: Correct.

Mr. Antee: In 2001.

Councilman Gibson: Okay.

Mr. Antee: By Governor Foster - - - signed it.

Councilman Gibson: Alright. Any other questions gentlemen? If not Property Standards.

Property Standards Report

Councilman Carmody: Oh, I'm sorry. Mr. Chairman, I do have one thing. Thank you very much. I just wanted to acknowledge receipt of the report from Ms. Moore in Code Enforcement regarding the determined to be collectible fees, excuse me, fines. If I could ask Ms. Moore to come forward for just a minute, starting to get - - - thank you Mr. Chairman. Ms. Moore, thank you Ma'am. Yesterday Mr. Bowie had said that y'all had gotten the numbers together and that you were going to re-check them and then provide them to us today. Could I ask you to kinda of give us an overview of the information, cause I know that it was just handed to each of us.

Ms. Moore: Certainly. If you would notice it indicates that it's 'DRAFT'. And the reason why it's draft

is because the DP provides this to us. During their kinda pruning process, they are going through it to make sure that all the numbers are indeed correct. There is some more information that they have to clear as a result of this. But this really is a good depiction of what the fines really are. If you notice on the books, we have \$10,000,000 in fines. There are about \$823,000 slated to be cancelled. This is where improper notifications. Some notifications have been documented twice. Or there may be some other types of errors that have been indicated and as a result of that, that total is approximately \$8000,000. There were also about \$5,000,000 prescribed. And these are collections that we cannot collect as a result of the Civil Code Article 39 (I believe) 3494. As a result of subtracting all of that from the \$10,000,000, it leaves us with approximately \$4,000,000 that we can potential collect. Of that, \$1,394,000 is a result of towing, securing, care of premises, and demolition. Those violations were properly notified as a result of utilizing the conveyance records. Therefore we believe that we could legally pursue those without any problems. However when it comes to weed abatement, that totals approximately \$3,000,000. That's another story and proves a little bit more challenging. Because we did use the tax assessor roll to notify the folk on that. So because of the timing associated with this, it is necessary to go back to review file. File by file and determine if the persons were properly notified. As a result of that and the potential to collect \$3,000,000, we are recommending that an outside collection agency do this on our behalf.

Councilman Carmody: Thank you Ms. Moore. Just to clarify the - - - the mention in the report that states that \$5.3 (million) in fines were prescribed and are not legally enforce able, I'm assuming that the Louisiana Civil Code referenced here that 3494 means that when a governmental entity is notified or starts its process to pursue, that it's actually a fuse which starts at that point and unless there is some resolution by a given time frame, then that governmental entity is not entitled to pursue the collection of that money. Is that correct?

Ms. Moore: That's indeed correct. And certainly Julie can speak to that, but The City Attorney Lafitte gave a ruling on that back (I think) in April of 2003.

Councilman Carmody: And that kinda leads into my second question. And that is that the total charges of this \$2.9, almost \$3,000,000 that we think are collectible. Are we going to be able to pursue that amount and still bring those to resolution before the prescription time runs out, or do we know?

Ms. Moore: Some of them (inaudible) date as of yesterday. So each day, the prescription period applies. So, the majority of them, we should if we're able to we're able to aggressively pursue.

Councilman Carmody: And I would assume then that we're going to take the oldest ones first in order to try to get those collected so that that prescription period does not run out on that amount?

Ms. Moore: That's correct.

Councilman Carmody: Thank you. Is Mr. Lafitte in the Chambers? Mr. Mayor, if I could ask, and I was hoping that the City Attorney was here with us, if we could get Mr. Lafitte to take a look at this information and give us kinda of a timeframe or schedule of when he anticipates us being able to actually start to work towards this collection that's almost \$3,000,000 please?

Mayor Hightower: We'll get that put together.

Councilman Gibson: Thank you Councilman Carmody. Any other questions or comments? Ms. Moore, I don't know if you could - - - before you sit down, I'm sorry that we had this take place. I have a - - - if I could have Wardell Bowie contact Mr. Harris who has some information on a property in his area, that he's gathered several of the residents in that area who have concerns about an address of 272 W. 76th Street. It's an abandoned home that has been partially burned, but at the same time, vandals and others are coming and going. He can be called at 349-7876. But could you have Mr. Bowie kinda give me a written overview of what's taken place in terms of action on this particular facility. Also, I believe the timeframe has run out on the property at 73rd and Line where there are some tree stumps that are on that property. I think we have cited them on that, and I'm trying to determine what the next steps are so the City can remove that. It's an eyesore on Line Avenue. And the third is at the corner of 70th and Thornhill. It's a commercial business that's been boarded up and now the boards are coming off. But there's been a lot of salvage of materials off of that building. I don't know who owns it, but there was supposed to have been a process that took place at least two or three months ago, I'd like to get an update on those properties if I could.

Ms. Moore: Certainly, we'll be more than glad to get those to you.

Councilman Carmody: Ms. Moore, I'm sorry to put you on the spot. But I'm hoping that in that I don't see Mr. Bowie in the Chambers with us. Can you check on this. I had a call from a resident who lives on Dillingham. And their property abuts a commercial restaurant that faces Line Avenue. And they had called me regarding the fact that the business was washing down their parking lot and because of the topography and the slope from Line Avenue back toward their property, that the rear yard of their home on Dillingham stays perpetually a very muddy, wet area. I did not know if that would fall under nuisances, or Codes Enforcement or Property Standards. But I thought maybe Mr. Bowie could assist in looking into that. I'm not sure if it might actually fall under Zoning.

Ms. Moore: We'll look into it. We'll get with Alan or Charles or somebody and (inaudible)

Mayor Hightower: Mr. Chairman, what's the location of that?

Councilman Carmody: It's right there at - - - behind Bella Fresca's on Dillingham. The McBrides have contacted me to say that they've repeated tried to - - -

Mayor Hightower: So it's coming off the Bella Fresca lot?

Councilman Carmody: Well, what they're doing is they're washing down their lot and of course, the slope of the property is such that everything is running back onto the residential area that faces Dillingham's.

Mayor Hightower: I think what we'll probably take a look at doing there, Mike, if you would, lets take a look at retention issues. That may be a property that retention was not in affect. And maybe we can go back and - - -

Councilman Carmody: That's the old Pizza Inn building I believe. Thank you Mr. Mayor.

Public Hearing:

Councilman Gibson: Under Public Hearing, I show none. Is that correct Mr. Thompson?

Mr. Thompson: That's correct.

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

Confirmations and/or Appointments. None.

Councilman Gibson: Under Confirmations and/or Appointments, I show none. Is that correct Mr. Thompson?

Mr. Thompson: That's correct.

Adding Legislation to the Agenda

Mr. Thompson: We have several items. The first is a resolution to urge the Louisiana State Legislature not to support Senate Bill 333.

Councilman Walford: So moved Mr. Chairman

Councilman Jackson: Second.

1. A Resolution to urge the Louisiana State Legislature not to adopt Senate Bill 333 relative to the appointment of Caddo/Bossier Port Commissioners and to otherwise provide with respect thereto.

Motion by Councilman Walford, seconded by Councilman Jackson to add this resolution to the agenda.

Councilman Gibson: Could I get a discussion- - - what is Senate Bill 333?

Councilman Carmody: You have a motion and a second on the floor.

Councilman Gibson: I have a motion by Councilman Walford and a second by Councilman Jackson. Discussion Councilman Walford.

Councilman Walford: This is a bill that Senator Malone has introduced to abolish the current membership of the Caddo/Bossier Port Commission, and replace it with Senate nominated mayoral appointed appointees. It basically stands to cost Caddo one or two representatives on the Caddo/Bossier Port Commission. And I would urge adding it to the agenda, and supporting the resolution.

Councilman Gibson: Is this something that - - - Councilman Walford that also Caddo Commission is weighing in on also?

Councilman Walford: That's my understanding Mr. Chairman, that they plan to have a resolution and the Caddo/Bossier Port Commission has passed a resolution urging defeat of this.

Councilman Gibson: And it's for introduction? Any other questions or comments from Council?

Councilman Jackson: Mr. Chairman, I would just urge us introduce this so that we could vote on it. Obviously we have interest in this and there's a potential I think maybe Councilman Walford has said, I apologize. I was talking, but we have the potential. One of our senators asked for us to do this. Because there is a potential for us to lose - - - we pay 2/3rds of the money that goes into that. And there's a potential for us to lose 2/3rds of the seats we currently occupy. So, I would- - - certainly there's no, out of no ill will or disrespect to Senator Malone, but I just think that it's bad legislation.

Councilman Gibson: Thank you Councilman Jackson. Any other questions or comments? If not all in favor vote yea, opposed vote nay.

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

Mr. Thompson: The next is a resolution suspending certain effects of the alcoholic beverage ordinance for Johnny Dees Lounge.

Councilman Walford: So moved Mr. Chairman.

2. A Resolution suspending the effects of certain provisions of Chapter 10 relative to Alcoholic Beverages and Chapter 106 relative to zoning for Johnny Dee's Lounge located at 4044 Mansfield Road for the Annual Crawfish Boil and to otherwise provide with respect thereto.

Motion by Councilman Walford, seconded by Councilman Green to add this resolution to the agenda.

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

Mr. Thompson: The next authorizes the Mayor to enter into a surety agreement with XL Capital Assurance, Inc.

Councilman Carmody: I'll make a motion to introduce it.

3. A Resolution authorizing the Mayor of the City of Shreveport, State of Louisiana to enter into a Surety Agreement with XL Capital Assurance Inc.; and providing for other matters in connection therewith.

Motion by Councilman Carmody, seconded by Councilman Green to add this resolution to the agenda.

Councilman Carmody: In that we're just introducing it, I'd appreciate if we could get an explanation from the Administration on this before we consider it in two weeks please. Thank you Mr. Chairman.

Mayor Hightower: We'll do that.

Councilman Carmody: Thank you Mr. Chairman.

Councilman Gibson: Any other questions or comments? If not all in favor vote yea, opposed vote nay.

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

Mr. Thompson: The next is a resolution suspending certain provisions of Chapter 10.

Councilman Walford: So moved Mr. Chairman.

Councilman Green: Second.

4. A Resolution suspending the effects of certain provisions of Chapter 10 relative to Alcoholic Beverages and Chapter 106 relative to zoning for the Lowe-McFarlane American Legion Post #14 located at 5315 South Lakeshore Drive to host a Crawfish Boil Fundraiser and to otherwise provide with respect thereto

Motion by Councilman Walford, seconded by Councilman Green to add this resolution to the agenda.

Councilman Hogan: Mr. Chairman, thank you. Mr. Thompson, you said of certain provisions for - - -

Mr. Thompson: This is to allow the sale of beer outside of the American Legion on South Lakeshore

Drive. It's sponsored by Councilman Lester.

Councilman Green: This is the one that Councilman Lester asked if we would pass it, he would appreciate it.

Councilman Gibson: This is for introduction.

Mr. Thompson: It can be voted on today.

Councilman Jackson: It's just adding it.

Councilman Gibson: Right now, we're adding legislation for introduction, for a vote later? Any other discussion? If not all in favor vote yea, opposed vote nay.

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

Mr. Thompson: The next one is the ordinance to -- concerning fees for the MPC that was discussed yesterday.

Councilman Jackson: So moved Mr. Chairman.

Councilman Green: Second.

5. C-42-05 An Ordinance to amend certain sections of Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance; to amend the fees charged by the Shreveport Metropolitan Planning Commission; and to provide for other matters related thereto.

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

Mr. Thompson: The next ordinance amends the 2005 Airport Enterprise Fund Budget.

Councilman Green: So moved.

Councilman Jackson: Second

6. An Ordinance amending the 2005 Airports Enterprise Fund Budget and otherwise providing with respect thereto.

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

Mr. Thompson: The next ordinance amends the 2005 Capital Improvements - - -

Councilman Walford: So moved Mr. Chairman.

Councilman Green: Second.

7. An Ordinance amending the 2005 Capital Improvements Budget and otherwise providing with respect thereto.

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

Mr. Thompson: The next ordinance amends and reenacts Chapter 50 relating to smoking. It allows smoking at golf courses I believe.

8. An Ordinance to amend and reenact portions of Chapter 50 of the Code of Ordinances relative smoking and to otherwise provide with respect thereto.

Councilman Jackson: So moved Mr. Chairman.

Councilman Gibson: Is this a - - - Motion by Councilman Jackson, do I have a second?

Councilman Hogan: Second.

Councilman Gibson: Second by Councilman Hogan. Discussion? Councilman Jackson, you're the author?

Motion by Councilman Jackson, seconded by Councilman Hogan to add this item to the agenda.

Councilman Jackson: Yeah, I didn't- - - I wasn't sure this was going to be on the agenda today, but I would like to ask you since we've already moved to do it, and second that you would vote nay, and the reason is because Lakeside Golf Course was the only golf course that was exempt because the other golf courses were covered because they both possess liquor licenses, and so they - - - you were able to smoke there. Lakeside was different, and certainly wanted to give them the same thing. We have since - - - I have since at least talked to the Clerk about getting with the Administration about handling it another way without having to come back to amend this. So, would ask that you would vote nay.

Mr. Thompson: If you don't want it introduced, you can just withdraw it.

Councilman Jackson: I'm sorry. Well, Mr. Chairman, let me withdraw this. I didn't know if we were already too far in the process to (inaudible)

Councilman Gibson: I appreciate that, before we do that, Councilman Green. Did want to weigh in on it.

Councilman Green: If we're going to withdraw it, I don't need to say anything.

Councilman Jackson: Well, I'll just ask we move to withdraw.

Councilman Gibson: We have a withdraw from the maker of the motion so we'll move on.

Mr. Thompson: The next is a resolution selecting *The Times* as the official Journal for the City of Shreveport. I discussed this briefly yesterday. There is no need for us to go out for bids and we've contacted *The Times* and they've provided us with the fees and we would recommend - - -

Councilman Walford: So moved Mr. Chairman.

Mr. Thompson: We would add this to the agenda to be voted on in two weeks.
Councilman Carmody: Second.

8. A Resolution selecting The Times as the official journal for the City of Shreveport for the period commencing July 1, 2005 through June 30, 2006 and otherwise providing with respect thereto.

Motion by Councilman Walford, seconded by Councilman Carmody to add this resolution to the agenda.

Councilman Gibson: Motion by Councilman Walford, seconded by Councilman Carmody. Any discussion?

Councilman Jackson: Mr. Chairman, I know we often talk about rates. Since it seems like it's a sole source kind of a situation, we have any leverage to negotiate the rates?

Mr. Thompson: Not very much. State law weighs in on this somewhat and tells us they can't charge above a certain amount.

Councilman Jackson: Gotcha! Alright, thank you.

Councilman Gibson: Thank you Councilman Jackson. Any other questions or comments? If not all in favor vote yea, opposed vote nay.

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

Councilman Gibson: Mr. Thompson?

Mr. Thompson: Mr. Gibson, do you want to read yours?

Councilman Gibson: Go ahead Mr. Thompson.

The clerk read the following:

9. A resolution instructing the Mayor to delay the opening of the bids for the Convention Center/Hotel Construction Project and otherwise providing with respect thereto.

Motion by Councilman Gibson, seconded by Councilman Carmody to add this resolution to the agenda.

Councilman Gibson: Motion by the Chair, seconded by Councilman Carmody. Discussion. If not all in favor vote yea, opposed vote nay.

Motion denied by the following vote: Nays: Councilmen Walford, Green, and Jackson. 3. Ayes: Councilmen Carmody, Gibson, Hogan, 3. Absent: Councilman Lester. 1.

Mr. Thompson: That's all we have Mr. Chairman.

Councilman Gibson: Thank you Mr. Thompson.

Public Comments (Agenda Items to be Adopted)

Councilman Gibson: We have three, and just so the public knows, if you have any discussion that's germane to the agenda today, you must fill out a slip out in the foyer and hand it to our Clerk. If it is not germane, you'll be asked to speak at the end of the meeting. The first request to speak is from a Tim Gathers.

Mr. Tim Goeders: (152 Ardmore) I received this afternoon a fax from the Clerk of Council regarding the proposed ordinance regarding vicious dogs and I believe the ordinance is very well intended and it's something that certainly needs to be addressed and I wanted to add some comments in that regard. The encounters that the public or the Police Department have with these vicious dogs or Pit Bulls or whatever, often is sort of the peripheral result of other criminal activity. There is a growing problem of dog fighting in the Parish as well as throughout the Country. And often times these dogs used in pit fighting are kept as pets or as a business breeding operation for individuals, and I think that there should be some other - - - I'm a fan of the breed, and I think I should say that I think there should be some additional clauses added to the proposed ordinance that Mike Gibson - - - enforce ability, accountability, and some responsibility to the pet owners as well as giving some - - - a vehicle for the City to take advantage and perhaps in coordination with the Parish, some teeth that's a good word, to fulfill the intent of the ordinance. There's a - - - the problem with the - - - as I see it from the growing problem of this Pit Bull fighting is that it's an often a peripheral of other criminal activity. Often drug related or drug dealing and from what I've read in the paper and from talking with some Police Officers, I understand that often times these dogs or other types of aggressive dogs are used to protect drug houses and/or you know, used as intimidation when they're walked out in the public. So, I would like to ask the Council to consider adding some provisions in the regard that in a similar fashion that if a Police Officer sees an expired inspection sticker, he's able to stop somebody and write them a ticket. If they see a dog out in the public or kept on private property that doesn't have identification, that its had recent vaccination, then they should be able to stop and ask that person for credentials to see if they are the actual owner, or if the dog's had recent vaccinations. It's currently a law in the Parish that we have annual vaccinations. But that's very hard to keep up with. Secondly, I think that there should be some regard to prohibiting people that might have passed felony convictions for drug related or violent criminal activities from being in possession of or on the same premises as a vicious or attack type dog. In other parts of the Country, there's a great deal of coordination that takes place with County or City governments perhaps even in the Parish and with their humane societies in that they are able to better fund the vehicle to allow animals to be picked up that aren't currently in compliance and their owners also. And I was reading in the ordinance, and I assume that it's just a portion of that which was drafted, but these are some amendments that there is technology that is available right now that dogs are a specific concern to the City Council that might be considered vicious or a particular breed. When the animals are vaccinated at their veterinarians. The veterinarians have the ability to implant a microchip under the skin of the dog, so that the dog can be scanned if it is lost and found later on. And so a similar type of mechanism could be used where potentially vicious dog or at least the owner of the dog could be found if the dog has gone out and bitten somebody, or its used in a criminal type activity like pit fighting. They're able to - - - and any dog that doesn't

have that chip could be seized. And this is going to create a problem for - - -. The next thing is going to be enforcement. When you have enforcement of something like that, we're going to have to be a vehicle for them to be able to seize and pick up the dog and maintain it at a rabies control unit or humane society. So, I don't really have all the answers in that regard, but I certainly think that whereas the ordinance is very well intended, for the outcome that you're hoping to achieve to take away some of the vicious dog type activity, that would certainly help you to bypass some of the problems that might come up in regards to someone claiming that they don't own the dog or that the dog is grandfathered. I think that there's a provision in here that says that any new type of "vicious dog" would have to be registered. And that is difficult for someone out in the field at night probably to discern if a dog's 3 years old or 7 years old. So, if you could have some sort of a proviso in there that you know, that's where I'm saying the benefit of having a chip is that if the Police have a scanner, and their technology is quite a bit cheaper than it was years ago, they'd be able to survey that. And come up with that sort of thing. But that's pretty much what I wanted to ask you about.

Councilman Gibson: Councilman Green, you're involved with this along with (inaudible), although I was only at one meeting, I didn't get the courtesy of invite to the others, but you want to address this - - this issue?

Councilman Green: Thank you Mr. Chairman. Certainly Mr. Goeders, we appreciate you coming. We had a meeting earlier today, and the reason that we have not completed this task is Commissioner Cox's wife was seriously ill, and he's been taking care of her, but we met. The Police Chief, Dr. Dale, the Commissioner, the Parish Lawyers, we met earlier today. This document that we have today is just the groundwork for it, but within the next 30 days, we will have - - we will be able to amend this with some of the things that you were talking about. And what I'd like to. I don't have his number handy, but if you would call Commissioner David Cox and express some of those ideas to him, then certainly we're open. But this is just the groundwork, and we're going to come back with the rest of the amendments to possibly get it to where it needs to be. But again, thank you for your input.

Councilman Carmody: Tim I appreciate you coming down here. I've known him a long time, and long time neighbors. Responsible dog ownership is the biggest key to this whole thing. You certainly are a fan of that particular breed and have quite an impressive animal. Not that I would want to walk up and pet it. But I think that what we're seeing, and you kinda hit on it is that apparently there's a portion of that breed that people have a desire to steal and then to utilize in dog fighting. Once they're used up, let's say, they're turned out. And that's where, I know I've received complaints from people about dogs that appear to have no owners that are roaming the streets. And again Pit Bulls, I guess, get painted with a real wide brush. But just the appearance of them sends people into a panic when they don't see anyone taking care of their animal. And I just want to commend you in that you always seem to have your dog on a leash and taking care of him. So - - -

Mr. Goeders: Well thank you. I've been bitten four times by a - - - once by a Maltese, another time by a Cocker Spaniel, and a Schnauzer, and a Labrador. Never by a "vicious dog", but I certainly know they are capable of that. And I just appreciate very much the Council taking on a situation that could be politically charged. And certainly you know your constituents are all going to have their own opinions. I'm particularly sensitive to a lot of seniors that use dogs for personal protection. And you know, would have concerns in that regard. Also some business owners because they're - - - a good barking dog sometimes is a great deterrent for that, so I thank you very much for your time.

Councilman Jackson: I wanted to know and maybe Tim, I apologize for calling you by your first name.

Mr. Goeders: That's quite alright.

Councilman Jackson: If Councilman Green maybe, if someone on that committee, is there any science to support what maybe the propensity of these dogs that are characterized as vicious to do what, I guess, to commit the acts that would cause them to be vicious? And obviously, there's other municipalities who handled it in some different ways. Do we have either the science or any kind of scholarship on that? Or do we have documented experiences from other municipalities about how they've handled this scenario? And are we using or incorporating any of that information in the sculpting if you will, in the engineering of this process, of this ordinance to regulate these dogs?

Councilman Green: Yes sir. We're doing all that you said.

Ms. Rhonda Svoboda: (8595 Greenwood Spring Ridge Rd) I'm speaking for my husband. He kinda married into this deal. I've been breeding and showing Bull Masters for over 25 years. I have American International Champions. And when I read in the paper, y'all thinking about putting a ban on all Bull breeds, and the insurance issues, and all that. From a breeder, you need to make the owners of the dogs responsible. Not make a blanket over the whole thing. Cause then you're going to hurt everybody else. You need to make tougher laws to go after the owners who are not responsible for their dogs. You can't just do one breed, because I kennel Pit Bulls. I'm about one of the only kennels around here that will do it. And they're some of the nicest dogs you ever met. It's the people who have 'em, has that breed that makes a dog bad. And you need to - - - when you find them, go out there and get those fines. You get a vicious dog, put it down. Cause they cannot be rehabilitated. I know that from experience. And I'm just concerned - - - you know, you got one of the biggest dog shows in this area. Comes here every year, and if you put a ban completely against Bull breeds, you're going to ruin a good thing. You've got Bull Terriers, you've got Bull Masters, you've got Staffordshire Bulls. Just you know, have somebody on the committee that is used to dogs. That knows about dogs and the chipping, it cost about \$25 to chip a dog and then it's \$12.50 more to register him with a bank in order for it to come up. I work in the Cooper Road, Cedar Grove area up on North Market, and I see a lot of Pit Bulls. When we have fires, and they know I'm on the scene, the guys come get me to handle the dog. It's the owners that are making this breed bad. The people turning them out. All I ask is y'all take in consideration, don't penalize all the other people who have the good dogs, who are responsible for keeping their dogs behind a fence, walking them on leashes. Having them obedience trained. I mean, mind better than kids. But it takes you doing it. And if y'all come up with an ordinance, you need to have the umph behind it to back it. Make it count and that report y'all just had before about fines being unpaid. Sure you can find somebody, but do you go after them to get the money? You've got to hit 'em where it counts. You know and it's bad people that are making this breed bad. And I just having a problem with you putting vicious dogs of several breeds. And It's just upsetting cause some firemen have some of my dogs and they live in the City. And if y'all do this, it's really gonna - - - it's not a good thing. About getting insurance, you're going to force some people you know - - - I would move before I'd give up my breed. And I just ask for somebody to be on that committee that deals with dogs and that can go out and check. See if it's a vicious dog. A person that handles dogs. You know, a breeder, or somebody that's knowledgeable in it, and not just take somebody's word for it. And go after the owner that has these dogs. And if they are loose, pick them up. Destroy 'em. Just don't put a blanket code out there over everybody who has

dogs.

Councilman Gibson: Any questions or comments? Thank you Ma'am for your time and good afternoon. The next request is from Tracy Isom. Ms. Isom? Are you in the Chamber? I don't believe she's in the Chamber. The next request is from Linda Baker. Ms. Baker would you please come forward and state your name and address for the record? Both of those were on item 47. I think because we have tabled or are going to postpone that, they may have left. Gentlemen, I believe that's all the requests that we have for speaking at this point and time. We have one that will be held, that is non related on the agenda that will be at the end of this meeting.

Councilman Green: Mr. Chairman, I'd just like to make a suggestion to Ms. Rhoda. Ms. Rhoda, would you call Commissioner David Cox and ask him if you could volunteer to be on the committee?

Ms. Svoboda : I would be glad to be on the committee. Thank you.

Mr. Brent Hall: (1842 Jenkins) Kinda caught me off guard. I thought we had a little bit more time on this. I've been raising Pit Bulls for over 25 years. And it scares me that the - - -proposed ban scared me. The breed - - - specific part of this vicious dog thing is well, we're looking at and I just walked in what she was saying. It's not the dog. It's the people that own these dogs. You know my dogs will bark at you and that's all I want. I've been told from when I was a child, a Pit Bull that bites, you put him down. A Pit Bull that you think is going to bite, you put him down. We have a big problem in this City with them. I mean, I'll say that myself. And you know dog fighting is running rampant here. They're not doing anything about it. I know that your hands are tied to a certain point. But I think what we should try to do as a community is enforce the laws we have. Louisiana's got a pretty good vicious dog act. And go after them. Just like she was saying, the man and people that - - - you're not going to get to the person that you're after here. Because they're not going to get rid of their dogs. They're going to go underground. And you know when you find them, lock 'em up. Fine 'em. I mean fine 'em good. And when a dog bites, put him down. You know, this isn't a dog that you want to have mean. I agree with what's been wrote in the paper and talked about. These dogs aren't to be man biters, because they don't stop. The thing is with it is you know - - - my neighbors kids can play with my dogs. And years back you never really heard of Pit Bulls biting people. It's when they got so popular and the people starting getting them that were unscrupulous. I mean this dog here, if you treat him like a member of the family, he's a member of the family. My dogs - - - if you broke into my house, they'd show you where the good stuff's at. You know, but it scares me that we're doing this. You know I read in the paper today, and it was talking about putting a dog on a muzzle when he's in the kennel, a four foot chain, a pinch collar, you know that's for training. You put a pinch collar or a choke collar on a dog on a chain, and you relax it, he's gone. My dogs, I keep two one-inch buckled collars on, to keep 'em from getting out. Now you can't go out and buy a chain for these dogs. Not at WalMart. About the best thing you can buy is at some of the better high end pet places, they've got cables that's up to 1500-2000 lbs tension strength. That's about the best thing you can buy today. I agree that we need to do something. And if you're going to get a commission or something to study, I'd like to put my two cents in. And try to do something about this. And I think we need to go after the people. I'm all for paying the \$25 register with the City if that money will go to something to do it. And I know there's plenty of breeders around here and plenty of people that are law abiding, respectable people have no problem doing that. But like I say, it scares me. This came up so fast. I've listened and the last I heard about y'all talking about this, I heard it was postponed. We're gonna - - - \$100,000 liability insurance. I checked around one time before. You can't find an insurance company that will post an insurance on a "vicious dog". Most homeowners policies won't cover any of the bully breeds. And if you can find them, (inaudible). I know that we need to get people and make them responsible. I'm all for that. I don't know what else we can do.

Councilman Green: You said that you can't find any insurance company that will cover. Is there a reason why they won't?

Mr. Hall: The Pit Bull stigma and the liability of it. Most homeowner associations won't even insure you at all, I mean homeowner's insurance won't insure you without signing a waiver on a Pit Bull or most of the bully breeds.

Councilman Green: And you say it's just a stigma?

Mr. Hall: Well, not with what's happened. There's just too many bad people that have gotten these dogs and made them miserable dogs.

Councilman Carmody: Mr. Hall, I appreciate the fact that you're here as well as the other lady that spoke to us that was a breeder and my late cousin, Anne White was a breeder of German Shepherds as well as long time trainer to Red River Obedience School. And I guess she's tugging at my coat tail right now to say that dogs come in and out of fashion. As a child, I can't remember anybody really having any Pit Bulls, it was an unusual site to see. I remember Doberman Pinchers being the dog that people feared so badly when I was a child. But Ann always said the same thing. That German Shepherd is not going to be born to be a vicious animal. And that her experience with them was that they were a very sweet creature unless somebody were to train them to be otherwise. Although you see that, I know our Police Department has utilized many canines that were of that breed. But I do think that your point is very well made in that if a nuisance dog ordinance is breed specific, we're missing the point. Because maybe the next three to five years, Pit Bulls are the choice of persons who want to create a nuisance, vicious, bad animal. But maybe it'll come back around that they decide that it's the German Shepherd or it's the Doberman that needs to come in. Unfortunately I think all of us have known vicious animals that could be Chihuahuas unless they just decided they did not like people or did not like you. But I do think that, that - - - your point is well made and we do need to be sensitive to the fact that we're not trying to specify one specific breed. We're trying to address a problem that unfortunately happens to cover a number of different breeds. So thank you for coming down here today.

Councilman Green: Again, I'd like to thank you for coming. And again, this is not the final product. We're laying a foundation, and all the statements that you basically made, we've talked about them in our meeting even today. And when the final product comes out, as to amending this, and basically what we're doing now is laying a foundation and bringing about a consciousness and once we passed the legislation that we're going to after today, once we amend this, then we're going to have a 90 day window whereas whatever we put in place, we will have at least 90 days to prepare for it. It's not going to be something that will just go into law within 7 days. It'll be a 90 day window whereas we would be basically prepared. But this is not the final product. But we're just laying a foundation today?

Mr. Hall: So, y'all gonna meet again so we could - - -?

Councilman Green: Yes sir, we're gonna meet. The final product will be - - - it's gonna take us about a month. So we'll be working on this for a month from today. We should have the final product which will bring about some different amendments and that kind of thing. So this is not the final - - - we're just laying this

foundation today to bring a consciousness to the General Public, the folk that you're talking about who make dogs bad. And basically, we're gonna put - - - trying to put some teeth into the dog.

Councilman Carmody: Mr. Chairman, one last question, and I think it might be on Mr. Hall's mind, I know it's on mine. Are the committee meetings open to the public so that persons who are concerned and would like to at least have an opportunity to voice their opinions, are they able to attend? And if so, when are the meetings held?

Again, if you would call Commissioner David Cox, he would let know and I'm sure he wouldn't have a problem with you coming in. Again, I'll say the reason that we have not had the meeting and we have not finished the legislation is for I think 12 days or - - - I forget how long. His wife has been seriously ill. And so we've come to an abrupt halt. But we met today and he will be getting some meetings lined up. But if you'll call the Commission's office, I'm sure he wouldn't have a problem with you coming in, nor would he have a problem with input.

Councilman Gibson: Mr. Thompson, we assigned a Council Committee to this, so is it open? I mean, we're required to put that out for public notice, are we not?

Mr. Thompson: It's not our committee. It's the Parish Commission Committee and I don't know when the meetings are held.

Councilman Gibson: Well, okay. Well that goes for me too. But thank you Mr. Hall, appreciate it.

Mr. Fred Aycock: (401 Market St, Suite 1310) I'm here to talk - - - the MPC had passed an ordinance that we had, well actually it's on the books as a requirement or that we can do a pole sign on Centenary and Olive Streets. Now, we've had some objection of course from the Neighborhood Association. The City - - - of courses ordinances now state that we can use a pole sign in that area. And I'm here to answer any questions or anything. We're just here to reaffirm the MPC's decision to follow through with what the ordinance actually is.

Councilman Walford: Mr. Chairman. Did you meet with the neighborhood back before this was ever - - - before your initial application to the Zoning Board of Appeals for the variance and the setback? Did you meet with the neighborhood?

Mr. Aycock: Yes we did.

Councilman Walford: Was there any type of agreement made?

Mr. Aycock: Well, verbally we talked about - - - there were some issues that we have conformed to. Every issue except the sign. The sign was mentioned as a monument sign. At the time we wanted to comply with that, but as things progressed, we found and I have a representative from Family Dollar here from Mississippi. And of course, I think he's going to speak here in at the end, if he has to. They had - - - the company had some reservations about the monument sign, because of past history of vandalism. And they're very expensive signs. And to replace those, because people coming by, kicking 'em out or throwing a bottle at 'em, and stuff like that. That's their main concern.

Councilman Walford: Was Family Dollar the applicant or were you the applicant?

Mr. Aycock: Well, R. C. S. Land Co., I believe they applied, I don't know if they applied for their sign or not.

Councilman Walford: No sir, I mean was - - -

Mr. Aycock: But as far as the construction, R.C. S. Land Co applied.

Councilman Walford: Who met with the neighborhood?

Mr. Aycock: I did.

Councilman Walford: And there was an agreement with the neighborhood association?

Mr. Aycock: A verbal agreement to - - - in the MPC hearing that we would - - - see they had four or five issues. 1) - - -

Councilman Walford: Well, lets stay with the sign. Was there an agreement on the sign?

Mr. Aycock: A verbal agreement.

Councilman Walford: So you agreed to a monument - - -

Mr. Aycock: But without the Family Dollar's input.

Councilman Walford: But Family Dollar wasn't the applicant or the property owner, right?

Mr. Aycock: That's true, I was representing them - - - R. C. S. Land Co.

Councilman Walford: Are you a principle in that company?

Mr. Aycock: No.

Councilman Walford: Okay. So basically there was an agreement with the neighborhood, but then Family Dollar encouraged you to go back to the ZBA and ask to remove that stipulation?

Mr. Aycock: Correct.

Councilman Walford: Okay, thank you Mr. Chairman.

Mr. Bob Marak: (106 E. Kings Hwy, Suite 212) And I'm here today to ask that you overturn this request for the pole sign and as Councilman Walford indicated, we did meet with Mr. Aycock, and discuss, the neighborhood organization did, and discuss the issues of the rezoning - - - of the variance which went before the ZBA. And basically, the building or the main issue was the building had to be brought back to a 5 foot rear setback from a 15 foot, which was zoning ordinance required. And he was asking for the variance for that. Which we were willing to discuss that assuming that we got a few other items that dealt with. And from the very beginning, the Highland Area Partnership, we worked for landscaping improvements, land use issues, to try to make a softer neighborhood look. And we've had successes. So this is, when we look at a franchise, or a neighborhood business, we look at your landscaping, what you're planning to do. Your signage, your lighting, and we might be willing to talk about variance in parking or hours of operation or setbacks. And that's exactly the relationship we had at this time. So we did and we had a few items on our checklist. One of which was not only verbally, but the Zoning Board of Appeals had identified it as Stipulation No. 2 was the monument sign. So, we were looking for a monument sign. Exactly what type of a monument sign? We're looking for the kind of thing that we've had success in negotiating with other franchises. And that would be this type of thing. Wendy's was one of the first groups on Kings Hwy in Highland that we had some success asking for a monument sign. That's a monument sign to us. They wanted a pole sign. Initially, we had some zoning issues. And they complied, they were very happy to comply. That's one of the most successful Wendy's in the City. I get calls all the time about how'd you get that beautiful sign? They also had some landscaping that is azaleas, things that look good in this area. So we always try to communicate what's gonna make it work for this neighborhood. Not some neighborhood in Atlanta, GA. Same thing with McDonald's. They were looking for 120 foot sign right by the interstate. We got 'em down to that. It's a beautiful sign compared to what was going to be there. It's not that much when you look at one or two of these things. When you start putting them all together, it starts to tell a story that our neighborhood is caring about the way business is taking place. This is

Texaco Express Lube. We had some input there. There's a Walgreen's. And basically, if you look at that Walgreen's sign, it's not too much difference in this Family Dollar sign, but just placed close to the ground. There's not a pole. It's got a little base there. I was standing by that the other day, and it's about 6 feet high, maybe 6 ½ feet high. And something like that is what we had in mind. People can see it. That's on Kings Hwy at Line Ave. Everybody knows where that is. It's not a problem. We - - - some other institutions that have done beautiful things. That's a Volunteers of America on Jordan at Gilbert and Community Bank at Fairfield at Kings Hwy. That's all they have. They may have a sign on the building which is fine too. And we've had some luck in that regard as well. This is Brookshire's at Kings Hwy. When they did a renovation, we met with them. We've kinda followed anything that happens, so we met with them and they had taken down their big pole sign and we said, 'what are you going to do with that sign'? And they said, 'we're going to repair it and put it back up'. We said, 'could you just leave it down'? And they said 'fine, if that's what the neighborhood wants'. Nobody has a problem finding Brookshire's. And there's Columbia Café. That's a detached sign that you see there. No other pole sign, so we're communicating if when possible, to attached signs, monument signs. Something that gives a little softer look to what we're trying to do in Highland. And it's just a piece of what we're doing. We're doing a lot of other gateways, landscaping. We're paying for our own Bicycle Police Patrol now. We're doing the home improvement programs. We're doing just whatever it takes to make Highland a great neighborhood and all these put together start to tell that story. And that's what we're about. This is the new Exxon at Southern Loop. Something like that is not, you know, it's just on it's side basically, and if you see how close it is to the ground. That to us works better than some of these other pole signs. We negotiated for a monument sign. We thought we were gonna get it. That's all we're really asking for is to make good on our request, our initial request and initial agreement.

Clair White: (2627 Fairfield Ave) I'm here primarily today as a homeowner to express to the Council the fact that I like other homeowners and other business owners, particularly those that have monument signs on Kings Hwy already, rely on the zoning ordinances to protect our interest against other owners taking arbitrary actions that are destructive to the neighborhood and violative of the zoning rules. I also rely on the City government to enforce those zoning rules consistently and fairly. I believe the history of this exchange between the City and it's zoning enforcement bodies and the R.C.S. Company suggest that, that system has broken down in this instance. As I understand it, R.C.S. came in and said we need a variance to build our new Family Dollar Store closer to one of the property lines than the zoning would otherwise allow. The City said, fine. Lets make a deal. We'll find a way that's a middle ground to protect the interest of the other folks in the neighborhood and still let you put in a Family Dollar Store. One of the specific commitments that the R.C.S. folks made was that they were going to put a monument sign up in exchange for the deal they made. They got their variance to let the violate the zoning setback requirements, and they committed that they would do a monument sign in exchange for that. Low and behold, after the store was built, but before it opened, apparently they went to the Zoning Board of Appeals and said we really don't like the deal we made, we want the King's X. We want a pass, we want to put up a pole sign. As Mr. Marak suggested, the Highland Area Partnership that's been a major factor in helping enforce zoning and develop a rebirth of the Highland neighborhood has worked very hard to put monument signs in. You've seen multiple examples where other businesses have accepted the challenge to do business in Highland in a way that's consistent with what the neighborhood wants to become. And I'm here as a homeowner on behalf of myself and on behalf of the other business owners particularly along Kings Hwy who've made the commitment to put up a monument sign, played by the rules to say what we want you to do is just act with an even hand and hold R.C.S. and it's surrogate Family Dollar to the deal they make. We relied on that deal. We want a monument sign, and we think it's reasonable to say that they can benefit and prosper from the location in Highland just as the other businesses have. It's a busy corridor. But make them play by the rules. They haven't brought any good reason that I've heard today, or at the earlier hearing why they shouldn't be held to the deal they made. What I might suggest is that you adopt an amendment to the variance that was issued before that puts certain restraints on the monument sign that they can put in, so that there's no misunderstanding after the meeting today exactly what the City Council wants R.C.S. to do in terms of erecting a monument sign at Family Dollar. Thank you for your time.

Councilman Walford: Mr. Chairman, let me ask you. I should have asked Mr. Marak, and I let him get away. It was your understanding when Highland, when the neighborhood association met with the developer prior to the initial application to the Zoning Board of Appeals that there was an agreement reached, that in exchange for supporting the variance in setback and some other concessions, there would be a monument sign. If I can get both sides now - - -

Mr. White: Yes sir. No question about it. And in exchange for the commitment that they would abide by the concessions if you will, that R.C.S. agreed to make in exchange for the variance, the Highland Area Partnership and other interested parties withdrew any opposition to the variance. It was a Quid Pro Quo in its most straight forward terms.

Councilman Walford: That's what I wanted to hear from both sides. Thank you sir.

Jaime Foreman: (Summit, Mississippi) I'm the regional project manager with Family Dollar Stores. The reason we're asking for the variance on the sign is that's our standard package that we have. We open around 5-600 stores a year. And we put that same sign at every store. When we have to vary, it cost us more money. My other concern is a monument signs sitting on the ground with kids throwing bottles through it, to replace those spaces are very expensive. And If I could ask a question, maybe- - -. My understanding of a monument sign, the only thing stipulation regarding the monument sign is the height of it, from what I understand. 30 feet high. Is that correct?

Councilman Gibson: Mr. Kirkland, he's nodding yes so.

Mr. Kirkland: The other rule is the monument sign has to sit 5 feet back from the property line, but it can be up to the maximum height allowed in the district. And to make this real simple, if I may Mr. Foreman.

Mr. Foreman: Sure.

Mr. Kirkland: The Highland group well intentioned, but they didn't specify apparently when they negotiated this sign what size monument sign. Bob Marak showed some good examples of monument signs. But that's in the eyes of the beholder. Clearly, what Family Dollar could do and they said at the ZBA hearing is that they could take this standard sign, put a brick column below it and that'd be a monument sign. Set it back 5 feet. They said if they had to, that's what they'd do. Bottom line is if you don't negotiate exactly what you want, then it's a little hard to say what the standard is when it's time to build.

Councilman Gibson: That's what specifications are about. Councilman Walford, do you have any questions?

Councilman Walford: Is he done?

Councilman Gibson: Yes sir.

Mr. Foreman: Well, let me add one more thing. So, reiterating what he said, I could take the pole and cover it in brick all the way up and that's a monument sign. Because there's no definition of one and it's below the qualified height. It's 24 foot tall, it's not 35. There's no whistles in it. There's no horns or sirens, no flashing lights. Just our regular sign. Circle K right next to us has a pole sign. Y'all have no problem with them. And I don't want to do anything to them, because that's their business, not mine.

Councilman Walford: What was your understanding as far as the signage requirement with I guess your landlord.

Mr. Foreman: The first I heard of the monument, my sign company called me the week before they were going to put the sign up. And it's a pole sign. They already had a permit from the City. Everything was ready to go. He called me, because he had called the landlord, R.C.S. - - - I don't know who he called. But he said, Jaime, we can't put up a pole sign, it's got to be a monument sign. Now we'd already bought the sign, had it made. It's sitting here in Shreveport ready to be put up when I found out about this.

Councilman Walford: So, the landlord didn't ever - - -?

Mr. Foreman: I knew nothing about it. No sir. So I called.

Councilman Walford: Did you know about the other variances, the setback requirement and so on?

Mr. Foreman: No sir. I don't deal with the real estate part of it. All I deal with is the construction part. When they start the job, that's when I take over. Make sure it gets built on time, and that's all I do. Build it to the specs.

Councilman Walford: Alright thank you very much.

Councilman Gibson: Sometimes we have a hard time defining specs.

Mr. Foreman: Yes sir, I understand.

**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. 70 of 2005

A RESOLUTION AUTHORIZING JAMES GLEN MASON & BETTY O'QUINN MASON, LOCATED AT 9335 ELLERBE RD., TO CONNECT TO THE WATER & SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, James Glen Mason & Betty O'Quinn Mason 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 James Glen Mason & Betty O'Quinn Mason, be authorized to connect the building located at 9335 Ellerbe Rd., to the water & sewer 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 Walford, seconded by Councilman Hogan to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

RESOLUTION NO. 71 OF 2005

A RESOLUTION REJECTING BIDS RECEIVED ON IFB #05-054, ELLERBE ROAD/FLOURNOY LUCAS INTERSECTION AND TO OTHERWISE PROVIDE WITH RESECT THERETO.

WHEREAS, four bids were received as a result of solicitations for Ellerbe Road/Flournoy Lucas Intersection 98-C004, IFB #05-054; 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 #05-054 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.

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

Councilman Gibson: Mr. Strong, could you come forward please? Good afternoon Mr. Strong.

Mr. Strong: Yes sir.

Councilman Gibson: You and I visited on this particular item, in fact I called you, because I get the results of the bids in the construction plans rooms Associated General Contractors. This has been a sensitive project for quite some time and now with the opening of the Southern Loop at 49, obviously, the neighborhoods are looking for updates seeing that this has probably been scheduled for a couple of years. We ran into a little expropriation problem or land acquisition problem which caused the City to expropriate the land back about a

year and a half ago. Correct?

Mr. Strong: Correct.

Councilman Gibson: The bids came in too high on this particular project. What is the next sequence of events that will be taking place for residents out in southeast Shreveport that they can expect regarding Ellerbe Road and Flournoy Lucas?

Mr. Strong: Well, one of the things that we're looking at is of course changing some of the items in the specs (inaudible) looking at that has we're talking right now, what can be done or how we're going to look at it. But it's still going to be basically, well, it's still going to be the same type intersection. But some of the issues were with the timing that we were doing with, how were going about doing it. One of the things was to if we take the clearing, grubbing out, then we could get that done ahead of time. So, it looks like what we may be doing is probably coming out with two bids. One for the clearing and grubbing project that we could start fairly soon. Once we bid that out, and then go into construction. Because that was one of the issues. And another issue was with the timing that we were wanting to do. Coming up on the holidays and how we would be looking at that. So, that's the kind of things that we're going to be looking at.

Councilman Gibson: Okay, let me address the, cause you had mentioned that and I did some canvassing out in the district. Seeing that there's no really, there's one business out there that will be affected. The consensus so far is that the holiday season is not an issue. Because of the sensitivity and the safety issues at that intersection. I just wanted to pass along to you that the quicker, the better that we can get that done. Because I think that's rated as one of the most dangerous intersections in the State, if not, in north Louisiana in terms of some of the problems we've got and I realize the City's done all it can. Because as I understand it, the archaic controls devices out there for turn signals, we can't - - - it's cost prohibitive to put in protective turn signals knowing that we've got this work going on. But because of the amount of traffic and all the other issues regarding that intersection, that it is a major safety concern and that - - - I just want to re-emphasize again the holiday is not an issue. And that if what we can do to expedite, that would be greatly appreciated on behalf of those residents out there.

Councilman Jackson: Mr. Strong, how does going to two projects affect the overall cost of this projects.

Mr. Strong: Pardon sir, I didn't - - -

Councilman Jackson: If you go to two bids, one for the clearing and grubbing - - -

Mr. Strong: We still have our budget.

Councilman Jackson: It's still within the original budget?

Mr. Strong: Yes sir. We're still looking at it to come in under.

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

RESOLUTION NO. 72 OF 2005

A RESOLUTION ACCEPTING DEDICATION FOR CATALPA DRIVE, CATALPA CIRCLE, BUCKHEAD CIRCLE, AND PARLANGE CIRCLE IN CHARLESTON COURT IN TWELVE OAKS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for Catalpa Drive, Catalpa Circle, Buckhead Circle, and Parlange Circle in Charleston Court in Twelve Oaks in Section 4 and 9 (T16N-R13W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for Catalpa Drive, Catalpa Circle, Buckhead Circle, and Parlange Circle be recorded in the official records of the District Court for Caddo Parish, Louisiana.

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

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

Read by title and as read, motion by Councilman Gibson, seconded by Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Gibson, Hogan, Green, and Jackson. 5. Nays: None. Absent: Councilman Lester. 1. Out of the Chamber: Councilman Carmody. 1.

RESOLUTION NO. 73 OF 2005

A RESOLUTION ACCEPTING DEDICATION FOR NORTH PLAQUEMINE, SOUTH PLAQUEMINE, HOUMAS COURT, AND SORRENTO DRIVE IN MIDDLETON PLACE UNIT 2 IN TWELVE OAKS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for North Plaquemine, South Plaquemine, Houmas Court, and Sorrento Drive in Middleton Place Unit 2 in Twelve Oaks in Section 4 and 9 (T16N-R13W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for North Plaquemine, South Plaquemine, Houmas Court, and Sorrento Drive be recorded in the official records of the District Court for Caddo Parish, Louisiana.

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

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

Read by title and as read, motion by Councilman Gibson, seconded by Councilman Hogan to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Gibson, Hogan, Green, and Jackson.

5. Nays: None. Absent: Councilman Lester. 1. Out of the Chamber: Councilman Carmody. 1.

Councilman Gibson: Mr. Thompson, any other resolutions?

Mr. Thompson: That's all we have for that section.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

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

Mr. Thompson read the following:

RESOLUTION NO. 66 OF 2005

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE GRANT DOCUMENTS WITH NORTHWEST LAW ENFORCEMENT PLANNING AGENCY, AND OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, Northwest Law Enforcement Planning Agency has invited the City of Shreveport Police Department and the Caddo Parish Sheriff's Office to file a joint application for grant funds under the State Justice Assistance Grant Program; and

WHEREAS, the award, if approved will be for a total of \$134,720, and requires a 33.333% cash match by the City of Shreveport and the Caddo Parish Sheriff's Office. The funds will be split as follows between the Shreveport Police Department and the Caddo Parish Sheriff's Office, with each agency paying their portion of the cash match. Both the Shreveport Police Department and the Caddo Parish Sheriff's Office will put up \$50,000 each to form a Shreveport/Caddo Narcotics Task Force. The remaining 34,720 will be used by the Shreveport Police Department for a holiday task force called Street Reduction of Crime.

WHEREAS, the City of Shreveport shall make a joint application to receive an award as part of the Justice Assistance Grant Program to prevent and control crime based on local needs and conditions. A portion of the funds received by the Shreveport Police Department and all of the funds received by the Caddo Parish Sheriff's Office will be used to address narcotics related crime trends throughout the City of Shreveport and Caddo Parish through the use of personnel overtime. The Shreveport Police Department with the remaining funds will address holiday crime through the use of personnel overtime.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, regular and legal session convened, that it does hereby authorize the execution by Keith P. Hightower, Mayor, those grant documents necessary to apply and receive funding established within the program administered by Northwest Law Enforcement Planning Agency.

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

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

Read by title and as read, motion by Councilman Green, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Gibson, Hogan, Green, and Jackson.

5. Nays: None. Absent: Councilman Lester. 1. Out of the Chamber: Councilman Carmody. 1.

RESOLUTION NO. 67 OF 2005

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LOUISIANA STATE UNIVERSITY AND THE NORTHEAST LOUISIANA MASTER GARDENERS ASSOCIATION, INC., AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, City desires to support and sponsor cultural and leisure activity programs which serve a public purpose and render a public benefit; and

WHEREAS, Louisiana State University ("LSU-AG") and The Northwest Louisiana Master Gardeners Association, Inc. ("Master Gardeners"), provide such activities and programs; and

WHEREAS, Master Gardeners provides extension horticulture education and outreach for LSU-AC and the general public; and

WHEREAS, City desires to develop the Randle T. Moore Center ("Center") into a community resource center providing education and information on horticulture and related subject and to execute an agreement with LSU-AG and Master Gardeners relative to same.

NOW BE IT RESOLVED by the City Council of the City of Shreveport in due, regular, and legal session convened, that the Mayor is authorized to execute an agreement with Louisiana State University and The Northwest Louisiana Master Gardeners Association, Inc., relative to the development and operation of a horticultural resource center at the Randle T. Moore Center, substantially in accordance with the draft thereof which was filed for public inspection with the original of this resolution in the Office of the Clerk of Council on April 26, 2005.

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 Green to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Gibson, Hogan, Green, and Jackson.

5. Nays: None. Absent: Councilman Lester. 1. Out of the Chamber: Councilman Carmody. 1.

RESOLUTION No. 68 of 2005

A resolution declaring the intention of the City of Shreveport, State of Louisiana (the "Issuer"), to issue in the name of the Issuer, Water and Sewer Revenue Bonds in an amount not to exceed Seventy Five Million Dollars (\$75,000,000) for the purpose of constructing and acquiring improvements, extensions and replacements to the waterworks and sewer system of the Issuer; generally describing said Water and Sewer Revenue Bonds and the security therefor; authorizing the newspaper publication of a notice of such intention setting forth a date and time when said governing authority will meet in open and public session to hear any objections to the proposed issuance of such Bonds; providing for the filing of a petition by a certain percentage of the electors of the Issuer objecting to the issuance of the proposed Bonds unless an election is held on the question of the issuance thereof; applying to the State Bond Commission for the approval of the contents of the proposed notice of intention; and other matters in connection therewith.

WHEREAS the City of Shreveport, State of Louisiana (the "Issuer"), proposes to construct and acquire improvements, extensions and replacements to its waterworks and sewer system, a work of public improvement of the Issuer, and proposes to finance a portion of the costs thereof through the sale and issuance of not exceeding Seventy Five Million Dollars (\$75,000,000) of Water and Sewer Revenue Bonds of the Issuer (the "Bonds"); and

WHEREAS the Issuer proposes that the Bonds will be issued in the manner prescribed by and under the authority of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended (collectively, the "Act"), and other constitutional and statutory authority; and

WHEREAS the Issuer, in accordance with the provisions of the Act, now desires to authorize the giving and publication of notice of intention generally describing the Bonds and the security therefor, setting forth a date and time when they will meet in open and public session to hear any and all objections to the proposed issuance of the Bonds, providing for the filing of a petition by a certain hereinafter described percentage of the electors objecting to the issuance of the Bonds unless an election is held on the question of the issuance thereof, and to apply to the State Bond Commission for approval of the contents of the proposed notice of intention;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Shreveport, State of Louisiana, acting as governing authority of said Issuer, that:

SECTION 1. Declaration of Intent. Pursuant to and in compliance with the provisions of the Act, and other constitutional and statutory authority, the Council of the City of Shreveport, State of Louisiana, acting as the governing authority of the Issuer, does hereby declare its intention to issue not exceeding Seventy Five Million Dollars (\$75,000,000) of Water and Sewer Revenue Bonds of the Issuer, in one or more series, the proceeds of which will be used to construct and acquire improvements, extensions and replacements to the waterworks and sewer system of the Issuer, including appurtenant equipment, accessories and properties, both personal and real, a work of public improvement for the Issuer. The Bonds shall be limited and special revenue bonds of the Issuer, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived by the Issuer from the operation of its waterworks and sewer system (the "System"), after paying the reasonable and necessary costs and expenses of operating and maintaining the System. The Bonds shall not be a charge on the other income and revenues of the Issuer as prohibited under the provisions of Article VI, Section 37 of the Louisiana Constitution of 1974, nor shall they constitute an indebtedness or pledge of the general credit of the Issuer. The Bonds will be exempt from all income taxation in the State of Louisiana and will be issued and authorized by resolution of the Mayor and Council. The Bonds shall be of such series, bear such date, mature at such time or times (not to exceed twenty five (25) years from their date of issuance), bear interest at such rate or rates (not exceeding six per centum - 6%) per annum, be in such denomination or denomination or denominations, in fully registered form, carry such registration privileges, be payable in such medium of payment at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such resolution may provide.

The Issuer will, in such resolution, enter into such covenants with the future owner or owners of the Bonds as to the management and operation of the system, the imposition and collection of rates and charges of the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against the System and the revenues therefrom, the keeping of books and records, and other pertinent matters as may be deemed proper by the Mayor and Council to assure the marketability of the Bonds, consistent with the provisions of the Act. Such resolution will also include remedies in case of default, provisions for the issuance of parity bonds, and such additional covenants, agreements and provisions as are judged advisable or necessary by the Issuer of the security of the registered owners of the Bonds, including sinking funds and reserves for the payment of principal and interest on the Bonds and an adequate depreciation fund for those repairs and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

SECTION 2. Sale of Bonds. The Bonds will be sold at public or private sale, as provided for in the Act and statutory authority.

SECTION 3. Public Hearing. The Council, acting as the governing authority of the Issuer, will meet in open and public session on a date and time to be determined after required notice, to hear any objections to the proposed issuance of the Bonds; provided, however, if at such hearing a petition or petitions duly signed by the electors of the City of Shreveport in an aggregate number not less than five percent (5%) of the number of the electors of the City of Shreveport voting in the last special or general election held in the City of Shreveport object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the City of Shreveport who vote at a special election held for that purpose in the manner provided by Title 18 of the Louisiana Revised Statutes of 1950. Any such petition shall be accompanied by a certificate of the Caddo Parish Registrar of Voters certifying that the signers of the petition are registered electors of the City of Shreveport and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last election held in the City of Shreveport, all as provided by the Act.

SECTION 4. Form of Notice of Intention. The Mayor be and he is hereby authorized, empowered and directed to publish an appropriate notice of the intention of the Issuer to issue the Bonds in accordance with the provisions of this resolution and the Act. Such notice of intention shall embody in a general way substantially all the provisions of this resolution herein above set out and shall be published in four (4) consecutive weekly issues of *The Times*, a newspaper of general circulation and published daily in the City of Shreveport, and shall be in substantially the following form, with such alternations as the Mayor, upon advice of Bond Counsel, may deem necessary and appropriate:

**NOTICE OF INTENTION
TO ISSUE NOT EXCEEDING \$75,000,000
OF WATER AND SEWER REVENUE BONDS OF THE
CITY OF SHREVEPORT,
STATE OF LOUISIANA**

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the provisions of a resolution adopted on _____, 2005, by the Council of the City of Shreveport, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Shreveport, State of Louisiana (the "Issuer"), and in accordance with the provisions of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, that the Governing Authority does hereby declare its intention to issue not exceeding Seventy Five Million Dollars (\$75,000,000) of Water and Sewer Revenue Bonds of the Issuer (the "Bonds"), in one or more series, the proceeds of which will be used to construct and acquire improvements, extensions and replacements to the waterworks and sewer system of the Issuer, including appurtenant equipment, accessories and properties, both personal and real, a work of public improvement for the Issuer. The Bonds shall be limited and special revenue bonds of the Issuer, secured by and payable in principal, interest and redemption premium, if any, solely from the income and revenues derived by the Issuer from the operation of its waterworks and sewer system (the "System") and other moneys paid by the City of Shreveport, after paying the reasonable and necessary costs and expenses of operating and maintaining the System. The proposed Bonds shall not be a charge on the other income and revenues of the Issuer as prohibited under the provisions of Article VI, Section 37 of the Louisiana Constitution of 1974, nor shall they constitute an indebtedness or pledge of the general credit of the Issuer. The Bonds will be exempt from all income taxation in the State of Louisiana and will be issued and authorized by resolution of the Governing Authority and shall be of such series, bear such date, mature at such time or times (not to exceed twenty five (25) years from their date, mature at such time or times (not exceeding six centum (6%) per annum), be in such denomination or denominations, be in fully registered form, carry such registration privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption and be entitled to such priorities on the income and revenues of the System as such resolution may provide.

The Issuer will in such resolution enter into such covenants with the future owner or owners of the Bonds as to the management and operation of the System, the imposition and collection of rates and charges for the services rendered thereby, the disposition of such fees and revenues, the issuance of future bonds and the creation of future liens and encumbrances against the System and the revenues therefrom, the keeping of books and records, and other pertinent matters as may be deemed proper by the Governing Authority to assure the marketability of the Bonds, consistent with the provisions of the Act. Such resolution will also include remedies in case of default, provisions for the issuance of parity bonds and such additional covenants, agreements and provisions as are judged advisable or necessary by said Governing Authority for the security of the owners of the Bonds, including sinking funds and reserves for the payment of principal and interest on the Bonds, and an adequate depreciation fund for those repairs and improvements to the System as may be necessary to assure adequate and efficient service to the public, all as provided by the Act.

NOTICE IS HEREBY FURTHER GIVEN that the Bonds will be sold at public or private sale, as provided for in the Act and statutory authority supplemental thereto.

NOTICE IS HEREBY FURTHER GIVEN that the Bonds will, before the delivery thereof, be approved by the State Bond Commission, Baton Rouge, Louisiana.

NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet in open and public session on _____, 2005 at ____ p.m. at the _____, Shreveport, Louisiana, to hear any objections to the proposed issuance of the Bonds, provided, however, if at such hearing a petition or petitions duly signed by electors of the City of Shreveport in an aggregate number not less than five percent (5%) of the number of the electors of the City of Shreveport voting in the last special or general election held in the City of Shreveport object to the issuance of the Bonds, then the Bonds shall not be issued until approved by a vote of a majority of the qualified electors of the City of Shreveport who vote at a special election held for that purpose in the manner provided by Title 18 of the Louisiana Revised Statutes of 1950. Any such petition shall be accompanied by a certificate of the Caddo Parish Registrar of Voters certifying that the signers of the petition(s) are registered electors of the City of Shreveport and the number of signers amounts to not less than five percent (5%) of the registered voters that voted in the last election held in the City of Shreveport, all as provided by the Act.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this, the ____th day of _____, 2005.

Clerk of Council

Chairman

SECTION 5. State Bond Commission. Application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the contents of the notice of intention contained in Section 5 hereof. A certified copy of this resolution shall be submitted to the State Bond Commission, together with a request for prompt consideration and approval of this application. The State Bond Commission will be requested to give its final approval to the issuance of the Bonds prior to the delivery thereof.

SECTION 6. Declaration of Official Intent under Reg. 1.150-2. Prior to the issuance of the Bonds, the Issuer anticipates that it may pay a portion of the costs of construction and acquiring improvements, extensions and replacements to the system, including appurtenant equipment, accessories and properties, both personal and real, and costs related thereto, from other available funds. Upon issuance of the Bonds, the Issuer reasonably expects to reimburse said expenditures from the proceeds of the Bonds. Any such allocation of the proceeds of the Bonds for reimbursement will be with respect to capital expenditures [as defined in Treasury Regulation 1.150(h)] and will be made upon the delivery of the Bonds and not later than one year after the later date of (i) the date such expenditure was made or (ii) the date the improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of Treasury Regulation 1.150-2.

SECTION 7. Employment of Bond Counsel. The Issuer hereby finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the bonds, and accordingly Casten & Pearce, A.P.L.C., Bond Counsel of Shreveport, Louisiana, is hereby employed to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Bonds. Said special bond counsel shall prepare and submit to the Mayor and Council as to the issuance and sale of the Bonds, and shall furnish their opinion covering the legality of the issuance thereof. The fee of special bond counsel in connection with the issuance of the Bonds is hereby fixed at a sum not to exceed the maximum fee allowed by

the attorney General's fee guidelines of revenue bonds based on the principal amount of the Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses; provided, however, that said fee shall be contingent upon the sale, issuance and delivery of the Bonds.

SECTION 9. Approval of Legal Fees by Attorney General. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated as required by law.

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

Councilman Walford: Question. I'm not sure Mr. Chairman if I direct this to the Administration or to you. I was hearing on the news that this was a \$75,000,000 bond issue for infrastructure improvements and I got the distinct impression that it went beyond Water and Sewer. This is not - - - let me rephrase this. Is this the bond issue that you have been proposing, or is this a continuation of our Water and Sewer Revenue Bond.

Councilman Gibson: Mr. Walford, this does not have anything to do with what I'm proposing, because I propose is going to go before the voters for a vote.

Councilman Walford: That's what I thought.

Councilman Gibson: Mr. Walford: I still have the floor. You asked me a question. This is a - - - this ordinance was passed by City Council for the Water rate increase without the consent of the voters. Thank you Mr. Walford. Any other questions or comments? If not, all in favor vote yea- - -

Councilman Jackson: So, this - - - okay.

Councilman Gibson: Opposed, nay.

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

RESOLUTION NO. 74 OF 2005

A RESOLUTION ADOPTING THE SYSTEM SURVEY AND COMPLIANCE QUESTIONNAIRE REQUIRED BY THE LEGISLATIVE AUDITORS OFFICE OF THE STATE OF LOUISIANA AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport received a questionnaire from the State Legislative Auditor which is to be completed as a required part of the audit for which we have engaged certified public accountants, KPMG LLP; and

WHEREAS, upon completion of the questionnaire it must be presented to and adopted by the governing body of the City of Shreveport by means of a formal resolution at an open meeting; and

WHEREAS, the completed questionnaire must then be given to the auditor engaged by the municipality who will, during the course of his regular audit, test the accuracy of the answers to the questionnaire and submit to the municipality and the Legislative Auditor a report containing his opinion as to the validity of the answers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, that the attached Systems Survey and Compliance Questionnaire for the City of Shreveport be and the same is hereby adopted.

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 ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

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

RESOLUTION NO. 75 OF 2005

A RESOLUTION APPROVING THE BUDGET FOR THE CADDO-SHREVEPORT SALES AND USE TAX COMMISSION FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the Caddo-Shreveport Sales and Use Tax Commission was created by the City of Shreveport and the Caddo Parish School Board to provide for the joint collection, enforcement and administration of sales and use taxes levied by the City and School Board; and

WHEREAS, the Sales and Use Tax Commission is required to submit its proposed budget for the ensuing fiscal year to the City Council for approval; and

WHEREAS, the Commission has submitted its proposed budget for the fiscal year beginning July 1, 2005, a copy of which was filed with the Clerk of the City Council on May 10, 2005.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in legal session convened, that the total operating budget of \$1,002,250 and the capital budget of \$35,000 proposed by the Caddo-Shreveport Sales and Use Tax Commission for the fiscal year beginning July 1, 2005, are hereby approved.

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

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

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

Councilman Carmody: Thank you Mr. Chairman. At yesterday's work session, I know the Chairman was not here, but Mr. Antee did clarify that these are actually the confirmation of the existing milages the city sets. These are not a roll forward or an increase in any tax milages.

Councilman Walford: You're on the wrong one.

Mr. Thompson: This is sales tax.
Councilman Carmody: Oh, I'm sorry. Excuse me.
Councilman Gibson: State that again Mr. Thompson.
Councilman Carmody: I jumped ahead
Mr. Thompson: Yeah, this is the budget for the sales tax.
Councilman Carmody: Excuse Commission.

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

Councilman Hogan: Mr. Chairman.

Councilman Gibson: Mr. Hogan.

Councilman Hogan: Thank you Mr. Chairman. In the process of trying to record these motions and seconds, I got ahead of myself, and I hate to tell you, but I voted no. And I intended to vote yes on the Bond, item no 68. So, I'd like to change that for the record.

Councilman Gibson: Well, don't say hate, that you hated to do that because Councilman Jackson reminded you, he reminded Councilman Green two weeks ago on the same thing. We are always appreciative of Councilman Jackson's help. So we can make that change Mr. Thompson?

Mr. Thompson: Yes sir.

Councilman Gibson: Thank you Mr. Thompson. Could we go to item 76.

6. Resolution No. 76 of 2005: A resolution requesting bids for the official journal of the City of Shreveport for the period commencing July 1, 2005 through June 30, 2006; approving the advertisement for such bids and otherwise providing with respect thereto.

Mr. Thompson: We would ask that you withdraw this from the agenda.

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

Councilman Gibson: Any other - - -

Mr. Thompson: Yes we have others.

RESOLUTION NO. 81 OF 2005

A RESOLUTION TO URGE THE LOUISIANA STATE LEGISLATURE NOT TO ADOPT SENATE BILL 333 RELATIVE TO THE APPOINTMENT OF CADDO/BOSSIER PORT COMMISSIONERS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilman Calvin Lester

WHEREAS, the Caddo/Bossier Port Commission is currently comprised of nine members, six of which are from Caddo Parish and three of which are from Bossier Parish; and;

WHEREAS, 72% of the citizens who reside within the jurisdictional boundaries of the Caddo/Bossier Port live in Caddo Parish and 57% of those citizens also reside within the City of Shreveport; and

WHEREAS, 69% of the ad valorem taxes dedicated to the Caddo/Bossier Port were derived from property within Caddo Parish in 2004;

WHEREAS, the current law creates a Commission which reflects the ratio of population and property taxes paid; and

WHEREAS, Senate Bill 333 which is now pending in the Louisiana State Legislature would change the ratio of Commissioners to five from Caddo and four from Bossier; and

WHEREAS, Senate Bill 333 would remove all existing Commissioners on January 15, 2006, at a time when numerous new projects are locating at the Port and existing projects are in expansion; and

WHEREAS, Senate Bill 333 would effectively remove the selection of a majority of the Commissioners from local government to members of the Louisiana Senate; and

WHEREAS, the current Port Commissioners have demonstrated effective management and efficient public service and have collectively accumulated a working knowledge of port-related matters;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal, and regular session convened that it hereby urges and requests the Louisiana State Legislature not to adopt Senate Bill 333, and to preserve the status quo.

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

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

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

RESOLUTION NO. 82 OF 2005

A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES AND CHAPTER 106 RELATIVE TO ZONING FOR JOHNNY DEE'S LOUNGE LOCATED AT 4044 MANSFIELD ROAD FOR THE ANNUAL CRAWFISH BOIL AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilman Monty Walford

WHEREAS, Johnny Dee's Lounge located at 4044 Mansfield Road will host its Annual Crawfish Boil on May 21, 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 12:00 p.m. - 8:00 p.m.; 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 Johnny Dee's Lounge, 4044 Mansfield Road, on May 21, 2005 for the Annual Crawfish Boil.

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 May 21, 2005 for the Annual Crawfish Boil, between the hours of 12:00 p.m. - 8:00 p.m., at Johnny Dee's Lounge, 4044 Mansfield Road.

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 Green to adopt.

Councilman Jackson: Mr. Chairman, what kind of - - - I know it says crawfish boil or something like this. But is this an adults only deal?

Councilman Walford: I'll be glad to address that.

Councilman Gibson: Councilman Walford.

Councilman Walford: Yes. This is at a lounge, and they are doing it outside and it's in an industrial neighborhood and been done one or two times previously.

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

RESOLUTION NO. 84 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 LOWE-MCFARLANE AMERICAN LEGION POST #14 LOCATED AT 5315 SOUTH LAKESHORE DRIVE TO HOST A CRAWFISH BOIL FUND RAISER AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilman Calvin Lester

WHEREAS, Lowe-McFarlane American Legion Post #14 located at 5315 South Lakeshore Drive, will host a crawfish boil to raise money for the organization on June 4, 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 9:00 a.m. and 10:00 p.m.; 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 Lowe-McFarlane American Legion Post #14 located at 5315 South Lakeshore Drive on June 4, 2005 for a crawfish boil fund raiser.

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 June 4, 2005 for a crawfish boil fund raiser, between the hours of 9:00 a.m. and 10:00 p.m., at the Lowe-McFarlane American Legion Post #14, 5315 South Lakeshore Drive.

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 Green to adopt.

Mr. Thompson: Mr. Chairman, Mr. Lester asked me to read a short message

Gentlemen,

I would appreciate your support for the resolution to allow the American Legion to sell alcohol at their upcoming crawfish boil. As you know times have been pretty hard for them and this fundraiser is a way by which they can raise funds to keep up the important work they do and maintain a place for recreation for many of our local veterans. I may or may not be at the meeting, but I would greatly appreciate your support on this matter. I know they would too.

Thank you in advance.

Calvin Lester, Councilman

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

Mr. Thompson: Mr. Chairman, a motion to suspend the rules to move Resolution No. 80 to this point on the agenda would be appropriate.

Motion by Councilman Walford, seconded by Councilman Carmody to move Resolution No. 80 up on the agenda.

Mr. Thompson: It supports and endorses House Bill No. 346 of the Regular Session of the 2005 Legislature relative to Motor Vehicle Registration.

Councilman Walford: We need to vote on the suspension and then I'll give you motion on the - - -

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

RESOLUTION NO. 80 OF 2005

A RESOLUTION SUPPORTING AND ENDORSING HOUSE BILL NO. 346 OF THE REGULAR SESSION OF 2005 OF THE LOUISIANA LEGISLATURE RELATIVE TO MOTOR VEHICLE REGISTRATION

By: Councilman Monty Walford

WHEREAS, the City of Shreveport is owed \$1.3 million in delinquent parking fines, by persons who have parked at City parking meters without paying the prescribed charges; and

WHEREAS, the City of Shreveport needs parking meter revenues to develop and implement a comprehensive downtown parking plan; and

WHEREAS, the City of Shreveport has enacted several programs in its efforts to effectively manage the parking meter zones and to collect outstanding fines, including the following: enacting legislation concerning charges, fines and penalties; contracting with the Downtown Development Authority to manage the program; implementing well publicized amnesty periods to encourage delinquent violators to pay delinquent fines, and implementing a well publicized booting program; and

WHEREAS, none of these programs have been entirely successful in collecting the delinquent funds owed the City of Shreveport; and

WHEREAS, the ability to link unpaid parking violations to the State of Louisiana's Department of Motor Vehicles license registration system would strengthen the legislation governing parking violations and give the City of Shreveport and its contractors the ability to collect outstanding parking fines; and

WHEREAS, House Bill No. 346 mandates that the Office of Motor Vehicles Commission shall not grant an application for the registration of a vehicle when the vehicle has unpaid parking violations recorded against it;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal, and regular session convened that it hereby endorses and supports House Bill No. 346 of the Regular Session of 2005 of the Louisiana Legislature.

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

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

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

Councilman Walford: Mr. Chairman, if I may. This was a bill that was introduced by Representative Jefferson to tie parking violations to vehicle registration. Apparently, our horrendous amounts owed that Mr. Walker frequently writes about are small in comparison to Baton Rouge and some other areas. So with this we'll finally get the teeth we need to collect our \$1.3 (million) or whatever is out there. It's a very worthwhile piece of legislation. I've talked to several of our legislators who say they're going to support it. But I think a resolution from this Council would really be good. So, I urge a 'yes' vote.

Councilman Jackson: Mr. Chairman, maybe Councilman Walford, is he is familiar with this bill that Representative Jefferson has can tell us if there is - - - if this follows some other example that we currently do the exact way?

Councilman Walford: My understanding is, it's very similar to your drivers license. If you were to go get a ticket in St. Bernard Parish and ignore it, they report it to State Public Safety or whatever the department is for drivers license. And when you go to renew they won't renew your license until you settle that outstanding violation. So it'll work the same way with the parking violations. Apparently it's been very successful with drivers license.

Unknown: Is Baton Rouge trying to do it too?

Councilman Walford: From what I understand, Baton Rouge is very supportive of this. They have over \$2,000,000 out.

Councilman Gibson: Well, if it's good for Baton Rouge - - -

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

INTRODUCTION OF RESOLUTIONS

1. **Resolution No. 78 of 2005:** A resolution authorizing the execution of a contract with Mark Edwards, D/B/A All Purpose Janitorial Service and to otherwise provide with respect thereto

Councilman Green: So moved on 78, 79 - - -

Mr. Thompson: Mr. Chairman, I believe that some of these need to be removed.

Councilman Jackson: Right.

Mr. Thompson: 78, I think the Administration said that they wanted to remove that from the agenda.

Councilman Jackson: So moved.

Councilman Walford: Which one? 78?

Councilman Jackson: Oh, we didn't get to 7- - -

Councilman Walford: Did you make a motion on - - -?

Councilman Jackson: Yeah, but I thought we were - - -

Councilman Walford: So moved on 78 to remove.

Councilman Green: I withdraw my motion. And instead of include - - - which ones need to be removed?

Mr. Thompson: Could we just do 77 first?

Councilman Carmody: I'll second Mr. Walford's motion.

Motion by Councilman Walford, seconded by Councilman Carmody to withdraw Resolution No. 78 of 2005. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

Councilman Gibson: Mr. Thompson, do you have any more recommendations on - - -?

Mr. Thompson: Could we just go back and approve 77?

Councilman Green: So moved.

Councilman Jackson: Introduction?

Mr. Thompson: Yes.

2. **Resolution No. 77 of 2005:** A resolution giving the Mayor approval to execute the construction contract for the Convention Center Hotel.

Read by title and as read, motion by Councilman Green, seconded by Councilman Jackson to introduce Resolution No. 77 of 2005 to lay over until May 24, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Gibson, Hogan, Green, and Jackson. 5. Nays: Councilman Carmody. 1. Absent: Councilman Lester. 1.

2. **Resolution No. 79 of 2005:** A resolution acknowledging that the City Council has reviewed the Internal "Municipal Water Pollution Prevention Report" concerning the North Regional and Lucas Wastewater Plants.

Mr. Thompson: 79 – Wes Wyche was here yesterday, and I believe that he asked that we remove that one from the agenda.

Motion by Councilman Carmody, seconded by Councilman Walford to remove Resolution No. 79 of 2005. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

Mr. Thompson: We've already acted on 80. We do have another one after 80.

4. **Resolution No. 83 of 2005:** A Resolution authorizing the Mayor of the City of Shreveport, State of Louisiana to enter into a Surety Agreement with XL Capital Assurance Inc.; and providing for other matters in connection therewith.

Read by title and as read, motion by Councilman Green, seconded by Councilman Walford to introduce Resolution No. 83 of 2005 to lay over until May 24, 2005 meeting.

Councilman Gibson: Could I get an explanation on this from the Mayor?

Mayor Hightower: Is this one on - - -?

Councilman Carmody: For introduction.

Councilman Gibson: For introduction.

Mayor Hightower: Yeah, I can tell you a little bit about it and I think Councilman Carmody asked a little bit about that a while ago. And I'm not the expert to explain this, but at Councilman Carmody's request, we'll have the experts here next week to talk to you about it. But essentially, what it does is free us some reserve funds to be used to build projects with. I don't know if Liz is here today.

Councilman Gibson: Ms. Washington, could you come forward please?

Mayor Hightower: Yeah, Liz can maybe explain it a little bit better, but it'll free up some of the reserve funds to do the projects with. At the same time, leaving us a reserve fund covered by reserves and insurance. But I think Liz can shed a little light on it.

Ms. Washington: The Mayor is correct. We have about \$7.2 (million) in the Water and Sewer Reserve Fund to pay for future debt services if needed. And instead of keeping that cash, we are going to get an insurance policy for about \$4,000,000 of that. And the rest of it, we can use to build projects with.

Councilman Carmody: Mr. Chairman, could we have the information again. And this goes towards my request was to the Administration, regarding what the cost of the surety is?

Ms. Washington: Okay, we can do that.

Councilman Carmody: Please.

Ms. Washington: Okay.

Councilman Gibson: Ms. Washington, an insurance - - - a \$4,000,000 insurance policy for what?

Ms. Washington: Instead of keeping the \$7.2 (million), which is the average of our debt service payments, we'll take part of it out and use it and get insurance policy to replace that money.

Mr. Antee: Mr. Chairman, I might be able to explain it in layman's terms.

Councilman Gibson: Mr. Antee, I'd love the layman's terms (inaudible).

Mr. Antee: Right now, we have a debt service reserve fund of about \$7.2 (million) which is cash sitting in a bank drawing interest. An insurance company will provide an insurance policy to the - - - and that money is so that the bond holders will have a pot in which to pay, in the event the City doesn't pay it. An insurance company will write a surety or a letter of credit stating that they're good for the money and that cash is freed up to go to projects. And so, you've got a combination of a guarantee from an insurance company and the remainder of the money in the reserve account guaranteeing the bond holders that there's money to pay the debt.

Councilman Gibson: Have we done this with other processes in the City?

Mr. Antee: Yes, I'm not sure how many, but we have done it with others.

Councilman Gibson: When we bring that information forward, could we include that at least on when we've done that in the past.

Ms. Washington: Okay.

Councilman Gibson: I would appreciate that. Thank you Mr. Antee and thank you Ms. Washington. Any other questions or comments regarding this particular item?

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

5. Resolution No. 85 of 2005: A Resolution selecting *The Times* as the official journal for the City of Shreveport for the period commencing July 1, 2005 through June 30, 2006 and otherwise providing with respect thereto.

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Jackson to introduce Resolution No(s). to lay over until May 24, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Carmody, Gibson, Hogan, Green, and Jackson. 5. Nays: None. Absent: Councilman Lester. 1. Out of the Chamber: Councilman Walford. 1.

Councilman Gibson: That is all Mr. Thompson on your - - -?

Mr. Thompson: Yes sir.

INTRODUCTION OF ORDINANCES

1. **Ordinance No. 59 of 2005:** An ordinance closing and abandoning the 60 foot-wide Monkhouse Drive in the J.B. Lewis Lands located in the SE ¼ of Section 18 (T17N-R14W), Caddo Parish, Louisiana and to otherwise provide with respect thereto. (G/Jackson)
2. **Ordinance No. 60 of 2005:** A ordinance closing and abandoning a drainage easement and accepting dedication for a drainage servitude in Lim-Lin Subdivision Unit No. 2, and to otherwise provide with respect thereto. (D/Gibson)
3. **Ordinance No. 61 of 2005:** An ordinance closing and abandoning the south 30 feet of the 60 foot-wide Songwood Street running adjacent to lots 74, 75, and 76 in the Birchwood Subdivision located in the NW ¼ of Section (T17N-R14W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.
4. **Ordinance No. 62 of 2005:** An ordinance creating and establishing a No Through Truck Route on Klug Pines Road between Westport Avenue and W. 70th Street (LA. 511) and to otherwise provide with respect thereto.
5. **Ordinance No. 63 of 2005:** An ordinance declaring the City's interest in a certain adjudicated property as surplus and otherwise providing with respect thereto. (C/Carmody)
6. **Ordinance No. 64 of 2005:** An ordinance declaring the City's interest in certain adjudicated properties as surplus and otherwise providing with respect thereto. (A/Lester/F/Green)
7. **Ordinance No. 65 of 2005:** An ordinance levying various taxes totaling eighteen and eighty-two one hundredths (18 and 82/100ths) mills per dollar on all property subject to Ad Valorem Taxation within the City of Shreveport for the year 2005 in the amounts and for the purposes described herein, and otherwise providing with respect thereto.
8. **Ordinance No. 66 of 2005:** An ordinance levying a tax of twenty-seven and eighty-two one hundredths (27 and 82/100ths) mills per dollar on all property subject to Ad Valorem Taxation within the City of Shreveport for the year 2005 for the purpose of paying principal and interest on the outstanding General Obligation Bonds of the City of Shreveport, and otherwise providing with respect thereto.
9. **Ordinance No. 67 of 2005:** An ordinance levying a tax of eight and thirteen one hundredths (8 and 13/100ths) mills per dollar on all property subject to Ad Valorem taxation within the bounds of the downtown development district of the City of Shreveport as denied by Act 554 of 1978, as amended, for the purposes as set forth herein, and otherwise providing with respect thereto.
10. **Ordinance No. 68 of 2005:** ZONING - C-42-05 An Ordinance to amend certain sections of Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance; to amend the fees charged by the Shreveport Metropolitan Planning Commission; and to provide for other matters related thereto.
11. **Ordinance No. 69 of 2005:** An Ordinance amending the 2005 Airports Enterprise Fund Budget and otherwise providing with respect thereto.
12. **Ordinance No. 70 of 2005:** An Ordinance amending the 2005 Capital Improvements Budget and otherwise providing with respect thereto. (*See Amendment to Council Proceedings of the City of Shreveport May 10, 2005*)

Read by title and as read, motion by Councilman Green, seconded by Councilman Carmody to introduce Ordinance No(s). 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70 to lay over until May 24, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Carmody, Gibson, Hogan, Green, and Jackson. 5. Nays: None. Absent: Councilman Lester. 1. Out of the Chamber: Councilman Walford.

1.

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

1. **Ordinance No. 28 of 2005:** An ordinance amending Chapter 14 of the Code of Ordinances, styled Animals, and to otherwise provide with respect thereto. (F/Green) (Postponed – April 26, 2005)

Having passed first reading on March 8, 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.

Councilman Green: I would just ask that we would vote this - - - in favor of this to get a foundation, and of course, we're coming back with some amendments within a month.

Councilman Jackson: Mr. Chairman, I think in light of the work that the committee has done, certainly don't want to shine any negative light on what they've done. Because obviously, a plethora of concerns from folks who in the community, dog owners and otherwise, and while it may or may not represent prudence, I would certainly suggest that maybe - - - and I'm certainly against postponing stuff over and over again, when I think we can take action of certain things, but it seems that it was a level of un-readiness and a sense of uncertainty among the citizens in this regard. And I would like to at least Councilman Green is the author of this particular ordinance. And I'd like to compel him or at least request that we might postpone this for an additional two weeks because if in fact, we're going to bring those amendments in 30 days, and it takes us 10 days to get it signed and those things. And I think it may not be negligent on our behalf to postpone until such time that we have the full 'monty', until we have the full ordinance in place that we might be able to get that done. All in one.

Councilman Gibson: Councilman Green, I too want to echo the sentiments of my colleagues in the fact that 1) I want to applaud you and Commissioner Cox for bringing this to the forefront because obviously, it's gotten a great deal of attention. And I think that with that amount of attention that's been given to this issue that it will gain the momentum that I think that I've heard you say in some of the responses to the public's comments today, that the foundation has been laid already by you and Commissioner Cox. And that foundation will grow stronger by - - - if you so choose to look at a postponement on this until those amendments are in place, so that we can get all this out at the same time. And I think that's where Councilman Jackson would be heading on this or urging you to look at. And I think that we talk about different precedents that are set down here, that you've got I think all the inner workings. I think you also have some public that would like to inject itself into this situation over the next couple of weeks, and then you could finalize that and maybe bring it back for this Body to vote on. That would be my comments Councilman Green.

Councilman Green: Mr. Chairman, I would urge you to vote on this today and I would ask you to look at it as we looked at the smoking ordinance. Thank you Mr. Chairman.

Councilman Walford: Mr. Chairman, I don't have a lot to say, you said it very eloquently as did Councilman Jackson. I think to adopt something that we know we're going to try to change within 30 days is not prudent. I for one would like to see a vicious dog ordinance prior to this coming before us with Commissioner Cox. I had met with the Caddo Animal Control folks regarding the need. Ms. Glass, I believe you were in there when we met. So there are some things we need, and I would like to see the ordinance. I support the concept, but I think it needs some work and I would urge Councilman Green to consider at least a two week postponement on this, and lets have a good ordinance when we pass an ordinance.

Councilman Jackson: Yes, I'd like to offer a substitute motion to postpone.

Substitute motion by Councilman Jackson, seconded by Councilman Walford to postpone.

Councilman Green: Mr. Chairman, before we do the substitute motion, I'll just ask for a postponement.

Councilman Gibson: I think your colleagues have done that for you.

Councilman Walford: Whichever way we do it.

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

Councilman Green: Mr. Chairman, I just learned you have to know when to hold 'em and when to fold 'em.

Councilman Gibson: Councilman Green, just don't start singing.

2. **Ordinance No. 43 of 2005:** An ordinance amending Chapter 38 of the City of Shreveport Code of Ordinances relative to housing and property standards and to otherwise provide with respect thereto. (Postponed – April 26, 2005)

Having passed first reading on April 12, 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 Lester, seconded by Councilman Walford.

AMENDMENT TO ORDINANCE NUMBER 43 OF 2005

(Amend the Ordinance as follows:

Amend Section 38-5 of the Ordinance as follows:

Amend the definition of "Owner" to now read as follows:

Owner shall mean the person specified in the last deed of record in the conveyance records of the clerk and recorder for the parish in which the property is situated.

With regard to any violation of Divisions 5 – 8 of Article III of this chapter, owner shall also mean any person with the charge, care or control of any premises as executor, executrix, trustee, administrator, tutor of the estate of the owner, mortgagee or vendee in possession, assignee of rents, lessee, tenant, or other person or party in interest.

The term "owner" shall be construed as if followed by the words "or his/her designee"

Mr. Thompson: Mr. Walford, do you want make a motion to postpone this one?
Councilman Walford: Yes, please.

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

3. **Ordinance No. 46 of 2005:** An ordinance amending Article II of Chapter 42 of the Code of Ordinances by repealing Section 42-13 relative to operation for a public dance; to add provisions relative to the regulation of dance halls; and to otherwise provide with respect thereto.

Having passed first reading on April 26, 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 Carmody to adopt.

Councilman Walford: This came out of our discussions with MPC, and the Shreveport Police Department relative to some of the teen clubs. And basically, this is an ordinance that will regulate how close they can be to outlets for alcohol, whether it be packaged or on premises consumption, and the other thing, it will have a licensing requirement very similar to alcohol facilities, so that it will give the Police much better enforcement tools (I think would be the way to say it), and if we need to, I think - - - Asst Chief Shoemake was the primary one involved with us on this, and unfortunately, he's retired. But I think Corporal Collins might, if there are any questions for SPD, could probably answer them.

Councilman Walford: That's all I have unless you have a question for SPD.

Councilman Gibson: We have one comment from Councilman Carmody, or one question..

Councilman Carmody: Corporal, good afternoon sir.

Corporal Collins: Good afternoon.

Councilman Carmody: I'm hoping that you can verify that my concern was that as I read the legislation, that it did provide for a 300 foot distance, but that we had the establishment of how that measurement was to be made as opposed to the kinda of nebulous down the curve, to the sidewalk and I don't mean nebulous in the wrong way, other than it'll follow State law, but it appears that the way that this is intended is the foregoing provision notwithstanding no dance hall shall be operated and no permit shall be granted for the operation of any dance hall situated within 300 feet of an alcohol beverages establishment. The required distance shall be measured form the closest exterior wall to the nearest point of the property line of the alcohol beverage establishment. The measure shall be performed by designees of the office of Metropolitan Planning Commission, Shreveport, Caddo Parish. So, this is again, we were actually going from the nearest point of the property line of the establishment selling alcohol back to the exterior wall of the dance hall facility. So, it's a little bit more clear as to at least how we should be able to draw that line.

Corporal Collins: It's more of a straight line measurement, instead of following the sidewalk measurement like we did with the alcohol ordinance.

Councilman Carmody: Very good. Thank you sir.

Councilman Jackson: I just wanted to be clear that Councilman Walford and I, you know we talk sometimes and we're at meetings, and this obviously emanates from those meetings. But I also wanted to clarify, it was my mistake. I had hoped that we would also have something that addressed teen clubs, if you will. And I don't think this is it. Because in all of this, and I need someone perhaps to clarify that to me, that if this in fact is. Because this seems to apply to dance halls generally. And not necessarily to All Age Clubs and Teen Clubs, which is one of the specific things that we began to talk about in those meetings. Am I correct? This seems to be a blanket type ordinance for dance halls, not necessarily specifically for Teen Clubs, which was one of the problems we were having specifically, when this issue kind of was raised.

Corporal Collins: Well, one thing we did with this ordinance and the authors of the ordinance, we put it together with the curfew ordinance. Basically between the two of them, I think we accomplished the All Age Teen Club, and by having the certain curfew ordinance in affect is basically, like I said, is going to mirror up with this ordinance which not have the problem we had before. This one does not specifically address the ages, but then the new curfew ordinance that was passed addresses that, and also puts requirements on the business owners themselves.

Councilman Jackson: So, in other words, because of - - - with this dance hall ordinance, that will require all dance hall owners to have a permit. Is that correct?

Corporal Collins: That's correct.

Councilman Jackson: Having that permit is then what gives the police the ability to go in and enforce the requirements of those permits.

Corporal Collins: That's one of the things that will give us the permission to go in.

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

4. **Ordinance No. 47 of 2005:** An ordinance amending Ordinance No. 40 of 2003 relative to changing the name of the Shreveport Blanchard Road from the Roy Road to North Hearne Avenue to Hilry Huckaby III Avenue and to otherwise provide with respect thereto. (A/Lester)

Mr. Thompson: Councilman Lester asked us to postpone.

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

5. **Ordinance No. 48 of 2005:** ZONING – C-78-04: 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 E. Stoner at this intersection with Clyde Fant Parkway Shreveport, Caddo Parish , Louisiana, from R-A-

E, Residence-Agriculture/Extended use District to B-1-E, Buffer Business/Extended Use District, Limited to “uses listed herein” ONLY, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on April 26, 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 Gibson to adopt. . Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

6. **Ordinance No. 49 of 2005:** ZONING – C-15-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the southeast corner of Downing and Redstone, Shreveport, Caddo Parish, Louisiana, from R-1H Urban, One-Family Residence District to R-1H-E, Urban, One-Family Residence District, Limited to “a leasing and Management Office with limited storage for the purpose of managing the structures in the immediate neighborhood, ONLY”, and to otherwise provide with respect thereto. (A/Lester)

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

7. **Ordinance No. 50 of 2005:** ZONING – C-31-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance of property located on the east side of Southern Avenue, 200 feet south of Ockley Drive, Shreveport, Caddo Parish, Louisiana, for the continuation of B-2-E, Neighborhood Business/Extended Use District, Limited to taxidermy/wildlife artist shop” ONLY, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on April 26, 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 Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

8. **Ordinance No. 51 of 2005:** ZONING – C-19-05: 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 Acorn 100 feet south of Stoner Avenue, Shreveport, Caddo Parish, Louisiana, from R-1H, Urban, One-Family Residence District, to B-1, Buffer Business District, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on April 26, 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 Gibson to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

9. **Ordinance No. 52 of 2005:** ZONING– C-20-05: 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 Wyandotte and Centenary, Shreveport, Caddo Parish, Louisiana, from B-1, Buffer Business District, to B-1-E, Buffer Business Extended Use District, Limited to “a transitional shelter for women including housing, job assistance, substance abuse treatment and medical care” ONLY, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on April 26, 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 Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

10. **Ordinance No. 53 of 2005:** ZONING APPEAL – C-21-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the northwest corner of Preston and Knight Streets, Shreveport, Caddo Parish, Louisiana, from R-A-E, Residence-Agriculture/Extended Use District (Limited to Par 3 Golf Course, Miniature Golf, Driving Range and Batting Cage) to R-A-E, Residence-Agriculture/Extended Use District, LIMITED TO PAR 3 Golf Course, Miniature Golf, Driving Range, Batting Cage, and Pro-Shop” ONLY, and to otherwise provide with respect thereto. (C/Carmody)

Having passed first reading on April 26, 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 Carmody, seconded by Councilman Jackson to adopt.

Councilman Carmody: Mr. Kirkland, could I ask you to come forward please? I believe that I had received some correspondence regarding the application that was originally brought forward requesting approval for alcohol sales. Has the applicant dropped it?

Mr. Kirkland: This doesn't really approve. No, the applicant, to my knowledge, drop it. This only approves the use, but does not approve the alcohol only because of the very fact that this original zoning had only limited uses, and it has to be specified in here that, that would be a use that would be permitted if the ZBA were to approve it.

Councilman Carmody: Yes sir. Thank you very much. I appreciate it. Gentlemen, I would appreciate a 'yes' vote from you.

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

11. **Ordinance No. 54 of 2005:** ZONING – C-22-05: An ordinance amending Chapter 106 of the Code of

Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northwest corner of Southern and Pierremont, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban One-Family Residence District, to B-1 Buffer Business District, and to otherwise provide with respect thereto. (C/Carmody)

Having passed first reading on April 26, 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 Carmody, seconded by Councilman Hogan to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

12. **Ordinance No. 55 of 2005:** ZONING – C-23-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport, by rezoning property located on the north side of York Street, 130 feet west of Panatella Street, Shreveport, Caddo Parish, Louisiana, from R-1H, Urban, One-Family Residence/Extended Use District, LIMITED to “a leasing and management office with limited storage for the purpose of managing the structures in the immediate neighborhood”, ONLY and to otherwise provide with respect thereto. (D/Gibson)

Having passed first reading on April 26, 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 Hogan to adopt.

Councilman Gibson: Mr. Kirkland, I just want to make clear what we’re doing here. There were concerns by certain residents that they were concerned that this might turn into a maintenance office. And as I understand, in talking with the upper management of this company, that obviously, by having an office in the district or in the neighborhood will give them the ability to interact with the neighborhood and through some of that interaction, they will probably, from what I understand be able to do a better job of responding to some maintenance problems. But all that will be executed through an administrative function. Is that correct?

Mr. Kirkland: That’s correct.

Councilman Gibson: Okay, I just want to make sure that --

Mr. Kirkland: Any storage would I be minimal at best.

Councilman Gibson: But if some reason, they went over and beyond that, there would be some consequences.

Mr. Kirkland: Yes, if we are aware of it. We would deal with that as an enforcement issue.

Councilman Gibson: But I have been assured as the Councilman in the district and one of the residents of that company is in the audience. I want to thank him for his efforts in this and Mr. Kirkland I do appreciate your staff in working with that group. And I would urge my colleagues to support this.

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

13. **Ordinance No. 56 of 2005:** ZONING – C-24-05: 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 Ascot 130 feet north of Mount Zion Road, Shreveport, Caddo Parish, Louisiana, from R-A, Residence-Agriculture District, to R-A-E, Residence-Agriculture/Extended Use District, LIMITED to “a leasing and management office with limited storage for the purpose of managing the structures in the immediate neighborhood” ONLY, and to otherwise provide with respect thereto. (D/Gibson)

Having passed first reading on April 26, 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 Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

14. **Ordinance No. 57 of 2005:** ZONING – C-25-05: 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 Premier Court 427 feet south of East Bert Kouns Industrial Loop, Shreveport, Caddo Parish, Louisiana, from R-A, Residence-Agriculture District, B-2-A, Business Park District, and B-3, Community Business District, to B-3-E, Community Business/Extended Use District, LIMITED to “outside storage of construction equipment and various other items for rent” ONLY, and to otherwise provide with respect thereto. (D/Gibson)

Having passed first reading on April 26, 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 Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

15. **Ordinance No. 58 of 2005:** ZONING – C-27-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning Property located on the northeast side of Valley View Drive 900 feet west of Wyngate Drive Shreveport, Caddo Parish, Louisiana, from R-2, Suburban, Multi-Family Residence District, to 1-2, Heavy Industrial District, and to otherwise provide with respect thereto. (F/Green)

Having passed first reading on April 26, 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 Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Gibson, Hogan, Green, and Jackson. 6. Nays: None. Absent: Councilman Lester. 1.

The adopted ordinances and amendments follow:

ORDINANCE NO. 46 OF 2005

AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 42 OF THE CODE OF ORDINANCES BY REPEALING SECTION 42-31 RELATIVE TO HOURS OF OPERATION FOR A PUBLIC DANCE; TO ADD PROVISIONS RELATIVE TO THE REGULATION OF DANCE HALLS; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: Councilman Walford/Councilman Jackson

WHEREAS, Section 2.04 (i) of the City Charter authorizes the City of Shreveport to regulate amusements, games and entertainment within the city limits and the buildings and premises on which they are located; and

WHEREAS, pursuant to such authority, the City of Shreveport desires to amend Article II of Chapter 42 of the Code of Ordinances by repealing Section 42-31 relative to hours of operation for a public dance, and to add provisions to regulate the operation of dance halls within the city limits.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Shreveport, in due regular and legal session convened, that Section 42-31 of the Code of Ordinance is hereby repealed.

BE IT FURTHER ORDAINED that Article II of Chapter 42 of the Code of Ordinances is hereby amended to now read as follows:

ARTICLE II. AMUSEMENTS

DIVISION 1. DANCE HALLS

Secs. 42-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic beverage permit means a permit required by and issued pursuant to the provisions of Chapter 10 of the City of Shreveport Code of Ordinances.

Curfew shall be defined as provided in section 50-201.

Dance hall means a place of business open to the public whose primary purpose is to offer a venue for dancing by its patrons, whether or not the same is operated in conjunction with any other purpose, where admission to such place is not dependant on membership or invitation.

Person means any natural or juridical person.

Sec. 42-32. Compliance with law.

No dance hall shall be operated within the city except in compliance with applicable provisions of law.

Sec. 42-33. Dance hall locations; requirements.

(a) It shall be unlawful for any person to operate a dance hall within the city except in those sections of the city where such operation is permitted by applicable provisions of the zoning ordinance.

(b) The foregoing provision notwithstanding, no dance hall shall be operated, and no permit shall be granted, for the operation of any dance hall situated within 300 feet of an alcoholic beverages establishment. The required distance shall be measured from the closest exterior wall of the dance hall to the nearest point of the property line of the alcoholic beverages establishment. The measurement shall be performed by designees from the office of the Metropolitan Planning Commission Shreveport/ Caddo Parish.

Sec. 42-34. Permit required; fee.

(a) It shall be unlawful for any person to operate a dance hall within the city without having first obtained a permit as hereinafter provided.

(b) The initial application or any renewal application for a dance hall permit shall be made on forms supplied by the city and shall be submitted to the chief of police for approval or denial of the application. The applicant shall sign and certify that all information contained in the application is true and correct.

(c) The chief of police shall approve or deny the initial application for a dance hall permit or any renewal application within ten (10) days after receipt of a complete application. If approved, and after payment of the prescribed fee, the director of finance or his designee shall issue a permit to any person whose application has been approved by the chief of police. If denied, the chief of police shall issue written notice of the denial to the applicant, stating the reason(s) for denial of the application. The decision of the chief of police to deny the application shall remain in effect unless and until the city council votes to reverse the decision of the chief of police as hereinafter provided.

(d) The annual fee for a dance hall permit shall be \$100.00.

(e) A permit issued under this section shall be valid for 365 days from the date of issuance unless sooner suspended or revoked by the chief of police as provided in section 42-39.

Sec. 42-35. Appeals.

(a) Any applicant aggrieved by any decision of the chief of police with regard to denial of an application shall have the right to appeal such decision to the city council by filing a written request for appeal in the office of the clerk of council within ten (10) days of receipt of the written notice of denial. The city council shall thereafter hold a hearing on such appeal no less than ten(10) nor more than thirty (30) calendar days from the date such appeal is received. Thereafter, the city council shall either affirm, modify, or reverse the decision of the chief of police to deny the application.

(b) All decisions of the city council shall be final and binding upon the applicant unless a devolutive appeal of such decision is filed in a district court having jurisdiction within ten (10) days of the city council decision.

Sec. 42-36. Qualifications of applicant.

(a) All applicants for dance hall permits shall meet the following qualifications and conditions. The applicant:

(1) Is a person of good character and reputation and 21 years of age or older.

(2) Is a citizen of the United States and of the State of Louisiana and a resident of the state continuously for a period of not less than two years preceding the date of the filing of the application however, the requirement for Louisiana citizenship shall not apply to a corporation or other juridical person.

(3) Is the owner of the premises where the dance hall will be operated or has a bona fide written lease therefor.

(4) Has not been convicted of a felony under the laws of the United States, the State of Louisiana, or any other state or country.

(5) Has not been adjudged by the city council or convicted by any court in the last two years, of violating

any two or more municipal or parish ordinances.

(6) Is not the spouse of, or an interposed party for, a person whose application has been denied or whose permit has been revoked or is otherwise ineligible for a permit as required by this section.

(7) Has paid all taxes, fees and other charges due to the city by the applicant or his business.

(b) If the applicant is a corporation or other legal entity, all members of the legal entity or all persons in any way financially interested in the business shall also possess the qualifications required of an applicant. The application shall state the full names and proper address of all persons with a financial interest in the business.

(c) Any misstatement or suppression of fact in an application or accompanying affidavit shall be grounds for denial of the permit.

(d) Notwithstanding the provisions of subsections (a)(3) and (a)(4) of this section, a permit may be granted by the chief of police if the applicant has been pardoned, had any misdemeanor conviction discharged or dismissed, or the applicant's civil rights have been restored, or if the applicant is a firm, association partnership, or other legal entity, and the applicant has terminated its relationship with the person or persons whose action directly contributed to the applicant's conviction.

(e) Except as otherwise provided herein, no permit issued pursuant to the provisions of this section is heritable nor shall the same be assigned to any person by the original permit holder however, in the event of the dissolution of a partnership by death of a partner, the surviving partner may operate under the partnership permit. Receivers and trustees in bankruptcy may also operate under the permit of the person succeeded.

Sec. 42-37. Alcoholic beverages prohibited.

It shall be unlawful for any person to sell, barter, exchange or otherwise dispose of, or permit the consumption of alcoholic beverages in or on the premises of any dance hall licensed to operate within the city pursuant to the provisions of this article.

Sec. 42-38. Persons under seventeen years of age.

No person under seventeen years of age shall be permitted to remain in or on the premises of a dance hall during the curfew hours.

Sec. 42-39. Grounds for suspension or revocation.

The city council may suspend or revoke any permit issued pursuant to the provisions of this Article for any legal cause, including but not limited to any one of the following:

- (1) If the applicant or any of the persons who must possess the same qualifications as the applicant failed to possess the qualifications required at the time of application or fails to maintain such qualifications during the licensed period.
- (2) If there was any misstatement or suppression of fact in the permit application.
- (3) If the permit is issued to an interposed person.
- (4) If the permit holder permits or allows any person to consume any alcoholic beverages on the licensed premises.
- (5) If the permit holder shall fail to pay any taxes, fees, or charges required by applicable provision of law for the operation of the dance hall or, shall fail to obtain and maintain all licenses, permits, or approvals required for such operation during the licensed period.
- (6) If the permit holder is convicted by a court of competent jurisdiction of violation of any provision of this division.
- (7) If the permit holder is convicted by a court of competent jurisdiction of violation of any provision of Section 50-201 – 50-204 of this code.

Sec. 42-40. Suspension or revocation; penalty.

(a) Any violation of the provisions of this article may result in the suspension or revocation of the permit granted however, the city council may, in lieu of or in addition to revocation or suspension of permit issued under the authority of this chapter, impose a fine upon the permit holder based upon the following schedule:

- (1) First offense - \$500.00
- (1) Second offense - \$750.00
- (2) Third offense-\$1,000.00

(b) Any person convicted of violating the provisions of this article shall be punished by a fine not to exceed \$500.00, or by imprisonment for not more than 60 days, or both fine and imprisonment. No fine issued pursuant to this section shall be reduced or suspended.

Secs. 42-41 – 42-60. Reserved.

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

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

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 47 OF 2005

AN ORDINANCE TO AMEND ORDINANCE NO. 40 OF 2003 RELATIVE TO CHANGING THE NAME OF THE SHREVEPORT BLANCHARD ROAD FROM THE ROY ROAD TO NORTH HEARNE AVENUE TO HILRY HUCKABY III AVENUE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Ordinance No. 40 of 2003 is hereby amended as follows:

1. Delete the paragraph which reads:

BE IT FURTHER ORDAINED that in accordance with Section 78-452 of the Code of Ordinances this ordinance shall not be adopted prior to July 8, 2003 and during said 90 day period the tasks delineated in Section

78-452 shall be performed.

2. Substitute the following:

BE IT FURTHER ORDAINED that for the reasons stated in the Whereas clauses above, the provisions of Section 78-451 and 452 are hereby waived for the purposes of this Ordinance No. 40 of 2003 only.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 50 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE OF PROPERTY LOCATED ON THE EAST SIDE OF SOUTHERN AVENUE, 200 FEET SOUTH OF OCKLEY DRIVE, SHREVEPORT, CADDO PARISH, LOUISIANA, FOR THE CONTINUATION OF B-2-E, NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT, “LIMITED TO TAXIDERMY/WILDLIFE ARTIST SHOP” ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the S/2 of Blk., 4 13, Fairfield Hts. Subd., Shreveport, Caddo Parish, Louisiana, located on the east side of Southern Avenue, 200 feet south of Ockley Drive, Shreveport, Caddo Parish, Louisiana, **be and the same is hereby continued as B-2-E, Neighborhood Business/Extended Use District, “limited to taxidermy/wildlife artist, shop” only.**

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

Development of the property shall be in strict accord with all stipulations and a revised site plan showing alternate landscaping 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.

Standard Operating Procedure shall be adhered to. Said procedure shall include the following:

A. When the specimen is brought in by the customer, the appropriate paperwork for legal possession and billing will be obtained.

B. The specimen will then be skinned, if required, and then the skin will be fleshed for later mounting along with retrieval of the horns or antlers as may be present. The waste products from the skinning and fleshing procedures will then be double bagged and sealed tight in a container and kept inside the facility until scheduled commercial waste pickup. If a large carcass is left after skinning (eg.- a whole deer) this will be returned to the customer after skinning for their own proper meat processing.

C. Next, the skin produced by “Step B”, if small, will be pickled in-house using environmentally safe agents such as “Saftee-Acid”, citric acid, or Borax. If the skin is large and requires formal tanning, salt will be applied to the hide until it is completely dehydrated and dried such that it can be safely boxed and shipped to a commercial tannery, from which it will be received back as a dry piece of leather with the hair still on.

D. After “Step C”, the re-moistened hide will then be stretched over a Styrofoam form, that will be purchased from a 3rd party supplier, after putting on a coat of glue or paste (similar to paper-mache or wallpaper paste) on the form and the skin will then be sewn up and set aside and allowed to dry.

E. Following the drying process, the detail art work will be performed using potter's clay or similar product to sculpt with. It will then be painted with watercolor, or acrylic artists paints then sprayed with a spray finish (eg. Krylon Matte Finish fixative.)

F. After “Step E”, the finished mount will then be placed on a wooden plaque, piece of driftwood, or artificial base with dried leaves, soil, and grass as desired by the customer.

G. The finished wildlife product will then be delivered to the customer's possession for their transport to their own home.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 51 OF 2005

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 ACORN 100 FEET SOUTH OF STONER AVENUE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1H, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO B-1, BUFFER 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 Lot 12 and the S

28 feet of Lot 13, Blk A, Robinson Subd., Shreveport, Caddo Parish, Louisiana, located on the W side of Acorn 100 feet S of Stoner Avenue, **be and the same is hereby changed from R-1H, Urban, One-Family Residence District, to B-1, Buffer Business District:**

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

- 1. Development of the property shall be in substantial accord with a revised site plan showing required landscaping and fencing to ordinance standards to be submitted for review to the Planning Director for approval.**
- 2. Any changes or additions to this site, i.e., addition of buildings shall require site plan 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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 52 OF 2005

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 WYANDOTTE AND CENTENARY, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-1, BUFFER BUSINESS DISTRICT, TO B-1-E, BUFFER BUSINESS/EXTENDED USE DISTRICT, LIMITED TO “A TRANSITIONAL SHELTER FOR WOMEN INCLUDING HOUSING, JOB ASSISTANCE, SUBSTANCE ABUSE TREATMENT AND MEDICAL CARE, “ ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lots 31, 32, 33 and 34 Blk, 3 OPO Subd., Shreveport, Caddo Parish, Louisiana, located on SW corner of Wyandotte and Centenary, **be and the same is hereby changed from B-1, Buffer Business District, to B-1-E, Buffer Business/Extended Use District, limited to “a transitional shelter for women including housing, job assistance, substance abuse treatment, and medical care, “ only:**

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

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.

Residents shall have no vehicles.

Approval requires that the facility remain a State licensed operation, complying with all requirements of the Louisiana Department of Health and Hospitals. Failure to maintain this status will render Planning Commission approval null and void.

Approval is granted for a two year period only, with any extension requiring re-application to the Metropolitan Planning Commission. Request for extension shall be at no fee to the applicant if submitted prior to the expiration of the time period.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 53 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHWEST CORNER OF PRESTON AND KNIGHT STREETS, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM, R-A-E, RESIDENCE-AGRICULTURE/EXTENDED USE DISTRICT(LIMITED TO PAR 3 GOLF COURSE, MINIATURE GOLF, DRIVING RANGE AND BATTING CAGE) TO R-A-E, RESIDENCE-AGRICULTURE/EXTENDED USE DISTRICT, “LIMITED TO PAR 3 GOLF COURSE, MINIATURE GOLF, DRIVING RANGE, BATTING CAGE, AND PRO-SHOP,” ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the NW corner of Preston and Knight Streets, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-A-E, Residence-Agriculture/Extended Use District (limited to “Par 3 Golf Course, Miniature Golf, Driving Range & Batting Cage), to R-A-E, Residence-**

Cage, and Pro-Shop,” only.

A tract of land containing 127 acres, M/L and being more particularly described as follows: Beginning at the intersection of the Alex Knight & Dixie Land Investment Co., Inc., boundary agreement line and the W'ly R-O-W of Knight Street; thence proceed SE'ly along said R-O-W to the intersection of said R-O-W and the N'ly R-O-W of East Preston Avenue; thence proceed SW'ly along said R-O-W to the intersection of said R-O-W and the boundary line between Points "A" and "B"; thence proceed NW'ly along said boundary line to the intersection of said boundary line and the Alex Knight & Dixie Land Investment Co., Inc. Boundary Agreement line; thence proceed NE'ly along said Boundary Agreement Line to the W'ly R-O-W of Knight Street and to the P-O-B of the tract herein described, containing 127 acres, M/L., Shreveport, Caddo Parish, Louisiana.

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

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

2. Hours of operation shall be from 7:00 a.m. to 10:00 p.m., Monday – Sunday.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 54 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHWEST CORNER OF SOUTHERN AND PIERREMONT, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO B-1, BUFFER 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 Lots 8, 9, 10, 11, 12 & 13 Blk. C Southside Park Subd., Shreveport, Caddo Parish, Louisiana, located on the NW corner of Southern and Pierremont, **be and the same is hereby changed from R-1D, Urban One-Family Residence District, to B-1, Buffer Business District.**

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

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.

Waiver of solid wood screening fence requirement on the west property line is granted until such time as the adjacent property is developed residentially.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 55 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTH SIDE OF YORK STREET, 130 FEET WEST OF PANATELLA STREET, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1H, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO R-1H-E, URBAN, ONE-FAMILY RESIDENCE/EXTENDED USE DISTRICT, LIMITED TO "A LEASING AND MANAGEMENT OFFICE WITH LIMITED STORAGE FOR THE PURPOSE OF MANAGING THE STRUCTURES IN THE IMMEDIATE NEIGHBORHOOD", ONLY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lot 58, Eden Gardens South, located on the N side of York Street, 130 feet W of Panatella Street, Shreveport, Caddo Parish, Louisiana, **be and the same is hereby changed from R-1H, Urban, One-Family Residence District, to R-1H-E, Urban, One-Family Residence/Extended Use District, limited to "a leasing and management office with limited storage for the purpose of managing the structures in the immediate neighborhood," only.**

SECTION II: THAT the rezoning of the property described herein is subject to

compliance with the following stipulations:

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. If the management/leasing of these housing units at this location ceases, then these office rights will terminate.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 56 OF 2005

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 ASCOT 130 FEET NORTH OF MOUNT ZION ROAD, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-A, RESIDENCE-AGRICULTURE DISTRICT, TO R-A-E, RESIDENCE-AGRICULTURE/EXTENDED USE DISTRICT, LIMITED TO "A LEASING AND MANAGEMENT OFFICE WITH LIMITED STORAGE FOR THE PURPOSE OF MANAGING THE STRUCTURES IN THE IMMEDIATE NEIGHBORHOOD", ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lots 109 and 110 Brown Park Estates, Subd., located on the W side of Ascot 130 feet N of Mount Zion Road, Shreveport, Caddo Parish, Louisiana, **be and the same is hereby changed from R-A, Residence-Agriculture District, to R-A-E, limited to "a leasing and management office with limited storage for the purpose of managing the structures in the immediate neighborhood," only.**

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

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. If the management/leasing of these housing units at this location ceases, then these office rights will terminate.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 57 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 PREMIER COURT 427 FEET SOUTH OF EAST BERT KOUNS INDUSTRIAL LOOP, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-A, RESIDENCE-AGRICULTURE DISTRICT, B-2-A, BUSINESS PARK DISTRICT AND B-3, COMMUNITY BUSINESS DISTRICT, TO B-3-E, COMMUNITY BUSINESS/EXTENDED USE DISTRICT, LIMITED TO "OUTSIDE STORAGE OF CONSTRUCTION EQUIPMENT AND VARIOUS OTHER ITEMS FOR RENT," ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the E side of Premier Court, 427 feet S of East Bert Kouns Industrial Loop, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-A, Residence-Agriculture District, B-2-A, Business Park District, and B-3, Community Business District, to B-3-E, Community Business/Extended Use District, limited to "outside storage of construction equipment and various other items for rent," only.**

A tract of land being a portion of Lot 3 of Perimeter Business Park Unit #2, being located in Section 7, T16N-R13W, Shreveport, Caddo Parish, Louisiana, Said portion being more fully described as follows: Beginning at the SE corner of said Lot 3, run N89°27'32"W along the S line of said Lot e a distance of 130.00 feet; thence run N00°17'50"E a distance of 166.30 feet, thence run N37°37'31"W a distance of 40.94 feet to a point on the R-O-W for Premier Court; thence run N'ly along the E R-O-W line of said Premier Court the following calls: N'ly along a curve to the left an arc distance of 133.19 feet (said curve having a radius of 65.00 feet and a chord bearing N06°19'39"W-111.08 feet) NW'ly along a curve to the right an arc distance of 45.46 feet (said curve having a radius of 55.50 feet and a chord bearing N41°33'54"W – 44.20 feet), NW'ly along a curve to the left an arc distance of 77.64 feet (said curve having a radius of 219.59 feet and a chord bearing N28°13'45"W – 77.23 feet), NW'ly along a curve to the right an arc distance of 43.49 feet (said curve having a radius of 99.59 feet and

a chord bearing N25°50'53"W – 43.14 feet); thence leaving said E R-O-W line run N76°39'40"E a distance of 260.72 feet to a point on the E line of said Lot 3, thence run S00°17'50"W along said E line of Lot 3 a distance of 510.46 feet back to the P-O-B, said tract containing 1.826 acres.

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

Development of the property shall be in substantial accord with a revised site plan to be submitted to and approved by the Planning Director. Any significant changes or additions shall require 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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 58 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHEAST SIDE OF VALLEY VIEW DRIVE, 900 FEET WEST OF WYNGATE DRIVE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-2, SUBURBAN, MULTI-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 the NE side of Valley View Drive, 900 feet W of Wyngate Drive, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-2, Suburban, Multi-Family Residence District, to I-2, Heavy Industrial District:**

Beginning at the intersection of the SW'ly R-O-W of Brush Bayou and the NW'ly R-O-W of Wyngate Boulevard, run thence S30°20'19"W along said R-O-W of Wyngate Boulevard a distance of 444.52 feet to a point of curvature of a curve curving to the right, having the following curve data: Delta=18°47'34", tangent=40.00 feet, radius=241.76 feet; run thence along the arc of said curve a distance of 79.28 feet to a point, said point being the intersection of Wyngate Boulevard R-O-W, and Valley View Drive R-O-W, the preceding two courses being along said Wyngate Boulevard R-O-W line; run thence N75°46'01"W along said R-O-W of Valley View Drive a distance of 627.59 feet to the P-O-B, said tract being more particularly described as follows: run thence N75°46'01"W a distance of 21.88 feet to a point of curvature of a curve curving to the right, having the following curve date: Delta=80°24'16", Tangent=451.04 feet, radius=533.69 feet; run thence along the arc of said curve a distance of 748.94 feet to a point of tangency; run thence N04°40'19"E a distance of 20.97 feet to a point the preceding three courses being along said Valley View Drive R-O-W line; run thence S85°20'26"E a distance of 466.50 feet to a point; run thence S04°39'34"W a distance of 550.66 feet to a point to the P-O-B.

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

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.

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.

Michael G. Gibson, Chairman

Arthur G. Thompson, Clerk of Council

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)

Councilman Gibson: Mr. Thompson, we have an item that's been postponed since December, Councilman Lester is out today.

Mr. Thompson: I believe they want to continue to table this.

Councilman Gibson: Any other unfinished business Mr. Thompson?

Mr. Thompson: No sir.

NEW BUSINESS:

1. **BAC-35-05: RCS LAND CO., L.L.C**, 2004 Centenary Boulevard To modify or delete stipulation #2 in a

B-2 District, Monument Sign.

Mr. Thompson: Yes sir, that can be acted on today.

Motion by Councilman Walford, seconded by Councilman Carmody to modify the ZBA decision it with the following stipulations:

- 1) *The attached sign shall be limited to a single monument sign, no taller than 80 inches above grade, with no more than two sign faces, each of which shall be 48 square feet in area or less.*
- 2) *The specific location of such a monument sign shall be subject to the approval of the Executive Director of the Metropolitan Planning Commission, and the City Engineer in order to eliminate potentially hazardous site obstructions.*

Councilman Walford: This was a difficult one Mr. Chairman. I certainly understand Family Dollar's position, but I think the neighborhood negotiated in good faith. And I think we owe it to them to uphold the agreement that was made, whether the agreement was verbal or in writing. It was clearly made before the Zoning Board of Appeals. It's a matter of record with them. And I think there's been some excellent correspondence, and I really commend Jeffery Little for his letter. And each of you has a copy of that. But I would urge support by the fellow Council Members. I think Highland Area Partnership is doing a lot to improve that area, and the signage has been a big part of it. And I think Wendy's and McDonald's have clearly shown that it's the monument sign is not a detriment to business. Thank you Mr. Chairman.

Councilman Carmody: First, I'd like to congratulate Family Dollar and the developer of this corner. I think many of us remember the unsightly mess that was there, as the remnants of the Bamboo Restaurant, however, my feeling is the same as Councilman Walford, in that, and I appreciate the gentleman from Family Dollar saying that we have a standard sign package, and I understand that it's an additional cost. If you could place yourself in our shoes sir, and realize that this is an area which has been in transition for at least my entire life, and that great effort by the residents who are concerned about the direction that it was headed in, have turned this area of Shreveport around and made it a very desirable area, obviously, why y'all've come back into it. I applaud the look of your development. I spent 10 years in the sign industry, and know the necessity to have visibility of signage, but I will tell you that I travel that intersection a lot, and your sign, your Family Dollar sign on the facade of that building certainly jumps out. My whole business is that if you cannot modify the sign that you've had delivered, it's a standard sign, that it can be utilized at another location - - -, but that you would appreciate it from where we're coming from if it's too expensive for you to utilize the existing sign that you would forego the sign and try it without it. But my vote would be to support the lower signage. Thank you Mr. Chairman.

Councilman Walford: Mr. Chairman.

Councilman Gibson: Councilman Walford, I'm going to jump in one time. I agree in the support, and when the Councilman had talked to me about this in his district. I think it raises the question though in terms of one of the things I heard from the Family Dollar Representative is some need for standardization in this City. I think one of the biggest impediments we have in the City right now is - - - there is a story behind the story, behind the story, behind the story. What are the rules to the game? Do the rules to the games is it a moving target? Standardization and I think Mr. Kirkland, you and your staff have done a masterful job over time, trying to do the best you can. But it's almost like giving you a 100 piece puzzle and giving you about 60 pieces to work with and say complete. When you don't have master plans, updates since what - - - 1959? And again, those are some of the challenges that we're going to be faced with. But obviously, there's models that Highland has put out there, that don't seem to be an impediment to economic development. Other cities have gone through this same struggle. But what concerned me about the comments here, was we didn't know what the rules to the game were. And I think that obviously, I've seen the - - - everyone of us seem to have Family Dollar Stores in our districts, and they are doing a great job, but the fact being is it may be something that this Council needs to look at in terms of future development in trying to find some standardization because the Family Dollars looking over in other parts of the City saying 'well, they've got that, why can't I have that'? And it's somewhat of a discriminatory type deal that we're looking at here. And I know we're all concerned about what messages we send within this district or within the City. But, I think there's a model here. I think there's some things that we can build on. Again, I'm in support of Councilman Walford and what he's doing in his district in terms of this particular item. But at the same time, I think it raises the question that we need to probably be looking at for future other developments, so that we make sure that when a developer comes to town, they know what the rules to the game and don't have to ask the question 'well, why is this exempt, versus not'? And I know we're struggling right now, I think we dealt with some legislation today trying to clarify or get - - - urge the State to get some things cleaned up on their act, so we can do our part. We're doing the same thing on some smoking issues where there's exemptions and you know people are confused about whether you can smoke or you can't smoke based on what exemption - - - this, that, and the other. So, I won't belabor the point, but I will point that out. But I appreciate it. Councilman Walford, you had a comment.

Councilman Walford: Thank you Mr. Chairman, and thank you for your comments. I think you're right. That this points to a need to come up with some standards. I have a feeling that Highland Partnership has probably learned an excellent lesson here. And when they negotiate, I would urge them in the future to be specific. And know what they want. And I want to welcome Family Dollar. I'm really tickled to have them here. I was pleased to go and do the ribbon cutting for your grand opening. The only fear I had on that, there were so many people waiting to rush the door, we kinda wanted to stand aside to cut the ribbon. So, I welcome you. I think you will find that your store is very visible, as Mr. Carmody said. But even if you don't put up a sign. But I would appreciate them cooperating and helping set the standard for the Highland neighborhood. Thank you Mr. Chairman.

Councilman Gibson: Again, I think there's a distinction between standards and standardization. And standardization in my mind in the construction industry I represent is a uniform process from A-Z. Standards set some bench marks, but standardization, I think has at least in my mind, a different meaning regarding that.

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

2. ABO APPEAL:- Ms. Krystal Douglas: Removed May 9, 2005.

**REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES:
CLERK'S REPORT:**

1. Letter of Appeal – BAC-46-05: Opposition letter from Mr. Albert Couvillion concerning a Package Liquor Store at the corner of Ardis Taylor and Mansfield Road. (E/Hogan)

Mr. Thompson: We would ask that you remove the Letter of Appeal, BAC-46-05. The matter has not yet been heard by the MPC.

Motion by Councilman Carmody, seconded by Councilman Jackson to remove the Letter of Appeal, BAC-46-05.

Councilman Walford: Somebody was being very proactive.

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

Councilman Gibson: Any other reports Mr. Thompson?

Mr. Thompson: On the E-agenda, you have case C-42-05, that matter has been added to the agenda and it won't be necessary to have this there any more, so it just won't appear on the next agenda.

THE COMMITTEE RISES AND REPORTS (reconvenes Regular Council Meeting).

ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at approximately 5:52 p.m.

//s// Michael G. Gibson, Chairman

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

