

**Council Proceedings of the City of Shreveport, Louisiana**  
*November 8, 2005*

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman James E. Green at 3:00 p.m., Tuesday, November 8, 2005, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Hogan.

The Pledge of Allegiance was led by Councilman Lester.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody (Arrived at 3:04), Robertson, Green, Hogan and Jackson. 7. Absent: None.

**Motion by Councilman Jackson, seconded by Councilman Hogan to approve the minutes of the Administrative Conference, Monday, October 24, 2005 and Council Meeting, Tuesday, October 25, 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Robertson, Green, Hogan, and Jackson. 6. Nays: None. Out of the Chamber: Councilman Carmody. 1.**

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

Councilman Green: Mr. Mayor:

Mayor Hightower: Mr. Chairman, I do have one little piece of communication today. I'd like the Chamber of Commerce is here with Dick Bremer being the President, and they want to do a quick presentation to the Council and the Citizens at large an overview of what's going on for 2005 and what's coming up for 2006.

Councilman Green: Alright. Mr. Bremer, will you come and the mic is yours.

Mr. Bremer: Thank you very much Councilman Green, Mayor. I know that your agenda is long today, so I'm going to move quickly through this. And what we're going to do is I've got copies of this presentation. We're going to hand deliver a copy to each of the Councilmen in the interest of time. So, I won't cover all the slides, but I will hit some of the highlights for you today. First of all, we've got an awfully good working relationship with the Mayor, his Economic Development people and Arlena Acree and the City Councilmen. We appreciate that. We do a lot of things together in the area of economic development and dealing with prospects and companies that are already here to help them grow and prosper. As you are well aware, we have a cooperative marketing agreement with the City and I'll comment later on that. It has been quite successful and we certainly appreciate the financial support that this Administration, City Councilmen have given the Chamber over the years and hopefully we're using the money wisely and producing a return on that. This project you're familiar with it. This will be the second ad that will run in *USA Today* and the whole purpose is to showcase Northwest Louisiana, the Shreveport/Bossier area. That we are definitely open for business. The first day it ran last week sometime, this is the second. There will be a total of four ads and the pictures there that you see for each of the ads will change a little bit, but we've got a nice story to tell you about Northwest Louisiana, the Shreveport/Bossier area. It is a good place to do business, and what we found as a result of the hurricane is that a lot of

folks don't really know where Shreveport is. And we were not affected by that storm directly, so we want to get that word out that we are definitely open for business. We are a four star accredited chamber by the US Chamber of Commerce. There are two five star accredited chambers in this entire country, the City of Chicago being one. So, we're quite proud of that. And Site Selection Magazine recognized us again as one of the top economic development organizations in the country. Site Selection is the premier real estate, commercial real estate magazine in the country. So we appreciate that, but more importantly, it reflects positively on the Shreveport area, Northwest Louisiana so much the better and that's what we're really interested in. GM called us the other day and of course you saw it in the paper, that they're making another \$20,000,000 investment in our community in sometime in 2006, they're going to be producing 1,020 vehicles out there, each and every day. And we've worked very closely with GM, the Tier I supplier there as you know. We're very fortunate that Dave Givens, the Plant Manager also serves on the Chamber Board. Our mission is to protect the economic or to promote the economic growth for the betterment of our region and serve as a business advocate for our members. And we work not only with new companies that are interested in locating here, but we spend a lot of time working with existing companies that are already here, helping them. And we have very valuable partners when we do this. I cannot think of a project that the Chamber gets involved in that we didn't have some partner or partners working with us. It might be the City working with us, it might be the Parish, it may be the LSU Health Sciences Center, it may be the Caddo/Bossier Port. So, when I comment on these success stories that I share with you, keep in mind it's always, always a partner program where it's a lot of good folks working together for the betterment of our area. Incumbent Worker Training Program, unfortunately the program is suspended right now as a result of the hurricane. But it has been a tremendously successful program for Northwest Louisiana. Jim Mavis of our staff worked tirelessly with a lot of companies up here. At the end of the day, as you can see \$50,000,000 of training grants were secured for companies up in Northwest Louisiana. Before the hurricane, we had about 12% of the workforce up here, but we were actually able to obtain about 20% of the Incumbent Worker Training Program dollars. So it's a program that has served us very well, but now it is temporarily discontinued until the situation is resolved as a result of the hurricane damage. Most of you know we run the Government Procurement Center out of the Chamber. Typical year, three employees that run the Government Procurement Center help small business, women owned/minority owned business obtain about \$70,000,000 worth of contracts each and every year. And they help about 500 companies. This program applies to about 10 parishes here in Northwest Louisiana. This year has not been typical for the Government Procurement Center. They helped Calumet. And you're familiar with Calumet refinery, a great success story for our community. Calumet made a bid and they were the successful bidder on 50 million gallons of JPA jet fuel for Barksdale. And that contract is worth \$82,000,000 this year for Calumet and more importantly in the past that contract was held by a firm in Houston. So Calumet did an outstanding job. Kelly Ford in the Government Procurement Center and her people played a role in helping them secure that. This is a new program that we're doing. And we're very grateful that Walton Construction came to us and they partnered with the Government Procurement Center. This program is geared to help small contractors. And there are going to be eight sessions held at the Chamber. And we've had between 30 and 34 small constructions firms attend the first two sessions. And the idea is to help the smaller firms get better information about how could they possibly partner with larger firms like Waltons so that they can bid on and be a participant in some of these larger contracts that the smaller firms would not have any chance whatsoever of getting on their own. This is a nice program and Walton has stepped up and we

appreciate the leadership that they demonstrated with that. We have a legislative policy committee, one of the most important committees at the Chamber. Lenny Broderick who is behind me, who you all know here. She spends time in Baton Rouge during the legislative session. That's assuming that she can find a hotel room which she can't find right now. That's why she's here today and not down in Baton Rouge. But the legislative police committee reviews the key bills that are filed in the legislature. And we take positions on those bills that affect business. And we primarily focus on the business issues. We got very active in the Governor's race as you know we interviewed the final two candidates for governor. Asked them questions that were of interest to our membership. And we surveyed our members. We asked them what's important for you and your business. Those are the questions that we asked the candidates. We expect to do that in the Mayor's race next year also, and the whole purpose is to provide quality information to our membership on important issues affecting business. The last legislative session special session, there were two owners business taxes that are being phased out. We were actively involved in that effort. It's going to save businesses in Louisiana about \$270,000,000 a year when they're done. I-49 is a success story. We're good at putting together coalitions on single issues and I-49 was a critically important issue for our area and for our entire state. It was four years ago that Governor Foster told us that there is no money in the budget to complete I-49. And he told that to 223 people in the Petroleum Club and that was obviously the wrong answer. We created the I-49 North Coalition. We asked Al Kessler to take the lead as the Chairman, worked very hard and you know the results. McCreary and Vitter were both on the conference committee. We were able to secure about \$200,000,000 of federal funds to complete I-49 North from Shreveport to Arkansas. Representative Billy Montgomery, Senator Jackson, took the lead in the state side, and Treasurer Kennedy had an innovative way of using unclaimed property that he is going to bond. And by doing that they will be able to come up with the State's matching portion. Bottom line, virtually all of the funds to complete that 34 mile stretch from here to the Arkansas are in place. And we have been assured by Secretary Bradbury of the Department of Transportation and Development that the State funds are still there and it is fully his intention to go forward and to complete I-49 North as they have committed before. We also (inaudible) I-69. This is a seven state coalition. I-69 primarily will start in Canada, but primarily goes from Indianapolis to Memphis right through the Caddo/Bossier port to Houston, and then ultimately to Texas and McAllen border into Mexico as well as Laredo. John Caruthers is the Chairman of that coalition and he serves on the board as well as Paul Williams of my staff. He takes care of all the financial records for that coalition. Very important project when you think about it, potentially three interstates going through our area. 1994, the voters here in both Caddo and Bossier Parishes passed the 2.5 mil property tax and today, there is a \$125,000,000 of infrastructure at the Caddo/Bossier Port. They've been doing just an outstanding job at that Port. The picture you see here steel scape 75 acre site. If you go out there now, that building almost has a roof covering the entire 200,000 square foot facility, but steel scape is truly a success story and a welcomed addition to our area. They bring again, a lot of diversity in the manufacturing area. Tim McElroy called us and this is a quote. "You might be interested in this company." A significant understatement. A wonderful company. They're investing about \$200,000 in our community. By the end of this year, the facility will be done and by early in 2006, they will actually be producing products there. So they are on a fast track. Once they're up and running fully, a million tons of steel a day will be processed here at our port. Mr. Clarion is the Chairman of IMSA Acero, and Curt Foreman of my staff who is with us today behind me, he together with the folks from the Department of Economic Development will be going to Monterey, Mexico, the corporate headquarters of Steel Scape and they will be calling on

Mr. Clarion. He has indicated that he would be happy to host a function whereby he would introduce the Department of Economic Development, Curt and others to the business community in Monterey. You're familiar with U.S. Support. They're headed toward employing 2,000 people here in our community and a special thanks to Summer Grove Church, that without their help and without the speed with which they moved out of that facility, I doubt if U.S. Support would be here today. Curt likes to refer to the projects in the pipeline. We've got 34 projects in the pipeline. That's more projects that we have had in the last five years. Libby Glass they have started construction of a 600,000 square foot distribution center. That's expandable to 1.3 million square feet. So, a beautiful opportunity for expansion and growth there. KCS is planning to spend \$70,000,000 on the Deramus Rail Yard. If we can get their chairman to come down here and visit with us, we're going to make a pitch at him and tell him let's move your corporate headquarters from Kansas City to Shreveport. And I'm not being facetious. It would be a great place to have them as a corporate headquarters company and with their addition or acquisition of the Mexican Rail Road, you're going to see the level of activity here in Shreveport area at Deramus increase significantly. We are working with their consultants to do whatever we can to assist and promote that. Skip that one in the interest of time. Bottom line is - - - I do want to share this with you, because economic development is a very competitive business and give you an example. The City of Longview, they earmark about a quarter cent of their cell tax for economic development. So suddenly, the City of Longview, gets about \$3.4 million a year, each and every year for economic development. Lafayette, just south of us, they have a millage in place and it produces about \$1.6 million for their economic development efforts. We have no dedicated tax here. We rely on our 3 year economic development campaign. The City has been very supportive of that as well as the marketing, cooperative marketing agreement that we have with you. And I'll leave you with this. The investment that you make and the Chamber, think of it as an investment. And when you make an investment, you expect a return on that investment. And that return should be the creation of new jobs, new jobs attract people, people buy homes, they pay property taxes, they pay sales taxes. So, we're committed to continue working with all of the Councilmen, with the Mayor to continue in the efforts to make our community grow. So thank you very much. I know your agenda is full, I had to go quick, but we will have copies for each of you. And I'd be happy to answer any questions Mayor if there are any.

Councilman Hogan: Mr. Chairman, I just have a comment. Dick, I appreciate you coming down today and the presentation. I myself mentioned when you had interviewed us, I think some of the other Council Members had suggested that every quarter or every six months or something you come to us with a report like this. I see the value in it and I'm very interested to know what's going on in terms of economic development, and any new potential businesses that are coming. It's interesting to me, so I hope that y'all would incorporate that into your plan and you could come either to work session or at a regular meeting where the public could hear as well. Either one would be fine as far as I'm concerned.

Mr. Bremer: Thank you Councilman. Believe it or not, the slide I skipped was the slide that talked about our focus group work. We did 12 focus groups and one of the take aways was you have to do a better job of communicating with all of our customers. And so, we're committed to doing that and we welcome the opportunity to visit with you either individually or we would like to come a couple of times a year to give you a status report on what's happening.

Councilman Hogan: Okay and has that decision been made?

Mr. Bremer: Yes, we've incorporated that in our program of work for 2006. You will see it happen. Thank you very much Councilman Green.

Councilman Green: Thank you. Councilman Carmody, welcome to the meeting. Mr. Mayor, do you have anything else?

Mayor Hightower: That's all Mr. Chairman.

Councilman Green: We also have some other special guests. Councilman Lester, the mic is yours.

Councilman Lester: Thank you Mr. Chairman. Members, we have with us a group of young folk, young men from the Martin Luther King Community. They are the Distinguished Gentlemen of the Green Oaks Performing Arts Magnet High School. These young men were in a competition nationally and distinguished themselves well and distinguished the City of Shreveport and served in a spirit of excellence, that we know that is presently the Martin Luther King area and the Green Oaks High School. So, if we could get them and their sponsors to come forward, Mr. Chairman, I would ask that we read Resolution No. 196.

### **RESOLUTION NO. 196 OF 2005**

**A RESOLUTION TO CONGRATULATE THE DISTINGUISHED GENTLEMEN OF GREEN OAKS PERFORMING ARTS MAGNET HIGH SCHOOL FOR THEIR ACCOMPLISHMENTS IN THE USA WORLD SHOWCASE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

BY: COUNCILMAN CALVIN

**WHEREAS**, the Distinguished Gentlemen of Green Oaks High School was organized in October, 2004 under the direction of Ms. Amese Brass; and

**WHEREAS**, the mission of the Distinguished Gentlemen is to perform sounds of music with a genuine interest in making a difference in people's lives and their communities; and

**WHEREAS**, they began singing AMotown Sounds® and have expanded to gospel as well as rhythm and blues; and

**WHEREAS**, the Distinguished Gentlemen, Dewayne Jackson, Jerad Jackson, Donevan Tyler, Charles Tucker, Johnny Vance and Leonard Yelder, auditioned and competed in the USA World Showcase in Las Vegas, Nevada; and

**WHEREAS**, the Distinguished Gentlemen won a first place trophy for Abest stage performance® as a group.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Shreveport, in due, legal and regular session convened, that the City Council congratulates the Distinguished Gentlemen of Green Oaks Performing Arts Magnet High School along with their director, Ms. Amese Brass, for their accomplishments at the USA World Showcase held on October 22, 2005.

**BE IT FURTHER RESOLVED**, the City Council wishes the Gentlemen the best of luck and every success in their future endeavors.

**BE IT FURTHER RESOLVED**, that this resolution shall be executed in duplicate originals and one original shall be presented to the Distinguished Gentlemen's and an original shall be filed in perpetuity in the Office of the Clerk of Council for the City of Shreveport.

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

Councilman Lester: Thank you Mr. Chairman. So often you hear about what's going on in our schools, particularly some of our schools, all you hear about is negative. And all too often when

you see our young men particularly, the African-American young men, you hear negative stories. But these young men have dedicated themselves, have practiced, have distinguished themselves, their parents, their community, our city, our state in a national competition, and I just felt it incumbent upon me as their City Councilman to let everyone know what the rest of us know in the Martin Luther King area that the Martin Luther King and Green Oaks High School produces excellence regardless of what other people say. And our children can learn and I'm so very proud of them. Today, with us is their director and organizer, Ms. Amese Brass, and the principal of that fine high school, Mr. Cleveland White. So, I would like to give them a round of applause and turn the microphone over to Ms. Brass and Mr. White if there are any comments that they'd like to make.

Ms. Robertson: I understood, if they were asked they would sing.

Councilman Lester: THEY, not us.

Ms. Brass: I want to thank Mr. Lester. Mr. Lester had an opportunity to study some music with me at one of the local churches that I played for. So, he was in my Children's choir. Let me personally take this opportunity to thank my parents. Some of my parents are here, and I wanted to thank them. Because without those parents, I would not have these boys. And I thank my principal for his support of my vision as a musician and I want to especially thank these boys. Because without them, it would not be a distinguished gentlemen.

Mr. White: To our very distinguished Mayor, Mayor Hightower, the City Council Members, I want to thank you again for this opportunity to recognize these young men. They are the distinguished gentlemen of Green Oaks High School, and they also represent not only a group of talented musicians, but they represent the kind of students that we like all our young boys and girls to model at Green Oaks High School with those qualities and standards that they so proudly uphold. And again, we want to take this opportunity to thank gentlemen that are behind me and their sponsor Ms. Brass, the students, and the parents that support us in these efforts. Thank you again, we certainly appreciate that.

Councilman Green: What I'd like to do at this time before we have comments, I'd like for you all to give us a little sample of what you all do.

The Distinguished Gentlemen sang "*It's So Hard To Say goodbye to Yesterday*," by Boyz II Men.

Councilman Jackson: Mr. Chairman, thank you. Mr. Chairman, I just wanted to say to the parents who are here - - - are any of the parents here? Alright. Let's give a hand to the parents who are here. Thank you so much for coming. Mr. Chairman, I just wanted to say, somebody just sent me an email. It said "it took this long to get some distinguished gentlemen in here."

Councilman Green: Thank you very much. Congratulations.

#### *Reports:*

*Convention Center and Convention Center Hotel (To include detailed personnel report from SMG)*

Mr. Dark: Mr. Chairman, we provided you with two pieces of information today. We provided you a copy of the last change order on the Convention Center project and the last pay item on the Hotel project. I believe Mr. Carrier is here if you wish to speak with him.

Councilman Green: Alright. Mr. Carrier. The mic is yours.

Mr. Carrier: Yes sir Mr. Chairman. I sent the personnel report over to Mr. Thompson last Friday and I believe that was sent out to you all on Friday afternoon. We are very pleased to have

Miranda Small join our staff this past Monday. I think several of you know Miranda. She was in catering at Holiday Inn. We have had her join us, and I told Mr. Jackson a few minutes ago, the only problem that I see with Miranda is slowing her down. She is a tremendous addition, and we're excited to have her.

Councilman Green: Okay, so what's the report up to now?

Mr. Carrier: That's 18 total employees. On the Management staff, of the 14 that are on the management staff, six of those are minorities. Five African-American and one Native American.

Councilman Green: Okay. Are there any questions?

Councilman Jackson: Mr. Chairman, I don't have anything for Mr. Carrier, but while we were on the reports for Convention Center and Hotel. I wanted to go back to the Mayor and the Administration. On the report that is titled Convention Center and Hotel Progress Payments, there is a narrative on the front page that speaks to what's been done so far cumulatively, I assume. The problem is and maybe, and I say problem, but I think what would help on this report is if in fact, we spent X amount of dollars in this whatever the number is, \$2.5 million, the back tells us a little bit in it's continuation report about what else needs to be done, but I'd be interested in knowing where the \$2.65, how that - - - where did that go? What was that and track it like that rather than those sheets that remain back here. Certainly they're not totally irrelevant with regard to just being a continuation report. However, I think it would be more valuable to chronicle that which has already happened, with more specificity. Particularly in areas where money has been spent, general categories whether it be masonry, site work, concrete, whatever. I can see some of those things. But some of the money has already been spent obviously. That'd be good to know on what already as the form of progress as well and with whom. Can y'all do that?

Mayor Hightower: Yeah, we can do it.

Councilman Green: Also Mike, at your earliest convenience, give me a call. I'd like to spend some time with you.

### *Property Standards Report*

Councilman Jackson: Mr. Chairman, I just wanted to again, I think we did on yesterday, but I just wanted to commend publicly Mr. Bowie and his staff and those people who are working. As you know Mr. Chairman, we saw I guess we heard three or four appeals on yesterday, and have given Mr. Bowie the green light to move ahead with immediate demolition of those particular properties. It seems as though as much as we engage and as long as we've been engaged in this process most recently, that the more you ride around, the more you see that there are a whole lot of problems. So, I hope that we - - - a proliferation of candidates for demolition coming up real soon. You all have done a yeoman's job and I just wanted to commend Mr. Bowie and his staff, even though they get beat across the head and shoulders very often in these meetings and in community meetings, but it takes time to get that done, but you are being progressive. And so, I certainly want to commend you for that and we want to continue to keep putting a lot of these structures that just obviously need to be torn down on that list. And let's keep that going. Thank you Mr. Chairman.

Councilman Carmody: Good afternoon Mr. Bowie, how are you?

Mr. Bowie: Good afternoon.

Councilman Carmody: I wanted to clarify something. I had received a copy of a letter that was sent to you on behalf of the Eastwood on the Bayou Homeowners Association requesting the assistance of Code Enforcement to address violations within Eastwood on the Bayou? Is it my understanding that in the private development that's gated and has private streets that Code Enforcement does not have the jurisdiction to go in and monitor a site for Code Enforcement

violations?

Mr. Bowie: You know it's my fault, but I later checked with the City Attorney and I was told that if we do garbage pick up in there that we have a right to go in and do so.

Councilman Carmody: Then would it be appropriate to contact the homeowner association's attorney to schedule a time to have an inspector go through the development?

Mr. Bowie: We'll get that done this week.

Councilman Carmody: Very good. And you're going to communicate that back to their attorney in response to his letter?

Mr. Bowie: Yes.

Councilman Carmody: Thank you sir.

Councilman Walford: Mr. Chairman, while Mr. Bowie is here, I think the address 640 Kings Highway will ring a bell with you?

Mr. Bowie: Yes.

Councilman Walford: I went by and looked at that again, I know we're going to hear it later today, but would you go ahead and make a not of inoperative vehicle. As soon as you tear down the structure, it's going to stand out for you.

Mr. Bowie: Yes, it's in the back yard. We already got it tagged. As soon as we get the tree moved.

Councilman Green: Mr. Bowie, I'd just like to congratulate you and your staff for doing a great job throughout the City, especially in District F.

Mr. Bowie: We appreciate the thank yous, the Council and the Administration's support. So far this year, we have contracted out 220 structures to be torn down. And we have 30 more before the end of the year to be done.

Councilman Walford: Mr. Chairman, I've got one more. Mr. Bowie, at the end of Anna Street and Pete Harris, there was a brick building that was torn down. Was that one that we did?

Mr. Bowie: No that was the owner of the particular building.

Councilman Walford: The only thing they haven't don is clean it up.

Mr. Bowie: Yeah, they're moving slow because they're redoing the bricks. They're recycling the bricks.

Councilman Walford: Oh, are they working on it?

Mr. Bowie: Yes.

Councilman Walford: Will you keep up with that one and if they quit, site it? Thank you.

**Motion by Councilman Walford, seconded by Councilman Carmody to suspend the rules to consider Resolutions 191 and 190 of 2005. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Robertson, Green, and Hogan. 5. Nays: None. Out of the Chamber: Councilmen Lester and Jackson. 2.**

#### **RESOLUTION NO. 191 OF 2005**

**A RESOLUTION SPECIFYING THE PURPOSES FOR WHICH A RENEWAL OF THE ONE-QUARTER CENT SALES TAX WOULD BE SPENT IF APPROVED BY THE VOTERS OF THE CITY OF SHREVEPORT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City of Shreveport proposes to request voter approval of the renewal of the one-quarter cent sales and use tax dedicated to salaries, benefits, equipment and personnel of its Police and Fire Departments at an election to be held on April 1, 2006; and

WHEREAS, the City is required by Section 32:2711.15 of the Louisiana Revised Statutes to adopt a plan or plans, specifying the purposes for which the sales and use tax will be used; and

WHEREAS, the City is also required to provide an estimate of the annual and aggregate cost of the salaries, benefits, equipment and personnel to be funded by the sales and use tax.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in legal session convened, that it meets the requirements of R. S. 32:2711.15, as follows:

1) The City Council herein specifies that should the voters of the City approve the sales and use tax renewal proposition on April 1, 2006, the funds derived from said tax renewal will be used for salaries, benefits, equipment needs and personnel requirements of the Police and Fire Departments of the City.

2) The City Council further estimates that the revenues needed to meet these needs in 2007 is approximately \$8,700,000, the amount estimated to be received from the renewal of the one-quarter cent sales and use tax being proposed for voter approval. The City Council further estimates that these needs will increase by approximately two to four per cent annually, the anticipated increase in annual sales tax collections.

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

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

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

Councilman Jackson: Mr. Chairman, I heard Councilman Walford suspending the rules. Is 191 not on the agenda?

Councilman Walford: They are on the agenda, and at the request of Council Staff and our City Attorney ask that we hear them as soon as possible so that some action can be taken with those.

Councilman Jackson: Is that resolution? I'm sorry. Under 9A and - - -

Councilman Walford: Resolution 191 and then 190. They're in different order on the agenda, but we need to do 191 first.

Councilman Jackson: About elections and all that?

Councilman Walford: Right.

Councilman Jackson: Okay. Mr. Chairman, the staff and the City Attorney, maybe they could tell us about why we need to do it early in the meeting.

Ms. Glass: Mr. Chairman, I had asked the Council Staff go ahead and prepare the signature page for the Mayor to sign so we could get him to sign it if you do adopt it today, because we have to get it to the Bond Commission in the next few days. So that's the purpose for trying to do it at the beginning of the meeting, so that the Council Staff will have time to prepare that so that we can get it signed today if it is adopted by the Mayor and the Chairman.

Councilman Lester: No, that answers my question. So the motion is for consideration of - - we're doing 191 first and then we're doing 190? Or is the motion to them together?

Councilman Walford: No. 191 first.

Ms. Glass: That's correct, if I could Mr. Chairman.

Councilman Green: Yes Ms. Glass.

Ms. Glass: The State's statute requires us to adopt a plan saying how we will spend the money first, before we call the election. That's the reason for doing it in that order.

Councilman Lester: Okay, thank you. So, this motion that we have is to suspend the rules?

Councilman Walford: No, we've already suspended the rules.

Councilman Lester: Okay, so we're actually voting?

Councilman Walford: On 191.

Councilman Lester: Okay I have a comment. Thank you Mr. Chairman. I'm supporting items 191 which is the renewal of the ¼ cents sales tax and I'm also supporting item 190. And I'm going to ask the Council to support my resolution when that time comes appropriately. I wanted to take the time to make a statement, just really briefly to clear the air. When this item came up on the last meeting agenda, some people mistook some comments that I made and I thought I was clear. And I want to be very clear and unequivocal. I support the Police Department and the Fire Department. I support the fact that they have through their unions gone to Baton Rouge, prevailed on our legislature to get the ability to have a tax election called to support an election for a pay raise. I think that's a settled issue. I have no problems with that. I supported it then, I support it now. But I do believe it is unfair for us to allow one group of our municipal employees to go before the public and ask for a tax to give them a raise and not give that same benefit to our other employees. And so what I'm asking this Council to do is support a resolution that's going to come very shortly hereafter sending a message to our State Legislative Delegation requesting the authority to have such an election, because I just don't understand how the previous Council, I was not here, I don't understand how the previous Council allowed that election to take place and leave out the rest of the municipal workers. But I was not here, so I can only address the situation while I'm here. It's an issue of fundamental fairness. It has nothing to do with Police and Fire Departments. I think it speaks to the fact that because of the Police and Firemen have a union and have a voice, and have a lobbyist in Baton Rouge that if the City Workers back then would've had a union and would've had a lobbyist, they would have been able to get the same thing. And that duck tailed into a discussion that we're going to have probably later on in the year. That being said, I support items 190 and 191. But at the end of the day, it's about fundamental fairness for all of our employees. Because we can no longer continue to pit one group of employees against another simply by virtue of the fact that one group wears a badge and another does not. Because at the end of the day, they're all our employees, and no one is more important than the other. Because if the water department doesn't do their job, the fire department can't do theirs. And we all have to work together. Thank you Mr. Chairman.

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

#### **RESOLUTION NO. 190 OF 2005**

**A RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF SHREVEPORT, STATE OF LOUISIANA, TO AUTHORIZE THE RENEWAL OF THE LEVY AND COLLECTION OF THE ONE-FOURTH PERCENT SALES AND USE TAX THEREIN, MAKING APPLICATION TO THE STATE BOND COMMISSION IN CONNECTION THEREWITH AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH**

BE IT RESOLVED by the City 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 "City"), that:

**SECTION 1. Election Call.** Subject to the approval of the State Bond Commission, and under the authority conferred by Louisiana R.S. 33:2711.15, the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the City on SATURDAY, APRIL 1, 2006, between the hours of six o'clock (6:00) a. m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R. S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

**CITY OF SHREVEPORT (SALES TAX RENEWAL FOR POLICE AND FIRE SALARIES, BENEFITS, EQUIPMENT AND PERSONNEL)**

**PROPOSITION**

**SUMMARY: FOUR-YEAR, 1/4 PERCENT RENEWAL SALES TAX TO BE LEVIED WITHIN THE CITY OF SHREVEPORT, TO BE EXPENDED BY THE CITY OF SHREVEPORT FOR SALARIES, BENEFITS, EQUIPMENT AND PERSONNEL FOR THE POLICE AND FIRE DEPARTMENTS.**

Shall the City of Shreveport, State of Louisiana (the "City"), under the provisions of La. R.S. 33:2711.15 and other constitutional and statutory authority supplemental thereto, be authorized to levy and collect, and adopt an ordinance providing for such levy and collection, a renewal tax of one-fourth of one percent (1/4 %) (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services, all as presently or thereafter defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 within the corporate limits of the city of Shreveport for a term not to exceed six years from and after the date such renewal tax is first levied, with the avails or proceeds of the Tax (after paying the reasonable and necessary costs and expenses of collecting and administering the Tax) to be dedicated and used solely and exclusively for salaries, benefits, equipment and personnel for the Police and Fire Departments of the City of Shreveport?

**SECTION 2. Publication of Notice of Election.** A Notice of Special Election shall be published in "The Times," a daily newspaper of general circulation within the City, published in Shreveport, Louisiana, and being the official journal of the Governing Authority, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

**SECTION 3. Canvass.** This Governing Authority, acting as the governing authority of the City, shall meet at its regular meeting place, the City Hall, Shreveport, Louisiana, on TUESDAY APRIL 11, 2006 at THREE O'CLOCK (3:00) P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

**SECTION 4. Polling Places.** The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

**SECTION 5. Election Commissioners: Voting Machines.** The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes

therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Tuesday, April 11, 2006 as provided in Section 3 hereof. All registered voters in the City are entitled to vote at said special election and voting machines shall be used thereat.

**SECTION 6. Authorization of Officers.** The Clerk of Council of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman and/or Clerk of Council of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

**SECTION 7. Furnishing Election Call to Election Officials.** Certified copies of this resolution shall be forwarded to the Secretary of State, the Commissioner of Elections, the Clerks of Court and *Ex-Officio* Parish Custodian of Voting Machines in and for the Parishes of Bossier and Caddo, State of Louisiana, and the Registrars of Voters in and for said Parishes, as notification of the special election herein called in order that each may prepare for said election and perform their respective functions as required by law.

**SECTION 8. Application to State Bond Commission.** Application is made to the State Bond Commission for consent and authority to hold the aforesaid special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the renewal sales tax within the City of Shreveport provided for therein, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

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

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

Councilman Walford: If I may?

Councilman Green: Yes sir.

Councilman Walford: Just for the record, so that there is no confusion, we're not proposing a new tax. We are unfortunately, when the legislature approved this, they put a sunset on it. And it has to be renewed. So this is strictly a renewal. And I say that just for the benefit of the public.

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

Councilman Jackson: Mr. Chairman, I wanted in light of what Councilman Lester said in deference to his thoughts a few minutes ago, if we could consider that particular resolution at this particular time as well.

Councilman Lester: That was going to be my motion.

Councilman Jackson: The rules were suspended for just those particular things, and if it's necessary to suspend it for that specific thing again, my motion would be to do so.

Councilman Lester: And I would second that.

Mr. Thompson: Mr. Chairman, I think we need to add it and to consider it.

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

**Motion by Councilman Green, seconded by Councilman Jackson to add Resolution No. 201. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

**Motion by Councilman Lester, seconded by Councilman Jackson to adopt.**

Councilman Lester: Mr. Chairman, I would like to have the resolution read before - - -

*Mr. Thompson read Resolution No. 201 of 2005*

#### **RESOLUTION NO. 201 OF 2005**

**A RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF LOUISIANA TO AUTHORIZE THE SHREVEPORT CITY COUNCIL TO CALL A SPECIAL ELECTION WHICH AUTHORIZES THE CITIZENS OF SHREVEPORT TO APPROVE AN ADDITIONAL SALES AND USE TAX FOR SALARIES AND BENEFITS FOR ALL CITY EMPLOYEES, EXCEPT FIRE AND POLICE CIVIL SERVICE EMPLOYEES, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

BY: COUNCILMAN Lester

WHEREAS, Senate Bill No. 72 of 2002, by Senator Max Malone authorized the voters of the City of Shreveport to consider the imposition of an additional 1/4 cent sales and use tax for salaries, benefits, equipment and personnel for the fire and police departments; and

WHEREAS, the proposition was approved by the voters, and Fire and Police personnel are receiving additional pay; and

WHEREAS, it is necessary to authorize the voters of the City of Shreveport to consider the imposition of an additional sales and use tax for additional salaries and benefits for employees, other than fire and police civil service employees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the Council requests the Legislature of the state of Louisiana to authorize the Shreveport City Council to call a special election which authorizes the citizens of Shreveport to approve an additional sales and use tax for salaries and benefits for all city employees, except Fire and Police Civil Service employees.

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

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

Councilman Carmody: Thank you. I just wanted to clarify, (inaudible) voted on was actually the submission to have the renewal considered at referendum, would this allow for this new tax to be considered at the same bond or ballot?

Councilman Lester: Mr. Chairman, Thank you. No. Because all this resolution does is request the legislature to give us the authority. As I appreciate it, the best case scenario would be this matter could not be considered until the March legislative session. Which means even if they enacted it at that point, it could not be done sometime until the fall. So, this particular resolution does not in any way affect or delay the proposed election that is going to be called in April. I just believe that now, that we're talking about budget and since we're in the discussion, in terms of renewal, I think it was an appropriate time for us to have that discussion as it relates to the rest of our employees. But nothing in supporting this resolution will prevent, delay or otherwise stall the election that we're proposing as I appreciate it, in April. April 1<sup>st</sup> of this year.

Councilman Carmody: But then that proposed (inaudible) to give raises to the non-classified employees this year. Correct? In this budget year?

Councilman Lester: No. That's correct. Because I mean, obviously the millage wouldn't have passed.

Councilwoman Robertson: I guess I may have mis- - - not heard it whenever he was saying, but have we decided on a millage that you were putting into this?

Councilman Lester: No, no.

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

Councilman Green: At this time, we will go back into regular session and we have a public hearing. Is there a motion?

**Public Hearing:** 2006 Budget Appropriation Ordinances

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

Councilman Green: The public hearing is now open. Is there a presentation from the Administration?

Mr. Dark: Yes sir Mr. Chairman. The City is required by State law to have a public hearing on the 2006 budgets before they are adopted. The Council received the budget from the Administration on October 1. They have held three budget review sessions and have two more to go. They are required to pass the 2006 budget by December 15. Although the final budget, as

passed by the Council, will not be identical to the one proposed by the Mayor, it should be similar. The total 2006 operating budget for the City, as proposed by the Mayor, is \$396 million. This is \$1 million less than in 2005. The General Fund, which provides for such basic City services as fire, police, streets, parks and solid waste, has a proposed budget of \$178.5 million, up 8.9% from 2005. Other large budgets include the ones for the airports, the water and sewer system, community development and the riverfront fund. If the budgets proposed by the Mayor are adopted, the citizens of Shreveport will see no significant changes in City services. The only fee increase included in this budget is the 4% increase in water and sewer rates which has already been approved by the Council. It is likely that a small increase in Golf course fees will be amended into the budget before it passes. The City Council must also adopt a Capital Improvements budget for 2006 before December 15. The Mayor's proposed capital budget includes more than \$708 million in projects, with \$16 million being new for 2006. Most capital projects are paid for with bond funds. It is now time for the Chairman to call for public comments. If there are any questions raised by citizens that we can answer, we will be happy to do so.

Councilman Green: Thank you. Do we have anyone here to speak in favor of the proposed budget appropriation ordinances? Do we have anyone here to speak in opposition to the proposed budget appropriation ordinances? If not then this public hearing is now closed.

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

#### **Confirmations and/or Appointments.**

#### **Adding Legislation to the Agenda**

1. **Ordinance No. 202 of 2005**: An ordinance adopting the 2006 Downtown Development District Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
2. **Ordinance No. 203 of 2005**: 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 Malcolm, 330 feet east of Hearne Avenue, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, one-family residence district, to R-1DE, Urban, one-family residence/extended use district, Limited to "An Adult Day Care" Only, and to otherwise provide with respect thereto.

**Motion by Councilman Walford, seconded by Councilman Jackson to add Ordinance Nos. 202 and 203 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green, Hogan, and Jackson. 7. Nays: None.**

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

Councilman Carmody: Mr. Chairman, can I ask a question please?

Councilman Green: Yes.

Councilman Carmody: I believe yesterday during our work session, there were some appointments that were listed, but I believe at the end of the agenda that do not show to be there today.

Mr. Thompson: No, the rules say that you shall have them two weeks before I can put

them on the agenda. They will be on the agenda for the next meeting.

Councilman Carmody: Okay, in hitting refresh on the agenda, it did not appear that they showed up again, so I'm assuming - - - oh here they are. They're all the way at the end of the Clerk's report. So this is actually the introduction and they'll lay over for two weeks.

Mr. Thompson: I'm just notifying you that we have them, and they'll be put on the agenda at the next meeting.

Councilwoman Robertson: In that same sense, if we have a question about these, we wait until the 27<sup>th</sup>?

Mr. Thompson: That's up to you. I mean if you want to raise it now, at that point, I think that would be appropriate.

Councilwoman Robertson: Mr. Chairman, if I could.

Councilman Green: Yes Ms. Robertson.

Councilwoman Robertson: I had a question. Originally Bobby Nichols was on the Shreveport Regional Sports Authority Board and he did resign and Dr. Leonard Barnes was on there, and I understood that Dr. Leonard Barnes was up to be appointed. Do we need what the change is from?

Mr. Thompson: The Mayor makes the appointments. He can answer your question.

Mayor Hightower: Bobby, did you resign? You're correct and I think the interim replacement for Mr. Nichols was Mr. Barnes. So, we will substitute Mr. Barnes' name for Mr. Nichols' name.

Councilwoman Robertson: Okay, so it will just come off here for Bobby to put Barnes in?

Mayor Hightower: Correct.

Councilman Jackson: Mr. Chairman, it seems that the date was not correct on the next Council Meeting on this considered November 27<sup>th</sup>. Maybe I'm wrong.

Mr. Thompson: The date, I don't know (inaudible)

Councilman Jackson: The 29<sup>th</sup>.

Mr. Thompson: The 29<sup>th</sup> is correct.

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

**RESOLUTIONS:** None.

**ORDINANCES:** None.

## **TO ADOPT RESOLUTIONS AND ORDINANCES:**

**RESOLUTIONS:**

*The Clerk read the following:*

1. **Resolution No. 197 of 2005:** Authorizing Riverbrooke, L.L.C., located at 10029 East Kings Hwy., to connect to the water and sewer system of the City of Shreveport and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilwoman Robertson, seconded by Councilman Carmody to postpone.**

Councilwoman Robertson: Mr. Strong had gotten some information for me, cause yesterday we weren't sure how many homes that was. It's not in the city limits, but it is going

back up into my district and then if it in future times gets annexed, it will be in District D. There are 50 homes that are in question on to this, and if I could, I would like to ask if we could postpone voting having a final vote on that? I make a motion that we postpone this till the next meeting so that I can get with my constituents.

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

**ORDINANCES:** None.

**REGULAR AGENDA LEGISLATION**

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

*The Clerk read the following:*

**RESOLUTION NO. 192 OF 2005**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PERMANENT SERVITUDE OF PASSAGE WITH TEXAS GAS TRANSMISSION, LLC FOR THE PURPOSE OF CONSTRUCTING A ROAD ACROSS CITY-OWNED PROPERTY, ALLOWING ACCESS TO A GAS TRANSMISSION FACILITY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

**BE IT RESOLVED** by the City Council of the City of Shreveport in due, regular and legal session convened, that the Mayor be and is hereby authorized to execute on behalf of the City of Shreveport a Permanent Servitude of Passage with Texas Gas Transmission, LLC in accordance with the terms and conditions contained in the draft of said agreement which was filed for public inspection with the original draft of the resolution in the Office of Council on October 25, 2005.

**BE IT FURTHER RESOLVED** that any successors and assigns agree to be bound by all provisions of the permanent servitude of passage, as well as this Resolution.

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

**RESOLUTION NO. 198 OF 2005**

**A RESOLUTION REJECTING THE BIDS RECEIVED FOR IFB 05-081, ICP-MS (INDUCTIVELY COUPLED PLASMA-MASS SPECTROMETER) FOR DOS WATER & SEWER, LUCAS WASTEWATER TREATMENT PLANT AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Four bids were received as a result of solicitations on IFB 05-081 for ICP-MS (Inductively Coupled Plasma-Mass Spectrometer); and

WHEREAS, the City has rejected all bids due to a recommendation by DOS Water & Sewer, Lucas Wastewater Treatment Plant that a new bid needs to be prepared with changes in the specifications;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the bids received on IFB 05-081 be rejected;

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

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

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

#### **RESOLUTION NO. 199 OF 2005**

#### **A RESOLUTION REJECTING THE BIDS RECEIVED FOR IFB 05-108, STAND ALONE MERCURY ANALYZER FOR DOS WATER & SEWER, LUCAS WASTEWATER TREATMENT PLANT AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Seven bids were received as a result of solicitations on IFB 05-108 for Stand Alone Mercury Analyzer; and

WHEREAS, the City has rejected all bids due to a recommendation by DOS Water & Sewer, Lucas Wastewater Treatment Plant that a new bid needs to be prepared with changes in the specifications;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the bids received on IFB 05-108 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; and

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

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

#### **INTRODUCTION OF RESOLUTIONS:** (Not be adopted prior to Nov 29 2005)

1. **Resolution No. 200 of 2005:** A resolution authorizing the Mayor to execute an agreement with the LSU Board of Supervisors acting through Louisiana State University in Shreveport, for the retention, preservation and servicing of city records at LSUS and otherwise providing with respect thereto.

**Read by title and as read, motion by Councilman Carmody, seconded by Councilman Jackson to introduce Resolution No. 200 of 2005 to lay over until November 29, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

**INTRODUCTION OF ORDINANCES** (Not to be adopted prior to Nov 29, 2005)

1. **Ordinance No. 193 of 2005**: A supplemental ordinance amending and supplementing Resolution No. 131 of 1984 (the "General Bond Resolution") adopted on June 12, 1984, as amended; providing for the issuance of not to exceed \$20,500,000 principal amount of Water and Sewer Revenue Bonds, 2005 Refunding Series A, of the City of Shreveport, State of Louisiana, pursuant to the General Bond Resolution; approving and confirming the sale of such bonds; prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and the application of the proceeds thereof for refunding certain bonds issued for the purpose of constructing and acquiring extensions and improvements to the City's combined waterworks plant and system and sewer plant and system (the "System") of the City; making application to the State Bond Commission; and providing for other matters in connection therewith.
2. **Ordinance No. 194 of 2005**: An ordinance amending Section 74-54 of the Code of Ordinances relative to landfill disposal fees.
3. **Ordinance No. 195 of 2005**: An ordinance closing and abandoning the 20 foot-wide water and sanitary sewer easement located in Lot 21 of the Fox Ridge, Townhouses Subdivision in the SE 4 of Section 26 (T17N-R15W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (E/Hogan)
4. **Ordinance No. 196 of 2005**: An ordinance closing and abandoning the 5 foot-wide by 120 foot-long sanitary sewer easement located in the Lot 1 of the Christus Schumpert Commercial Subdivision Unit No. 2 in the NE/4 of Section 1 (T17N-R14W), Shreveport, Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (B/Walford)
5. **Ordinance No. 197 of 2005**: ANNEXATION TAG No. 05-01: An ordinance enlarging the limits and boundaries of the City of Shreveport – a tract of land located in Sections 29 and 32 (T16-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto.
6. **Ordinance No. 198 of 2005**: ANNEXATION TAG No. 05-03: An ordinance enlarging the limits and boundaries of the City of Shreveport – a tract of land located in a portion of the S/2 of the N/2 of Section 29 (T16N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto.
7. **Ordinance No. 199 of 2005**: ANNEXATION TAG No. 05-04: An ordinance enlarging the limits and boundaries of the City of Shreveport- three tracts of land located south of the Southern Loop Road and West of the Norris Ferry Road in the SE/4 of Section 20 and in the NE/4 of Section 29 (T16N-R13W), Caddo Parish , Louisiana, and to otherwise provide with respect thereto.
8. **Ordinance No. 200 of 2005**: ANNEXATION TAG No. 05-05: An ordinance enlarging the limits and boundaries of the City of Shreveport – two tracts of land located southeasterly of the Ellerbe Road in the S/2 of Section 22 and in the N/2 of Section 27 (T16N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto.

9. **Ordinance No. 201 of 2005**: ANNEXATION TAG No. 05-07: An ordinance enlarging the limits and boundaries of the City of Shreveport – a tract of land located north of the Southern Loop Road and west of the Norris Ferry Road in the SE/4 of Section 20 (T16-N-R13W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto.
10. **Ordinance No. 202 of 2005**: An ordinance adopting the 2006 Downtown Development District Budget, appropriating the funds authorized therein, and otherwise providing with respect thereto.
11. **Ordinance No. 203 of 2005**: 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 Malcolm, 330 feet east of Hearne Avenue, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, one-family residence district, to R-1DE, Urban, one-family residence/extended use district, Limited to “An Adult Day Care” Only, and to otherwise provide with respect thereto.

**Read by title and as read, motion by Councilman Jackson, seconded by Councilman Hogan to introduce Ordinance No(s). 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, and 203 of 2005 to lay over until November 29, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

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

1. **Ordinance No. 159 of 2005**: An ordinance closing and abandoning the 15 foot-wide alleyway running from Bernstein to Linwood Avenue and between Woodrow and Champ Clark Streets located in the Linwood Subdivision in Section 23 (17N-R14W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (F/Green)  
(Postponed – October 25, 2005)

**Having passed first reading on October 11, 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 Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

2. **Ordinance No. 160 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) (Postponed – October 25, 2005)

**Having passed first reading on October 11, 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 to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

3. **Ordinance No. 181 of 2005**: An ordinance amending the 2005 Budget for the Environmental Grants Special Revenue Fund.

Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.

4. Ordinance No. 182 of 2005: An ordinance closing and abandoning the 20 foot-wide alleyway running between Albert L. Bicknell Drive and Portland Avenue and bounded by Edgar Street and Kings Highway in the NW 4 of section 11 (T17N-R14W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (G/Jackson)

Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Carmody to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.

5. Ordinance No. 183 of 2005: An ordinance amending the 2005 Budget for the Water and Sewerage Enterprise Fund.

Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.

6. Ordinance No. 191 of 2005: An Ordinance amending the 2005 Capital Improvements Budget and otherwise providing with respect thereto.

Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.

7. Ordinance No. 192 of 2005: An Ordinance amending the 2005 General Fund Budget and otherwise providing with respect thereto.

Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.

8. Ordinance No. 152 of 2005: ZONING - C-52-05: An ordinance amending Chapter 106 of

the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on north side of the extension of Freddie Street, 500 feet west of Caldwell, Shreveport, Caddo Parish Louisiana, from R-1D, Urban, One-Family Residence District, to R-1D-E, Urban, One-Family Residence/Extended use District, Limited to "A Leasing Office and Community Center", only, and to otherwise provide with respect thereto. (A/Lester)(Postponed – October 25, 2005)

**Having passed first reading on September 27, 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 Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

9. Ordinance No. 184 of 2005: ZONING APPEAL – C-70-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the northeast corner of Fairfield Avenue and Robinson, Shreveport, Caddo Parish, Louisiana, from SPI-1, Highland Urban Conservation District, to SPI-1-E, Highland Urban Conservation/Extended Use District, limited to "A total of 4 Pet Fowl" only, and to otherwise provide with respect thereto. (B/Walford)

**Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Green to postpone.**

Councilman Walford: Just a comment. This is done at the request of both the appellant and the property owner.

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

10. **Ordinance No. 185 of 2005**: ZONING – C-75-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northwest corner of Gilbert and Rutherford 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 Office Use," only and to otherwise provide with respect thereto.(B/Walford)

**Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Carmody to adopt.**

Councilwoman Robertson: Yesterday that was one of them that I had asked the question about, and it did get resolved and I did get notice back from Engineering Office.

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

11. **Ordinance No. 186 of 2005**: ZONING – C-77-05: Amending Chapter of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northwest corner of Bethany and Bates Streets, 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 Parking Lot for Church Use.” only, and to otherwise provide with respect thereto. (C/Carmody)

**Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

12. **Ordinance No. 187 of 2005**: ZONING – C-78-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of East Flournoy-Lucas Road, 3100 feet west of Youree Drive, Shreveport, Caddo Parish, Louisiana, from R-A, Residence-Agriculture, to R-2, Suburban, Multi-Family Residence District, and to otherwise provide with respect thereto. (District D)

**Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilwoman Robertson, seconded by Councilman Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

13. **Ordinance No. 188 of 2005**: ZONING – C-79-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the southeast corner of Dalton and Hudgens, Streets, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District to B-2-A, Business Park District, and to otherwise provide with respect thereto. (District D)

**Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilwoman Robertson, seconded by Councilman Lester to adopt.**

Councilman Walford: Mr. Chairman, in the way of discussion, I don't know if it came to the whole council, but I had a constituent ask me if we would allow the title of these to be read for those watching on television so that they would know what we're voting on. We're kinda jumping the gun, so if we could give it a few extra seconds to let the public know which item we're voting on.

Councilman Green: Yes sir. Thank you.

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

14. **Ordinance No. 189 of 2005:** ZONING – C-80-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northeast corner of Kings Highway and Albert Bicknell Drive, Shreveport, Caddo Parish, Louisiana, from R-2, Suburban, Multi-Family Residence District, to B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (G/Jackson)

**Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Carmody to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

15. **Ordinance No. 190 of 2005:** ZONING – C-84-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the northeasterly corner of North Market and North Hearne, Shreveport, Caddo Parish, Louisiana, from B-3, Community Business District to I-2, Heavy Industrial District, and to otherwise provide with respect thereto. (A/Lester)

**Having passed first reading on October 25, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Lester, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , Hogan, and Jackson. 7. Nays: None.**

*The adopted ordinances and amendments follow:*

#### **ORDINANCE NO. 152 OF 2005**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON NORTH SIDE OF THE EXTENSION OF FREDDIE STREET, 500 FEET WEST OF CALDWELL, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO R-1D-E, URBAN, ONE-FAMILY RESIDENCE/EXTENDED USE DISTRICT, LIMITED TO “A LEASING OFFICE AND COMMUNITY CENTER”, 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 north side of the extension of Freddie Street, 500 feet west of Caldwell, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-1D, Urban, One-Family Residence District, to R-1D-E, Urban, One-Family Residence/Extended Use District, limited to “a leasing office and community center”, only.** Commencing at the SW corner of the S450 feet of the SE/4 of the SW/4 of the NE/4, Section 17, T18N-R14W, Shreveport, Caddo Parish, Louisiana, thence N along the E line of said SW/4 of the NE/4 of 30 feet, M/L to the N R-O-W line of Freddie Street for the P-O- B; thence W along the N R-O-W line of Freddie Street 144 feet; thence N 50 feet; thence E 144 feet to the E line of said SW/4 of the NE/4; thence S 50 feet to the P-O-B.

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 the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**

**2. in the event that management/leasing of these housing units at this location ceases, the rights prescribed herein 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.

#### **ORDINANCE NO. 159 OF 2005**

**AN ORDINANCE CLOSING AND ABANDONING THE 15 FOOT-WIDE ALLEYWAY RUNNING FROM BERNSTEIN TO LINWOOD AVENUE AND BETWEEN WOODROW AND CHAMP CLARK STREETS LOCATED IN THE LINWOOD SUBDIVISION IN SECTION 23 (T17N-R14W), SHREVEPORT, CADDO PARISH, LOUISIANA AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, today the Property Management Section of the Department of Operational Services has received a request to close and abandon a portion of the above identified alleyway; and WHEREAS, Water and Sewerage Engineering has reviewed this request and has no objections to this portion of the alleyway being closed and abandoned.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal and regular session convened, that the 15 foot-wide alleyway running from Bernstein to Linwood Avenues and between Woodrow and Champ Clark Streets located in the Linwood Subdivision in Section 23 (T17N-R14W) and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

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

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

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

#### **ORDINANCE NO. 160 OF 2005**

**AN ORDINANCE DECLARING CERTAIN ADJUDICATED PROPERTIES TO BE SURPLUS AND TO AUTHORIZE THE MAYOR OF THE CITY OF SHREVEPORT TO SELL THE CITY OF SHREVEPORT'S TAX INTEREST IN CERTAIN SURPLUS ADJUDICATED PROPERTIES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

WHEREAS, the City of Shreveport has a tax interest in the herein below described properties which have been adjudicated for the non-payment of City property taxes; and

WHEREAS, the herein below described properties are not needed for public purposes and should be declared surplus properties; and

WHEREAS, the City of Shreveport has received offers to purchase its tax interest in the herein below described properties as indicated below.

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

BE IT FURTHER ORDAINED, that the City Council of the City of Shreveport does hereby authorize the sale of its tax interest in the herein below described properties for an amount not less than the offer as indicated below.

Property No. 1 Legal Description - Lots 33, 34, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, Land of Nod Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 800, Page 429 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181421-038-0122-00) Municipal Address - 043091 None

AMOUNT OFFERED: \$2,500.00 APPRAISED VALUE: \$13,500.00 DISTRICT A

Property No. 2: Legal Description - Lots 27, 28, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, Land of Nod Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 800, Page 429 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#181421-039-01140-00) Municipal Address - 50191 None

AMOUNT OFFERED: \$2,500.00 APPRAISED VALUE: \$12,500.00 DISTRICT A

Property No. 3: Legal Description - Lot 27, Block 4, Morningside Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 450, Pages 151-157 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171414-143-0027-00) Municipal Address- 5318 Mansfield Rd.

AMOUNT OFFERED: \$750.00 APPRAISED VALUE: \$5,000.00 DISTRICT F

Property No. 4: Legal Description - Lot 26, Block 4, Morningside Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 450, Pages 151-157 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#171414-143-0026-00) Municipal Address- 5322 Mansfield Rd.

AMOUNT OFFERED: \$900.00 APPRAISED VALUE: \$6,000.00 DISTRICT F

BE IT FURTHER ORDAINED, that the Mayor of the City of Shreveport shall be authorized to do any and all things and to sign any and all documents, including Acts of Cash Sale, in a form acceptable to the City Attorney necessary to effectuate the purposes set forth herein.

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

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

## **ORDINANCE NO. 181 OF 2005**

**AN ORDINANCE AMENDING THE 2005 BUDGET FOR THE ENVIRONMENTAL GRANTS SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

**BY:**

WHEREAS, the City Charter provides for the amendment of any previously-adopted budget; and WHEREAS, the City Council finds it necessary to amend the 2005 budget for the Environmental Grants Special Revenue Fund, to appropriate a new grant and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 160 of 2004, the 2005 budget for the Environmental Grants Special Revenue Fund, be amended as follows:

In Section 1 (Appropriations):

Appropriate \$200,000 for Brownfields Job Training Grant - Katrina. Funding source is EPA Grant. Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 160 of 2004, as amended, shall remain unchanged and in full force and effect.

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

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

**ORDINANCE NO. 183 OF 2005**

**AN ORDINANCE AMENDING THE 2005 WATER AND SEWERAGE ENTERPRISE FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

**BY:**

WHEREAS, the City Charter provides for the amendment of any previously adopted budget; and WHEREAS, the City Council finds it necessary to amend the 2005 budget for the Water and Sewerage Enterprise Fund to transfer funds among expenditure categories and for other purposes. NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 166 of 2004, the 2005 budget for the Water and Sewerage Enterprise Fund, is hereby amended as follows:

In Section 2 (Appropriations):

Decrease Operating Reserves by \$250,000.

Increase Improvements and Equipment by \$250,000.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 166 of 2004 shall remain unchanged and in full force and effect.

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

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

**ORDINANCE NO. 185 OF 2005**

**BY:**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHWEST CORNER OF GILBERT AND RUTHERFORD, 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 OFFICE USE,” 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 61, and the E 13 feet of Lot 62 of Querbes Subdivision, Shreveport, Caddo Parish, Louisiana, located on the NW corner of Gilbert & Rutherford 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 office use,” only.**

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 the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**
- 2. Signage at this location shall be no larger than the existing sign.**
- 3. Hours of operation shall be from 7:00 a.m. to 7:00 p.m.**

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

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

**ORDINANCE NO. 186 OF 2005**

**BY:**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHWEST CORNER OF BETHANY AND BATES STREETS, 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 PARKING LOT FOR CHURCH USE,” 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 56,57,58 Extension to Liberty Subdivision, Shreveport, Caddo Parish, Louisiana, located on the NW corner of Bethany & Bates Streets, **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 parking lot for church use,” only.**

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

- 1. Development of the property shall be in substantial accord with a revised site plan indicating a six foot solid wood fence that shall be erected along the west property line. Site**

**plan shall be submitted to and approved by the Planning Director. Any significant changes or additions shall require further review and approval by the Planning Commission. No permits shall be issued until the revised site plan has been approved by the Planning Commission.**

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

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

#### **ORDINANCE NO. 187OF 2005**

**BY:**

**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 EAST FLOURNOY-LUCAS ROAD, 3100 FEET WEST OF YOUREE DRIVE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-A, RESIDENCE-AGRICULTURE, TO R-2, SUBURBAN, MULTI-FAMILY RESIDENCE DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the north side of East Fournoy-Lucas Road, 3100 feet west of Youree Drive, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-A, Residence-Agriculture District, to R-2, Suburban, Multi-Family Residence District.**

A tract of land located on the N side of East Fournoy-Lucas Road, 3100 feet W of Youree Drive, from R-A, Residence Agriculture District, to R-2, Suburban, Multi-Family Residence District, to permit an assisted living and nursing facility, apartments, or other uses permitted within this zoning classification. Said tract of land legally described as follows: A tract of land in Section 4, T16N-R13W, Shreveport, Caddo Parish, Louisiana, described as follows: Begin at a point 1696.4 feet W and 25 feet N of the SE corner of Lot 9 of said Section 4, and run thence N0°27'E 1838.59 feet to the S R-O-W line of the Texas & Pacific Railway; thence NW'ly along the said S R-O-W line to the center of Sand Beach Bayou; thence SE'ly along the center line of said bayou, as it existed prior to the dredging in 1957 (such railroad and bayou center line are as shown on that certain plat of survey prepared by George E. Dutton, Engineer, dated May 12, 1967 and attached to that certain credit sale deed by and between Gene D. Scott, John E. Fowler, Jr. and John S. Turner, Jr., as vendors, and James R. Mayeaux, as vendee, dated March 12, 1968) to the N R-O-W line of the Fournoy-Lucas Road, being a point 25 feet N of the S line of Lot 11 of said Section 4; run thence E'ly along said N R-O-W line of Fournoy-Lucas Road to P-O-B., LESS AND EXCEPT THE FOLLOWING TRACT OF LAND; A tract of land in Lots 3, 6, 7, 10 and 11 of the Daniels Lands, in Section 4, T16N-R13W, Caddo Parish, Louisiana, described as follows: beginning at a ¾ inch iron pin at the NW corner of Lot 27 of Southwood Terrace Subdivision, said ¾ inch iron pin being N89°50'W 1696.4 feet and N0°27'E 1150.4 feet from the SE corner of Lot 9 of Section 4 of the subdivision of the said Daniels Lands; thence run N89°50'W 200 feet; thence run S0°27'E 1125.4 feet; thence run N89°50'W along the N R-O-W line of Fournoy-Lucas Road 80 feet; thence run N0°27'E 1125.4 feet; thence run N89°50'West 920 feet; thence run N16°53'W 1611.7

feet to the S R-O-W line of the Texas & Pacific Railroad; thence run S63°36'E along said railroad S R-O-W line 1869.6 feet; thence run S0°27'W, along the W line of said Southwood Terrace Subdivision 713.19 feet, to the P-O-B; together with all buildings and improvements thereon, containing 37.11 acres, M/L.

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

**1. Development of the property shall be in substantial accord with a revised site plan showing compliance with all ordinance requirements 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. No permits shall be issued until the revised site plan has been approved by the MPC.**

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

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

#### ORDINANCE NO. 188 OF 2005

**BY:**

**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 DALTON AND HUDGENS STREETS, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT TO B-2-A, BUSINESS PARK 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 1 & 2 Blk, 3 Forbing Annex Home Site #1, Shreveport, Caddo Parish, Louisiana, located on the SE corner of Dalton & Hudgens Streets, **be and the same is hereby changed from, R-1D, Urban, One-Family Residence District, to B-2-A, Business Park District.**

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

**1. Development of the property shall be in substantial accord with a revised site plan showing additional/approved buffering to the south, in that the building along the elevation of the south property line will be substantial in height and contain no openings. This plan shall be submitted to and approved by the Planning Director. Any significant changes or additions shall require further review and approval by the Planning Commission. No permits shall be issued until the revised site plan has been approved by the MPC Director or the Planning Commission.**

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

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

**ORDINANCE NO. 190 OF 2005**

**BY:**

**AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHEASTERLY CORNER OF NORTH MARKET AND NORTH HEARNE SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-3, COMMUNITY BUSINESS 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 northeasterly corner of North Market and North Hearne, Shreveport, Caddo Parish, Louisiana, **be and the same is hereby changed from B-3, Community Business District, to I-2, Heavy Industrial District.**

1.05 acres, M/L beginning at the intersection of the NE'ly R-O-W line of North Market Street with W'ly R-O-W line of T & P.R.R. in N/2 of Section 23 (18-14) run thence NW'ly along North Market Street 400 feet, thence at right angles to said street, run N49°40'15"E 229.16 ft to W'ly R-O-W line of said R.R., thence S'ly along same 461 feet to beginning, LESS AND EXCEPT: Begin at a point on the NE R-O-W line of North Market Street, said point being located 2881.04 feet east of and 2017.95 feet south of the NW corner of said Section 23, run S40°19'45"E along said NE R-O-W line of North Market a distance of 195.0 feet to the P-O-B, run thence N49°40'15"E perpendicular to North Market Street a distance of 117.44 feet to a point on the W'ly R-O-W line of Texas and Pacific (T&P) Railroad; run thence S10°31'15"E along said T&P R-O-W line a distance of 236.2 feet to a point on the NE R-O-W line of North Market Street; thence N40°19'45"W a distance of 205.0 feet to the P-O-B, located in the NE corner of North Market and Hearne.

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

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

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

**ORDINANCE NO. 191 OF 2005**

**AN ORDINANCE AMENDING THE 2005 CAPITAL IMPROVEMENTS BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

By:

WHEREAS, the City Council finds it necessary to amend the 2005 Capital Improvements Budget to appropriate additional funds for utility projects and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 153 of 2004, the 2005 Capital Improvements Budget, be further amended and re-enacted as follows:

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

Decrease the appropriation for **Union Street Paving - West 70<sup>th</sup> Street to West 62<sup>nd</sup> Street (98C002)** by \$120,000. Funding source is 1999 GOB, Prop. 4.

Increase the appropriation for **Turn Lane at Pierremont and Fairfield Avenue (01C022)** by \$120,000. Funding source is 1999 GOB, Prop. 4.

**In Program D (Drainage Improvements):**

Increase the appropriation for **Brush Bayou Drainage Improvements (01D002)** by \$200,000. Funding source is 2003 GOB.

Decrease the appropriation for **Purchase of Flood-Prone Properties (01D017)** by \$200,000. Funding source is 2003 GOB.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 153 of 2004, as amended, shall remain in full force and effect.

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

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

**ORDINANCE NO. 192 OF 2005**

**AN ORDINANCE AMENDING THE 2005 GENERAL FUND BUDGET AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

**BY:**

WHEREAS, the City Charter provides for the amendment of any previously adopted budget; and WHEREAS, the City Council finds it necessary to amend the 2005 General Fund budget, to appropriate additional funds, to transfer funds among expenditure categories and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 154 of 2004, the 2005 General Fund budget, is hereby amended as follows:

**In Section 1 (Estimated Receipts):**

Increase Licenses and Permits by \$105,000.

Increase Internal Service Charges by \$70,000.

Increase Fines and Forfeitures by \$125,000.

Increase Miscellaneous Revenues by \$50,000.

**In Section 2 (Appropriations):**

In Public Assembly and Recreation, increase Contractual Services by \$248,000.

In General Government, increase Contractual Services by \$30,000.

In Police, increase Improvements and Equipment by \$42,000.

In Fire, increase Improvements and Equipment by \$30,000.

Adjust all totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 154 of 2004 shall remain unchanged and in full force and effect.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this

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

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

### **UNFINISHED BUSINESS:**

Councilman Green: And now we will move to Unfinished Business. And I'm sure at this time, none of these items will come off the table.

1. **Ordinance No. 93 of 2005**: To amend and reenact Section 3.01 of Ordinance No. 96 of 1980 relative to exemptions and exclusions from sales and use taxes and to otherwise provide with respect thereto. (Introduced- June 14, 2005/ Tabled on July 12, 2005)
  
2. **2006 Budget Ordinances** (Not to be adopted prior to Dec 15, 2005)(Tabled on Oct 11, 2005)
  - 163 Adopting the 2006 General Fund Budget.
  - 164 Adopting the 2006 Budget for the Airports Enterprise Fund.
  - 165 Adopting the 2006 Debt Service Fund Budget, appropriating the funds therein and otherwise providing with respect thereto.
  - 166 Adopting the 2006 Capital Improvements Budget
  - 167 Adopting the 2006 Budget for the Community Development Special Revenue Fund.
  - 168 Adopting the 2006 Budget for the Convention Center Hotel Enterprise Fund.
  - 169 Adopting the 2006 Budget for the Downtown Entertainment Economic Development District Special Revenue Fund.
  - 170 Adopting the 2006 Budget for the Downtown Parking Enterprise Fund.
  - 171 Adopting the 2006 Budget for the Environmental Grants Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
  - 172 Adopting the 2006 Budget for the Fleet Services Internal Service Fund.
  - 173 Adopting the 2006 Budget for the Golf Enterprise Fund.
  - 174 Adopting the 2006 Budget for the Metropolitan Planning Commission Special Revenue Fund.
  - 175 Adopting the 2006 Budget for the Police Grants Special Revenue Fund.
  - 176 Adopting the 2006 Budget for the Shreveport Redevelopment Agency Special Revenue Fund.
  - 177 Adopting the 2006 Budget for the Retained Risk Internal Service Fund.
  - 178 Adopting the 2006 Budget for the Riverfront Development Special Revenue Fund.
  - 179 Adopting the 2006 Budget funding contractual Services provided to Sportran By Metro Management Associates, Inc.
  - 180 Adopting the 2006 Budget for the Water and Sewerage Enterprise Fund.

Councilman Carmody: Mr. Chairman, could I ask for point of information from the Clerk?

Councilman Green: Mr. Clerk.

Councilman Carmody: Under the Council's rules, those items that are tabled when we get through, at some point, I thought it was the second meeting in November. Is that correct? Those items that are not acted upon that are on the table are removed from the agenda?

Mr. Thompson: I believe that that's only when the term ends. That will be, not this year, but next year.

Councilman Carmody: Okay, very good. Thank you for that clarification. Thank you Mr. Chairman.

Councilman Green: Just one minute, I need to get some clarification from the Clerk as to how we do this. Sharon just explained to me that she went upstairs for a minute and when she came back she had an item in the box, and we voted on the item. Do we need to suspend the rules or just give her the opportunity to speak at this time?

Mr. Thompson: I think it's up to the Council.

Councilman Jackson: Just a question. You say there was an item that we voted on or it's an item that's coming up?

Councilman Green: We just voted on the item. I believe the item was Item No. 190.

Councilman Lester: No, I think they're wanting to talk about BAC-97-05.

Ms. Pilkinton: She came in for two.

Councilman Jackson: But it's 05 and 05 though. Both of them are BAC.

Councilman Lester: You're talking about the Zoning thing. Right, we haven't voted on those yet.

Councilman Jackson: 190 we've already voted on.

Councilman Lester: Move to suspend the rules.

Councilman Carmody: Second.

**Motion by Councilman Lester, seconded by Councilman Carmody to suspend the rules to hear Public Comments.**

Councilwoman Robertson: This is to suspend the rules we're voting on?

Councilman Lester: Yes. My suspension of the rules is to take Public Comments.

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

*Ms. Gail Griffin: (2110 E. Algonquin) Councilman Green and Mayor Hightower, good evening. I don't know what just happened, but I filled out the form at exactly 3:00 and I'm also opposing 190. I don't know why you all did not get it, but it was just picked up. So, and you had voted, but it was in the box. Everything was in the box. You all should have received this.*

Councilman Green: You can go on and speak Ma'am.

Ms. Griffin: Okay on 190, and then you want me to speak on the appeals.

Councilman Jackson: Mr. Chairman, can we clarify? Is this Ordinance 190 and not Resolution 190, because there is one of each.

Councilman Walford: I think it's ordinance.

Ms. Griffin: D-190, that's the one we're on right? Okay, we our Cherokee Park Neighborhood Association is opposing the zoning of C-84-05 from a B-3 to an I-2. We have dealt with this issue too many times, over and over. We are a community. We are very heavily populated with registered voters. We don't want to wake up every morning to read the newspaper or read the City Council Agenda that there is a rezoning. We'd like for the zone to stay as B-3, because if it's rezoned to I-2, we're still going to have problems with the residents in that area. We have a problem now with the appeal. So, Councilman Lester, I hope that you hear us. That we

don't have to appear here all the time. We don't want a truck stop, we don't want a the things that comes with a truck stop. Now, I'm a daughter of a sugar cane farmer. I am not against truck stops being located near an interstate. No truck driver wants to exit off Interstate 220 or I-20 and drive 7-10 miles to get gas. They want to stay along the thoroughfare. So, I hope that you all will really listen to the voters. And not either redo the zone C-84 because you all have received this opposition for our two voting on it. I don't know why you did not get it. But it was not put in the box just a few minutes before you voted. It was put in the box at 3:00 along with the other comments. Now over to - - -

Councilwoman Robertson: I'm a bit confused because 190 was not on that particular issue.

Councilmen Lester and Green: Right.

Councilman Lester: Mr. Chairman, just - - - 190 is not a truck stop.

Ms. Griffin: No, I know. But Councilman Green said I could speak on the other one too.

Councilman Lester: No, no, and I don't want to deny you that right. That's why I voted to suspend the rules to give you that opportunity.

Ms. Griffin: Right, but the 190 is just to change the zone.

Councilman Lester: Right, right.

Ms. Griffin: We're against that one too.

Councilman Lester: But I just want the record to be clear that, that is not the Truck Stop issue, that is BAC-97-05, that's in another location.

Ms. Griffin: Okay.

Councilman Lester: That location is a car wash and service station, and the gentleman has one of those ice, not ice cream stands, but the snow cone stands. Everything around there is industrial and he had to get that particular zoning so that he could operate his business. That's separate and apart from BAC-97-05. I just wanted - - -

Ms. Griffin: Oh, I'm aware.

Councilman Lester: I just wanted to make sure that, that is straight.

Councilwoman Robertson: Mr. Chairman? When you stepped up and we started on 190 and I guess you went into the other, and I didn't realize the separation. That's fine.

Councilman Carmody: Well, other than the - - - it does note on 190 that there was no opposition present at the public hearing to speak against it.

Ms. Griffin: I filled out a form when I came this morning.

Councilman Carmody: No Ma'am. Not today. I mean at the MPC meeting in which they voted unanimously 6-0 to recommend the approval of the application for the zoning. It notes in the Fact Sheet, it says "under Public Assessment: There was no opposition present."

Ms. Griffin: Well, we were not aware of it until we saw it on the agenda today.

Councilman Walford: Before she moves on, off 190, I'm curious. It's completely surrounded by I-2. Everything between Cherokee Park and this tract is I-2. You've got steel forgings, and all the businesses there. I'm a little curious why this one little tract has opposition.

Ms. Griffin: Well Mr. Walford, this area is a B-3. We dealt with it two years ago for a truck stop, and if you look at the map, it is a B zoning, and we're opposing the change. There are some areas that are I-2 on the map, but this one that they are proposing is currently now a B-3.

Councilman Walford: Okay, thank you.

Councilman Lester: Mr. Chairman, can I speak?

Councilman Jackson: Not on this matter?

Councilman Lester: Okay.

Councilman Jackson: No, I'm asking on this matter?

Councilman Lester: No, it's not that. What 190 for the record, - - - , No, no, no, no, no. Mr. Chairman for the record 190 is the corner of North Hearne and North Market. There is a McDonalds, there is a Wendy's, there is a CVS under construction, and there is (inaudible) Pit Stop, that's a car wash and hand detail shop. Next to that, there is a Smith Oil Gas station. 190 deals with the car wash, the Bogan's Pit Stop and the gentleman asking for the zoning to get a snow cone stand. Everything around there is commercial and has been developed among those purposes. So, please be clear, that's not a truck stop. It's not that. I mean for the record, what used to be there was an empty space, a U-Haul place and another empty space. Don't want sound like I'm campaigning, but now there is a McDonalds, there is a Wendy's, there is a CVS under construction and something else. Just for the record, not a truck stop. That's becoming one of the hottest developed corners in North Shreveport.

Councilman Green: So, you all are opposing a snow cone machine?

Ms. Griffin: I'm just hearing about a snow cone. I don't know what it's for. The only thing we're opposing is to change the zoning from a B-3 to an I-2. We want to stay as a B-3.

Councilman Lester: Mr. Chairman, could we get someone from MPC to explain this 190. Because I want to make sure the record is clear, cause we're going to have a long and extensive conversation on the other issue. I just want to separate - - -

*Mr. Jean: (Metropolitan Planning Commission)* This case was brought before the MPC at the last meeting due to an error in the legal the staff had found. What happened was when this was advertised, it was only intended as you look at your map to change the portion down where you see the B-3 to be changed and not the entire tract. And what you see is highlighted on the map that was attached (to see it, I want to put this on the overhead), but that property - - -

Councilman Walford: We don't have it, we're actually looking at a map from another case.

Councilwoman Robertson: I think that's what Calvin didn't understand.

Councilman Green: We're having some technical difficulties, we'll be with you in just a moment.

Councilwoman Robertson: Mr. Chairman, if I could. Ms. Glass it says we voted on that, do we go back or we're just allowing public comments?

Ms. Glass: I think right now, the motion was just to allow the public comments. There is a motion that could be made to go back, but that's not where we are right now.

Councilwoman Robertson: Okay.

Mr. Jean: This particular case was to correct an error that was made in the advertisement that had the entire tract (inaudible) not just a portion of it. So, we're restoring what was already an I-2 that was inadvertently changed to the B-3 due to an error in the legal description.

Councilman Green: So, it was just an error in the legal description?

Mr. Jean: It was an error in the legal description.

Councilman Green: Which is straightened out.

Mr. Jean: It was not a zoning case that was brought by the applicant. It was to correct a staff error.

Councilman Green: And so Ms. Griffin, what you're saying is you don't want them to do that?

Ms. Griffin: No sir. Why wasn't it a staff error two years ago when we fought against this area? Is something - - - the dots are not connecting Councilman Green.

Councilman Green: So you all fought against the snow cone machine - - - this snow cone building - - -?

Ms. Griffin: No, no. It was proposed for a truck stop.

Councilman Green: We're not there yet.

Ms. Griffin: I know, but this - - - No, no. The 190, I'm still on 190.

Councilman Green: Right.

Ms. Griffin: Two years ago, this B-3 was being proposed for a truck stop to change it to I-2. It was not an error then, so why is it an error now?

Councilman Green: Sir would you answer that question? Sir, she said that it was not an error then, so why is it an error now?

Mr. Jean: I can't speak to that particular case, because I don't have that in front of me. But I'm sure that that was the case that was brought to the MPC. This was not a question of an applicant changing, what had happened is there was a piece of property on the corner. When the legal was prepared, it inadvertently took in the entire tract of land instead of just a portion of the land, so not to be - - - I don't know what happened in that particular meeting, but I will just tell you, the reason it's back before us today is not because it was a case that was brought by the applicant. It was not on the table two years ago whenever apparently this case had come forth.

Councilman Hogan: Thank you Mr. Chairman. Mr. Jean, in spite of the error that you talked about, you explained just now. Did that mean that there were no signs put out notifying the public of any change? You know how your typical, how your routine is, were the signs put out?

Mr. Jean: I'm not 100% sure about that. I have to clarify whether or not there was a sign posted there, I'm sure there was. We always do when we have a case, we post those signs that there is a zoning change. But if there was one there, I haven't verified that.

Councilman Green: Ms. Griffin, you also have another item that you'd like to speak on. Would you go on and speak on that one at this time. You have three minutes.

Ms. Griffin: Can I make just one more comment on 190?

Councilman Green: Okay.

Ms. Griffin: I hope that Councilman Lester would move to postpone this or to - - - I know that you all voted on this, but you know, that was in the box from the community. So, I hope that he listen to us, because our ears and eyes are open. Okay, BAC-100-05, is that the one that you want me to address now?

Councilman Green: Yes, that's the one that you filled out for.

Ms. Griffin: That case we're opposing it because as a representative on the Shreve Memorial Board, our patrons are very concerned about what goes on in that area. We have a lot of children in that area. We have a lot of children as well as adults that utilize the Broadmoor Public Library. We have a lot of children that stands on each corner of that street waiting on the bus to pick them up. We have a lot of children that go to Rollin' In the Dough to buy sandwiches. It would not look good to serve any type of alcohol in that area. Now, the library director spoke to the Zoning Office and got clarification on it. I used a computer all the time and I know how hard it is to measure distance. If the distance for this was measured with computer, I walked the area several times from the location that was generated with the computer to the property from sidewalk to sidewalk directly in front of Rollin' In the Dough, their sidewalk to the sidewalk that the public owns, which is the library measured 34 feet. So I walked past Al Carroll's gas station which is at the corner of Captain Shreve and Preston. I took that distance all the way to the sidewalk, the other sidewalk that the Board passed to build for the Children that cost \$40,000. That was 214 feet from Preston to Captain Shreve. I added the 34 feet from sidewalk to sidewalk. I got 248 feet. That is well below the limit 300. I hope on behalf of the children of Caddo Parish, that we don't set a precedent by allowing this to take place across from a public facility. Because if this happens, then we're going to have a problem on our hands. I know that Mr. Carmody, and we

thank you very much, you've fought diligently to keep liquor from across the street from A. C. Steere School and the Broadmoor Baptist Church. We thank you for that. I know that you had on the agenda and you fought for that, the Captain Shreve with the Belle Mead Shopping Center, we appreciate you for that. And I don't know how much input we'll have today, but I do know that I received a lot of calls opposing this. So, on behalf of the children and the patrons of the Shreveport area, that you not pass this. There are other places that can serve - - - am I saying something wrong?

Councilman Green: No, I'm just - - - I'm almost (inaudible).

Ms. Griffin: Oh, I hope that we can consider other places where low content alcohol. Now, I'm going to say something personal, and I don't tell people too much about this. But I grew up in a family of nine. There was never any liquor served in my family. All nine of us are free from liquor, cigarettes. So, I think if we start today sending a message to our children that we will not tolerate that. Now, I buy sandwiches all the time from Rollin' In The Dough. I have no problem with what they were doing now. But I do have a problem what's going to happen next. So I know that you probably have an invested interest in, if you approve this, how much tax money will be generated. Please help our children. I don't know how many of you watched CBS last night. But liquor, drugs are becoming a very big problem. And we need you all to start today to either vote this down, postpone it and look at it again. Cause it's very vital. If this pass, we're going to have other things to happen around our public facilities. But now I know- - -

Councilman Green: Ms. Griffin, your time is up.

Ms. Griffin: Three minutes, yes I'm finished with that. Thank you.

Councilman Walford: I received a copy of a letter on library letterhead. Did the Board of the Shreve Memorial Library pass a resolution taking a position on this?

Ms. Griffin: We meet every - - - the last time we met I think was either August or September. We don't meet again until December. But the Board President as well as the Board Members were aware of this.

Councilman Walford: But there was no resolution by the Board taking an official position?

Ms. Griffin: Well, we didn't have a meeting.

Councilman Walford: Okay, thank you.

Ms. Griffin: Our next meeting is December, but they were asked to call in any comments, and I'm not aware of anyone that was objecting to it.

*Mr. Barry Rachal: (523 Rock Hollow)* I'm here again to speak against giving more liquor licenses out. And I'm just going to be just short and simple. I believe it's time for us to stop looking backwards. As long as we continue to look backwards, we're going to keep running into these issues. We need to look forward. I hope that the Councilmen that were in favor of adopting the motion that had been put forth earlier this year to adopt "as the crow flies," I hope that they will continue to vote their conscious and vote the same way this time. I'd also like to point out that the representative from my district which is District D had voted in favor of adopting "as the crow flies." I also would like to say that the Caddo Parish School Board passed a resolution unanimously, of course now that was only for school grounds. I also understand that there had been a committee formed to address this issue of what the criteria should be for liquor licenses. I'd also like to know where that committee is at this point and time, and if they have addressed it or if they intend to. And last but not least, if you wouldn't want liquor served anywhere in your district, be it by school, church, synagogue, public library, play grounds, that are located in your district, then vote your convictions and vote that way for this one. Thank you.

Councilwoman Robertson: Mr. Rachal is in my district and had made a call to me in

reference to this to voice his opinion and to let me know he was coming today. You had mentioned about a resolution, and I tried to get a copy of that. Was that strictly you're saying on school grounds? Or was that a resolution that the school board had that was pertaining to Belle Mead?

Mr. Rachal: No, the resolution that was passed was for all Caddo Parish School Board Property. That's what that resolution addressed.

Councilwoman Robertson: Okay, and can you - - - and they were opposed to anything being within a certain distance? Is that - - -?

Mr. Rachal: It was actually adjacent or even across the street.

Councilman Jackson: Now what was the resolution again? I'm not aware of what the resolution was.

Mr. Rachal: The Caddo Parish School Board, I represent District 9, we passed a resolution unanimously and it was given to both the Mayor and to the City Council stating that we were against any liquor licenses being approved by any property located across the street and/or adjacent to any school property.

Councilman Jackson: Okay, I got you. Alright.

*Mr. Tom Manly: (1301 N. Market)* Okay, I was commenting on the proposed truck stop. Is that - - -?

Councilman Jackson: Yeah.

Mr. Manly: When we first presented our appeal, we had signatures for 644 people on our petition. Since then, we've got an additional 319 signatures, so we've got a total now on our appeal, on our petition of 963 signatures of people in the N. Market area that are opposed to the truck stop being located on N. Market. Okay, the main concerns that people have told me deal with the truck stop are congestion. There was an article in the Shreveport *Times* the other day that said there are 22, 000 cars up and down N. Market each day. People that live in the area and travel back and forth between downtown and north Shreveport are concerned with the additional traffic problems, the congestion, and tie ups that could develop because of the additional truck and the additional truck traffic that will be coming into N. Market. They're concerned with the drive times through rush hour traffic from 7-9 in the morning and then say from 4:30-6:00 in the afternoons. They were also concerned with the 18-wheelers trying to get in and out of area businesses and basically to truck stop back out on N. Market and on Grimmer Drive during those times, when there is already congestion and there is already traffic, they're concerned about additional accidents that could happen in that area. Another concern that the people have conveyed to me is that possibility that prostitution will spring up and develop in and around the truck stop. And the possibility that drugs and drug trafficking could potentially use the truck stop as a (inaudible). There are neighborhoods, Cherokee Park basically within walking distance of where they have proposed the truck stop. Around the corner about two blocks away on Hearne Avenue are several apartment complexes. What the idea I'm getting at is, it's a quality of life issue basically for the people on the north Shreveport area. And we would hope that in your consideration of this proposed truck stop, that you would consider the people that live in Cherokee Park areas, the N. Highland area, the Martin Luther King area, and you would vote your conscious that as a quality of life issue, we don't want it to deteriorate the quality that they have in that area by bringing the truck stop. Thank you. Do you need any additional copies of this petition? I've got several copies that I could drop off.

Councilwoman Robertson: I have a couple of questions. The signatures that you have on your petition list, are they people that work in the area or are they specific to living in that area?

Mr. Manly: Ma'am they're both. People that work in the N. Shreveport area, people that frequent the businesses in the north Shreveport area, and people that live in the N. Highlands area, the Cherokee Park area, and the Martin Luther King area.

Councilwoman Robertson: Okay and has there been any opposition (inaudible) on any of the other companies that are trucking companies that are in that area? There's quite a few.

Mr. Manly: Not that I know of. We did have as Gail Griffin mentioned earlier, two years ago, they tried to locate a truck stop a block away from where this proposed truck stop is, and it was defeated. So it has been tried in the past and in the same general area.

*Mr. Rodney Noles: (4309 Wendover, Alexandria, LA)* If I may, if I could take the liberty of handing out some brochures on who we are and what we do. Somebody that does business all around this state, I want to take just a few seconds to tell you, how impressed I am with the way Shreveport conducts their business. The ZBA for example, if you didn't know it takes a tour before their meetings, so they personally been on the property. The meeting itself with the ZBA and Mr. Kirkland presiding is very professional and your overhead and your exhibits are very helpful. Your notices are timely, and they're well written. The City Council Work Session is unique to other City Councils that I've been before, so you had some opportunity yesterday to get a preview of the issue that we have here, and of course your Council Meeting and your facilities, and the fact that you run the meetings on time is all something to be impressed with. It's not disingenuous because if I didn't feel that way, I could just be silent. I'm here today before you not on a Zoning issue. It's important for me, for you to realize that we're not attempting to rezone this piece of property. This piece of property and I don't know how best to show this, I don't know if that's extra when your lawyer works as an easel but, this piece of property is right here. It's an I-2 Zoning, and everything except for a few areas around it are I-2. I'm not here for Zoning. I'm here and only in Shreveport and Baton Rouge in which you need to do this in CK Special Exception to apply, to apply for video poker at a truck stop. So that's why I'm here before you. My experience in the truck stop business in Rapides Parish before video poker was voted out. I had a (inaudible) machine poker out, we had a truck stop, I-49 truck stop where we operated machines. We never had a problem. You can check on that, we have a good reputation, and if we prevail here, we've got 100% vote at the ZBA. If we prevail here at the Council, that's not the end of it, I still have to make application before the gaming commission and do all the rules and regulations as far your building permits are concerned in DEQs, as far as your fuel and that sort of stuff. As it relates to the comments regarding truck stop, I've got to tell you being in the real estate business, and we've handed this work sheet out to you, this booklet, I mean X marks the spot. What I mean by that is there are 53 businesses in and around this particular site that are either in the fleet trucking business, the trucking maintenance business or the storage business. If we don't pull one truck off the interstate and we just service the trucks in this 53 neighbor area, where they're in the business already, then we don't have to get all those, we're going to have a successful truck stop. And to build a truck stop, I can do that today in Shreveport, conditioned upon building permits and other permitting, it's not a permit that I need to get here. The permit that we need here is to make the special exception for the casino or the video poker. Currently there is a lot of trucking activity in that particular area, we did a lot of demographics work - - -

Councilman Green: Excuse me, how much more time because your three minutes are up?

Mr. Noles: Well, if I could answer any questions.

Councilwoman Roberts: If they were not to get the gaming permits, would the truck stop still be built?

Mr. Noles: When I tell you I don't know, I genuinely don't know. I do know if we go

through with our lease option without the gaming and do build a truck stop, and I'm not saying I will, because I'm not sure, it would be a (inaudible) back a good bit. We wouldn't have the nicer dining facilities, we wouldn't have the security, we wouldn't have the additional lighting that you need for the 24 hour, 7 day a week security. So, if we do build a truck stop without the gaming, it won't be as big of an investment and nice of a facility. There is one needed in this area. I can tell you that. But I'm not sure if we'd build it or not. Any other questions?

*Mr. Michael Wainwright: (1031 Dudley)* I'm here on behalf of the landowner which is Ernest Properties, L.L.C., the lessor to the proposed truck stop development. Set before you a chart, I have not had the opportunity to look at the latest petition that was talked about by Mr. Manly earlier. But we've colored the earlier petition that reportedly had 700 names. From that, we've determined that four of the pages were actually duplicates of some of the others, and so that when you subtract those, you're down to 615 names. When you subtract the people who do not live anywhere near this area, and by that, they don't live in Cherokee Park, they don't live in MLK, they just don't live up in the Agurs area, 154 of those people live in the City, but don't live in this district. 106 people don't even live in the city. They live in Haughton, Minden and out in surrounding areas. Two of them in fact don't even live in the state. One lives over near Longview and the other one somewhere in Jackson, Mississippi. There were a number of additional ones that were just unknown, because it was just the name, no address, no phone number. There were others that were non-residential, who may in fact work in that area, but don't live in that area. There other multiple names in duplicates. And so when you set that down, 241 people actually signed the original petition. Which we certainly not going to dismiss, but I would make note to you that recently Judge Roy Brun set aside (inaudible) of a truck stop down by the Caddo/Bossier Port in which there were 1271 legitimate signatures and he ruled that they were still arbitrary and capricious for the Caddo Parish Commission to deny the application for truck stop with video poker in that location because of the fact that there was so much existing truck traffic down there, traffic that, that particular proposed site was hoping to capture part of the market. And this has been shown to you in the picture book that I supplied to yesterday in the Work Session that Mr. Noles referred to. There are 53 trucking related business down there that we've identified just by driving around that area, that if we just capture a portion of that business, they will do well in that area. I have also which I will tender to you for the record 10 separate businesses located in that area which have issued letters saying that they want such a facility in that area, because they need it to service their trucks and to provide a fuel source for their trucks. So, that they can get gasoline and things in that area. What we propose to you, there's not going to be a single additional truck on N. Market that's not already there. This particular location right now today, if you drive out there, has between 60 and 70 18-wheeler trucks parked on it because it's under sub-lease for that purpose. And those trucks come in and out of there all day long. It's perfectly legitimate use of that location and under it's zoning. Can I get one additional minute Mr. Chairman?

Councilman Walford: So moved Mr. Chairman.

Councilman Green: Your time is not up yet.

Mr. Wainwright: Okay, I'm sorry, I thought - - - I've got (inaudible) on a petition. Mr. Manly came before you and presented that petition. Mr. Manly's name was on the original petition. Mr. Manly operates Jack's Barbeque, immediately across the street. He's talked about this not being - - - this is about congestion and traffic. I pointed out to you as has Mr. Noles, there can already be a truck stop there, it's already an I-2. There's already truck traffic there because of the 53 surrounding businesses and the 71 trucks that are parking on that location today. What Mr. Maley didn't tell you was his business is owned by Mr. Tom Gross. He's one of the biggest video

poker operators in the City. He's sitting in the back. He's very interested in this. Not because he's worried about truck congestion, he's worried about competition in the video poker business. And I understand that. If I was in his position, I'd probably have Mr. Manly up here with a petition as well. But that's what this issue is about, that's what the opposition is about. The truck stop can go there now. This is a question about whether or not this is a proper location for this kind of facility. The state authorized the City to enact an ordinance. That ordinance has to allow somewhere in the city a truck stop with video poker or else that ordinance is unconstitutional. And I will suggest to you, I challenge anyone to take a map of this city and find a better more appropriate place in this city for a truck stop with gaming. It's in the middle of the truck Mecca of this City. I'll be glad to answer any questions.

Councilman Hogan: Mr. Wainwright, what you just said a moment ago, you lost me when you said there was an ordinance that would allow or require a truck stop with gaming. Can you park on that just a second?

Mr. Wainwright: Yes, when they first enacted video poker in the State of Louisiana, and they allowed for truck stops with video poker, they did not allow for cities to regulate that. As long as you were eligible to have your truck stop under your zoning, you could have a truck stop with video poker. There was some abuse of that in Baton Rouge. Some Baton Rouge legislators were unhappy with it. They'd taken a shopping center in the middle of a residential area and turned it into a truck stop and proceeded to put gaming in there. As a result, the legislature, two years after video poker was enacted, enacted an amendment to that law which said cities can adopt reasonable ordinances that require special exception uses for their truck stop to be eligible to apply for gaming. The City of Shreveport adopted such an ordinance. The City of Bossier did not. Most cities did not. To my knowledge, Baton Rouge and Shreveport are the only two that did, but what I was telling you and it's analogous, I know you guys have been down the sexual oriented business road, more times than you want to go, but you also know from those trips down those roads, there's got to be somewhere in that city that qualifies under that ordinance or the ordinance is an allusion. There're really not a right to do it. And that's not constitutional to prohibit something that's otherwise legal. You can regulate it, but you can't prohibit. That's the case in this situation. And what I'm saying to you is if in fact the ordinance is properly written and properly acted upon, there's got to be somewhere in this city that a truck stop that allows gaming can exist. And I'm going to further suggest to you that this very location is probably the best suited location in the city and certainly as well suited as any other location in this city to meet those criteria. There's no churches close by, there are no schools close by and there is no (inaudible) business close by. 75% of those 53 trucking entities are closer to Cherokee Park than this truck stop is going to be..

Councilman Hogan: Well, you know if I hear what you're saying, I don't patronize truck stops, because I'm not in that business. I don't participate in gaming either. But there's a lot of truck stops around here, and I know some of them have video poker, so that would meet the requirement for us at that point if I understand what you're saying.

Mr. Wainwright: We have only one truck stop with video poker in the city limits of the City of Shreveport

Councilman Hogan: But it would only take one.

Mr. Wainwright: And it was grandfathered. It was grandfather and came in before the ordinance was enacted. It came in before that two year period before the ordinance was adopted. We have had no truck stop approved in the City of Shreveport since that ordinance was adopted.

Councilman Lester: Mr. Wainwright, I had a question. The map that you gave us, that

talked about the zoning in and around this area. If you could move that - - - the petition stuff.

Mr. Wainwright: The red map?

Councilman Lester: Yeah, yeah. Now, the development that your are proposing is the square on the right?

Mr. Wainwright: Right.

Councilman Lester: Now, to the - - - I guess that would be to the north, west, south, and east of that place. Talk to me about the red that's there.

Mr. Wainwright: Okay, everything in the red is industrial. All of it but I think, here is one I-1, and I think there's one small one somewhere else on there, down at the corner. Everything else is I-2. Which means it's under the current zoning law eligible and has a right to have a truck stop facility. That's the kind of zoning you have to have for a truck stop. The areas in white with the exception of this area up here are all B-3, which is the broad business category. So everything is a B-3 or industrial in this area, with the exception of this up here and that is Cherokee Park up in the northwest corner. Which I'll note, Davidson trucking, one of the biggest trucking companies in the entire world is located right here across the street from 'em. And the Gateway Tire, which the City of Shreveport relocated when they re-bid the convention center is located here across the street from Cherokee Park, virtually next door and all the truck traffic it has.

Councilman Lester: So, I think in this other - - - the package that you gave us, it talked about the subject area, you put some numbers there and there is a map legend. Speak to me about that.

Mr. Wainwright: Yes sir. Those are - - - there's 53 numbers on that map legend. And those 53 numbers denote other trucking companies, fleet operations, truck repair companies, truck part companies. The local truckers truck drivers union is one of those numbers located right there. They're there because that's where they work. That's where the trucks are. Once again, in picking this area and coming to Mr. Earnest and talking about this area, they said we want to be where the trucks are. And your area fits.

Councilman Lester: And there is no school immediately adjacent to or in the immediate vicinity of this location?

Mr. Wainwright: There's none within the confines of this map. Cherokee Park has a school that's up on the top portion the farthest away in Cherokee Park (inaudible) school. And there are also no churches anywhere in the immediate area.

Councilman Lester: And residential area. The residential area, because I know there was some conversation about Martin Luther King area and the North Highlands area. Where are those areas in relation to - - -?

Mr. Wainwright: Here's the North Market extension. And Hearne is coming here, so (inaudible) go up, so you can turn there and go down to Ford Street and those other streets. You'll continue north and Martin Luther King is somewhere up here off the map.

Councilman Lester: Alright, thanks.

Mr. Wainwright: And we included that area in the petition numbers were counted, even though those people live that far away.

Councilman Walford: One more question. We keep going back to truck stop, but I think the issue here as I understand it, is still - - - is gaming. It has nothing to do with truck stop. How much more video poker is there down North Market. This is not a quiz. Do you know?

Mr. Wainwright: Well, like I said, I know that Mr. McManus' place has machines across the streets which is Jack's Barbeque. I know that Sammy's down the street which once again signed the petition, the (inaudible) I believe their names are, they have 12 machines at their

location, cause they divided it up into different businesses so they could each get separate licenses, and there are a number of others down the road in bars and restaurants that'll have three machine locations. And of course if you go south just a little ways, you're in the river boats, and they have unlimited number of video poker machines as well as their other kind.

*Mr. Robert Ferrier: (8310 Ash Pointe Drive)* On behalf of my wife Catherine and our employees, I would like to thank the City Council for the opportunity to clearly explain our plan of action for our business. My wife and I were both born and raised in Shreveport. My wife is a graduate of Captain Shreve High School, and LSU in Baton Rouge. Myself graduated from Northwood High School and attended Northeast Louisiana University, and received a degree from the Culinary Institute, Hyde Park, New York. We have two children, ages 5 ½, Christopher and Katie Claire that's 2. Approximately 15 years ago, my wife and I had a goal and a dream to have our own business. We set out developing a business plan, securing financing, and deciding on the location. At that time, we were residents of Lexington, Kentucky and we considered several cities, but wanted to our business to be closer to home, so we decided to return to Shreveport, our roots to set up business and pursue our dream. Rollin' In the Dough became a reality and we opened our doors for business - - - just started our 9<sup>th</sup> year. We opened up in 1997. Like any new business, things were difficult at times, but we have persevered and the time has come for us to expand our business to a larger facility. This will allow us to have a larger dining room to accommodate all of our loyal customers over the years. We searched for a couple of years before finding a property that's currently owned by Mr. Al Carroll. We negotiated with Mr. Carroll and pursued a contract to buy and renovate the building which is next door to our current building. Next we set our wheels in motion with the City of Shreveport to have the property properly zoned for our uses. We adhered to the application process precisely. We met and exceeded the 300 foot buffer that is required by the State laws to sell beer. We had a representative of either the MPC or the ZBA that came out and physically took his wheel and measured it off as according to the State law. We received notifications that the Zoning Board of Appeals would hear our case on October the 12<sup>th</sup>. They heard our case. I explained and answered all questions regarding our intention for our proposed new location. The vote was unanimous 7-0 in our favor. On Friday, October 21<sup>st</sup>, we were notified that there had been an appeal filed by the Shreveport Memorial Library Board of Controls with Mrs. Gail Griffin and Mrs. Sharon Brock having signed a letter. This is the point where I have to ask myself why these two people or someone else representing the Shreve Memorial Library System did not attend the ZBA hearing on October 12<sup>th</sup> with any type of opposition. I believe that their presence at that meeting and hearing the plans at that time, would have alleviated us from being here today. Hear the facts, why we believe that there is no solid merit to the appeal. I have within a stones throw from my proposed location, three businesses that either serve beer as part of their menu or sell for packaged and carry out. They are Zia Maria's Italian Restaurant, there's right next door to my present location, Johnny's Pizza House and the Texaco Day and Night. They have coexisted for many years without any problems in this neighborhood. I might add that the building I am looking to relocate to was once a packaged liquor store. Also was the library not concerned with the fact that these businesses, these three businesses that currently sell alcoholic beverages were there before the library was built. I am not asking for permission to open a liquor store. I am not going to incorporate a bar or dance hall into our business. I am not going to create a place where someone can pull up a bar stool and sit there and drink, and drink, and drink. I'm simply asking for a license to sell beer with our food. Sell beer and beer only. Let me say that as a parent, I am very sensitive to protecting our children from certain issues. Quite frankly, our children are exposed to beer every trip they make to a grocery

store or to a convenience store to buy an Icee. There are numerous places where they can actually put their hands on a six pack. If my request to serve beer to my patrons is (inaudible) as setting precedence for this street, or to the neighborhood, I would look at this appeal and decline to further proceed. The Captain Shreve Neighborhood Association has given me their approval. We're a family oriented business, and plan to stay that way. We make over 20 hand decorated cakes for children's birthday parties every week. All we want to do is enhance our customers dining experience by offering beer with our menu items. We're good people and good for our community. We donate frequently to Captain Shreve High School, Shreve Island, Riverside, South Highlands, and A. C. Steere Schools. We also contribute to Providence House, Rescue Mission and other charitable organizations. In closing to you Councilman Lester's phrase, fundamental fairness, I hope that you will look at this case based on the facts and uphold the ZBA's decision to allow us to obtain the licenses we need to enhance and further grow our business. Thank you very much.

Councilwoman Robertson: Mr. Chairman, I have two questions. 1) If you were denied from this Council to be able to further get your beer license, would you continue with getting into a new location?

Mr. Ferrier: Probably not.

Councilwoman Robertson: Okay, and do you know and from your talking family oriented, whatever, do you propose at any time that you may get gaming machines?

Mr. Ferrier: That is a proposition. Yes. And that was on our site plan at the ZBA's hearing. It was very clearly noted.

Councilwoman Robertson: Okay, one more. If you were given approval with the stipulation that you only served at certain hours, would that be something that you would still be in favor of, or do you - - - would you not want any stipulations on it?

Mr. Ferrier: Stipulations as in till 9:00?

Councilwoman Robertson: Well like if you started serving say at 7:00 p.m. until your closing time or whatever?

Mr. Ferrier: We would still be open for lunch and dinner.

Councilman Hogan: Mr. Ferrier, I appreciate you coming down today and presenting your case. I drove by there today. I'm unfamiliar with the area. It's a part of town that I don't go to very often at all, but I drove by there before our meeting today, and I couldn't quite see the hours. I'm just curious to know the hours of your restaurant. I noticed you're closed on Saturdays and Sundays?

Mr. Ferrier: No, our hours of operation has always been pretty much Tuesday thru Thursday from 10:00 am to 6:00 p.m. Friday from 10:00 am to 7:00 p.m., given that Friday evening is the only evenings presently that we serve food from 5:00-7:00, and then Saturday from 8:00 to 4:00, we're closed on Sundays and Mondays.

Councilman Hogan: Closed on Sundays and Mondays. I knew I saw two days that you were closed. And I noticed that you've also asked for a variance in the parking. Would you mind talking about that for just a moment?

Mr. Ferrier: I believe when the ZBA did their site map and they came out, some way were able to calculate it by square footage of the dining facility, the dining facility only. They took the whole building and deemed it, the city required I believe that we had 28 parking places. We were shy from that about 3. And that was the reason for the variance, that we were three parking places shy.

Councilman Hogan: Mr. Thompson, would it be - - - it wouldn't be possible for us to

separate if someone chose to make a motion to separate these two issues? That couldn't be done could it? As far as the parking and the alcohol license?

Mr. Thompson: I assume that they aren't two issues to be decided by the Council and if somebody wanted to make a motion to do that, and you got a second, then I assume that they would be separated.

*Mr. Al Carroll: (318 Wayne Drive)* I opened the door of my business in October of 1966. I own the building that Robby's trying to buy. I have never failed to pay sales tax, or payroll check since 1966. I do not understand why we're having such opposition to Robby trying to improve his business. I have been operating beside him since he's been in business. There has been nothing but praise for his business. I would strongly encourage y'all to take a strong look at it. The opposition came in a day and a half before our time was to expire. And as Robby said, there was no opposition whatsoever at the MPC meeting, at the Zoning Board meeting. I got a copy of an email that Ms. Brock, the other lady that signed the petition and she was told that it was a packaged liquor store, and that's why she signed. It is not a packaged liquor store. Robby just wants to sell beer with his fish. And I just really have a problem with the opposition that we've run into. The reason I'm selling the business is that I want to move my RV business up on N. Market where John (inaudible) is. It's gotten too big for me to handle there. And it was an opportunity for me to get rid of this piece of real estate that was not developing any revenue for me. Let Robby improve his business and let me move my RV business up to where John (inaudible) is on N. Market. That's all I have to say. I appreciate y'all's time and I would appreciate any consideration in this. Thank you.

## **NEW BUSINESS:**

**ABO Appeal:** Ms. Crystal Carpenter (Brookshires, 388 Bert Kouns, Shreveport, LA) (D/Robertson) Decision rendered November 7, 2005.

## **Zoning Appeals:**

**BAC-100-05:** Robert Ferrier Jr. dba *ROLLIN' IN THE DOUGH* (Albert M. Carroll, land owner), 1333 Captain Shreve Drive, Shreveport LA. zoning for special exception use and a variance in the required parking in a B-3 District for a restaurant with the on-premise consumption of low alcoholic content beverages. (C/Carmody)

Councilman Carmody: I'd like to ask a few questions, but I'll go ahead and put the motion on the table.

**Motion by Councilman Carmody, seconded by Councilman Walford to uphold the approval along with the variance, the three parking places.**

Councilman Carmody: Thank you sir. Is there a representative, I do not see our Executive Director of the Metropolitan Planning Commission, maybe Stephen Jean is here that he could come forward. I see Roy Jambor I believe around the pillar? No, I don't.

Councilman Green: Yeah, he's here.

Councilman Carmody: There was a question earlier by Gail and again excuse me, I'm not sure I caught her last name regarding the spacing and how it was calculated. Apparently, she

measured and came up with a number that she said was under the 300 foot requirement.

Mr. Jean: Our Zoning Administrator measured those. He's the only person in the office that measures those so we have consistency. He measured that. I don't have all the exact (inaudible) in front of me, but assured us that the dimensions that he recorded on that particular case were correct.

Councilman Carmody: Mr. Jean, did he denote the distance though?

Mr. Jean: I will look to see if that exact distance is noted in our report.

Councilman Carmody: Having spoken to Mr. Kirkland, he did verify that as the current measurement is taken, that it is actually outside of the 300 foot spacing, but I did not know, in that she seemed to have come up with a measurement that (inaudible).

Mr. Jean: I don't have that in front of me.

Councilman Jackson: Thank you Mr. Chairman. Let me, and perhaps I have to apologize for taking us back, but I was not here back during the time when there was an issue. And I read in the newspaper something about the fact that this zoning was coming up and they made reference to - - - comparing it to Belle Mead. I remember it was very controversial issue back then. I was here when we discussed it, but I was not here when we actually voted on it, so I didn't hear the discussion from the public with regard to it. I assume that that case, there was an issue with the schools system or where we were close to the school or something like that. This became the same kind of situation I guess with the library. And my question was Ms. Griffin as Mr. Carmody just said talked about these - - - you know the measurements and those kinds of things, but it also happened to be just across the street from there and I don't know if there is a major difference between what happened in the Belle Mead situation and I don't know Mr. Chairman who - - - maybe somebody can talk about it. I don't know what the major difference between these two issues - - - Mr. Jean.

Councilman Green: Mr. Jean, would you tell us - - - give us the measurements as to how far this is from the library and the difference.

Mr. Jean: The difference from the library is 322 feet, using the standard from the State law.

Councilman Jackson: Now, let me ask you this. At one point and Mr. Carmody will remember when we talked about at the end of the Belle Mead situation, I know after that meeting, the next meeting we talked about the law that (inaudible) power I think or somebody asked to authorized this as the crow flies deal. As the crow flies, I don't know, I don't remember I know we voted on that. I don't know if we adopted it or not. I don't know if it's relevant then to ask about how far is it as the crow flies or versus (inaudible).

Mr. Jean: I don't have that information in front of me.

Councilman Jackson: Okay, and I guess that was my issue that we advocated, there was some advocacy for that and maybe those who - - - Mr. Rachal who came earlier talked about folks who voted for it, and my question was in that same vein, if and I don't remember how the vote went. But what is the difference? Is this going to cause us a problem like the Belle Mead situation did. Is this something that violates the whole spirit of why we were going with as the crow flies, why we advocated for as the crow flies, and maybe my colleagues can answer that. I don't know. I just want to know the similar difference.

Mr. Jean: Basically what we're doing is we're working with the ordinance that we have to work with at this time, and we're measuring in accordance with that ordinance. We have not done any studies of - - - although I think there have been some look at some particular cases in regard to what was happening with as the crow flies. But I don't know, if we have done an extensive study

of how that is affected across the City of Shreveport and in our planning limits. But I can just say right now, we're just working with the ordinance that we have to work with.

Councilman Green: I guess possibly Mr. Carmody could speak on as the crow flies, because I think he sponsored the legislation.

Councilman Carmody: Yes, as the crow flies - - - thank you Mr. Chairman. Basically that the state provided the opportunity for the City of Shreveport to consider revising the way that it's current measurements are taken from protected classes of property. And my proposal which failed unfortunately, 3-3, I believe that we had one member that was missing that day would have implemented basically a straight line measurement. And in that it failed, our city operates under the same measurement that it's used since the implementation of where they actually I believe walk to the nearest edge of the sidewalk from the businesses asking for it down to the nearest cross street intersection across the intersection to the sidewalk on the other side of the street and then down the sidewalk to the property line of the protected class of business.

Councilman Green: So now, I guess my question would be would the crow be flying on this one?

Mr. Jean: No sir. Because that, the crow fly (inaudible) is not in affect.

Councilman Green: No, I'm saying if it were in affect, would be the crow be flying?

Mr. Jean: I don't have the exact dimensions on that, on exactly where this business would fall within the library or whatever.

Councilman Carmody: My understanding is that it would fall within a 300 foot measurement of the library, if you measured it straight out.

Councilman Jackson: So Mr. Chairman, are we saying that it would.

Mr. Jean: I tell you what I do have a 300 foot perimeter shown and it does not hit the library. It does miss it.

Councilman Carmody: Oh, well you might - - - can you show that? Can you put that on

Councilwoman Robertson: So, how many feet did you say it calculated out to be?

Mr. Jean: We have a 482 foot measurement, and then a 322 foot measurement as the crow flies.

Councilman Jackson: It's a 160 feet difference between the crow flies versus - - -

Mr. Jean: Cause you have to go from the legal crossing of the street.

Councilman Lester: As the crow flies?

Mr. Jean: Instead of just coming off at the closest distance.

Councilman Lester: Right, but as the crow flies, you don't.

Mr. Jean: It's 322 as the crow flies and 482 (inaudible)

Councilman Carmody: Mr. Jean, let me make sure that I'm looking at this correctly. It appears that your arrows on your line are indicating from door to door.

Mr. Jean: Right.

Councilman Carmody: And that's where you're coming up with what appears to either be 372 or 322?

Mr. Jean: It looks to be 322. Is it 372?

Councilman Carmody: I can't make it out.

Mr. Jean: And the legal measurement would be the line that you see, the bold line.

Councilman Carmody: Can you follow that legal measurement so that everyone understands what procedure y'all are operating under?

Councilwoman Robertson: And that's how many feet?

Mr. Jean: 482 feet is the dimension that shows up to that point there. So you have even a

greater distance if you go right to the library door. But door to door is where, the dimension you see there.

Councilman Carmody: And Mr. Jean, can I ask you to do me a favor? You familiar with this area? Enough that if I ask you to identify where Zia Maria's is, you could identify it?

Mr. Jean: I believe not.

Councilman Carmody: Alright. Gentlemen, let me help y'all so that you see where we're talking about. Where the word "Captain Shreve" is, approximately where the "V" is in Shreve, if he would go back to his right, oh I'm sorry. It's Sharon, you're doing it. Excuse me. If you would go back toward the levy, this building right there, the south end of that building is where Zia Maria's is located. They have the approval to sell low content alcohol in their restaurant. If you will come down to the corner of Captain Shreve and Preston, go to your and my left, down, down, down, down, alright straight up is going to be the Texaco, thank you right there. That's the Texaco station that currently has the approval to serve - - - is Mr. Wainwright now pointing for me? Thank you sir.

Ms. Pilkinton: He promised he's not going to charge us anything.

Councilman Carmody: That's okay. This is Pro bono. Alright, the Johnny's Pizza is what he's pointing at now. Johnny's has the ability to sell low content alcohol along with their pizzas. To the right of the Johnny's is the Texaco which has the approval to sell low content packaged liquor. Thank you Mr. Wainwright.

Councilwoman Robertson: Mr. Carmody, if I could Mr. Chairman.

Councilman Green: Yes.

Councilwoman Robertson: Were these properties, they were there prior to the library being built?

Councilman Carmody: Correct.

Councilman Jackson: Mr. Chairman, and I think what Ms. Robertson was important in this process, and if I'm correct on this, the whole Belle Mead deal, of course the schools were there and these properties, but these properties that Mr. Carmody just pointed out were properties that were already there prior to anything else. They've already been there, and this is a new scenario there, and so that's why my concern was about the distances before our new place. All these others didn't have these issues because they were already there. So, I'm going to assume since Councilman Carmody went with the - - - was the advocate for the crow flies and this advocated list, that somehow or another, they must be in sync with what the spirit of what he was trying to get accomplished in this his district. I'm just confused about different distances, whether someone walked it off or the crow flies or whatever the case. And I would just, Mr. Jean feel comfortable if there was a way to have a more specific number that we could all agree on was the specific number, and I don't know if we can do that in the next while, but if we could get a specific number before we vote Mr. Chairman, I would like to postpone.

Councilman Green: Let me ask you. Are you asking them to go out there now?

Councilman Jackson: Not today. We don't have time today, but I'm just saying I would like to know - - -

Councilman Green: Let me ask this. Mr. Carmody, would you be in favor of doing a substitute motion to postpone this until the air is cleared?

Councilman Carmody: I would, with the exception of this. And I just make this observation and thank Mr. Wainwright for being my pointer on the floor. If there were any concern about the operation of the business as it currently exist in this portion of District C and Broadmoor, then I would certainly have some hesitancy about approving another restaurant that

was asking for the approval for low content alcohol to be served. But we're not talking about a straight line measurement, we're talking about the current regulation as it exist and how these gentlemen have to measure it. Mr. Kirkland has assured me that this property is in compliance with the current measurement and the spacing requirements, and is in access of 300 feet. And therefore, I'm not sure if we need to make sure that it is 322 or 375 or 550, but I would not be in favor of delaying this anymore. Again, I'm not sure why in this - - - we noted this in a previous case, why there was not opposition present when the matter was heard before. And we've got the neighborhood association who has got a letter of support for this business and I will say that I have been a patron of their business not as a patron other than to eat the confections and baked products that this gentleman makes, but I would certainly think that him having the ability to offer a beer with a sandwich, that's it not going to be detrimental to Broadmoor or the Captain Shreve Neighborhood Association. So, again I appreciate where we're coming from but is that going to make a difference if it's 322 or 475?

Councilman Jackson: No, I'm saying if it's 298, it would.

Councilman Green: And what I'm saying is to be fair to the business folk, at this time while all of the talking was going on, I would basically poll the Council if we go forward with the folk that are undecided at this point and time, it's going to be dead from what I've gathered. It wouldn't be passed, and that's why I was trying to give you and them the benefit of the doubt. So, if in fact, you would like to possibly take that chance, then it's your call.

Councilman Carmody: Well, as the Councilman from the district, again I find it unusual that we pre-poll the Council to find out that the matter is going to fail? But that would be the discretion - - -

Councilman Green: They have questions, then it was my understanding they wanted to postpone it until they got the questions answered. But it's your call.

Councilman Carmody: Okay. Thank you.

Councilman Walford: Mr. Chairman, could I ask Ms. Griffin a question? Could I ask her to come to the mic, because I really do have a real issue that I need - - - there's two that I need to resolve that bothered me.

Ms. Griffin: Yes sir.

Councilman Walford: You say that the Library Board, although they didn't do a formal resolution, they opposed this?

Ms. Griffin: This came up after our Board Meeting. I think we met - - - Ms. Kathy, we met what September, the Board meeting? October. This was not on our agenda. This had not come up. We don't meet again until December.

Councilman Walford: But what you told me was that the - - -

Ms. Griffin: The board has been notified. I don't know if any opposition - - -

Councilman Walford: You mean they don't oppose this going in or - - -?

Ms. Griffin: As far as I'm concerned, as far as I'm aware of it.

Councilman Walford: Let me ask you another question, and this will help me out. Were you on the Library Board when this Library location was decided on?

Ms. Griffin: Exactly. Yes, I've served on the board for over 15 years.

Councilman Walford: If this restaurant with low alcohol content is going to cause such a problem, why did y'all pick a location that already had alcohol in the adjacent parking lot? I mean that would help me decide how to vote on this. I really am at a lost.

Ms. Griffin: Well, I don't want to relive the issue that we had with location with the neighborhood association, but we spent days, months, hours selecting a location. We went with - -

- we tried to get the neighborhoods involved, Broadmoor and Captain Shreve. We had a big old chaos.

Councilman Walford: Did you discuss the alcohol that was already there? Did you consider it a problem and threat at that time?

Ms. Griffin: I don't recall of it, but that was years ago. The time has changed.

Councilman Walford: Okay, thank you very much.

Ms. Griffin: And - - -

Councilman Green: That's all.

Councilman Walford: Mr. Chairman, if I may finish. I will say that I'm going to stay consistent as I have. I'm going to support the Zoning Board of Appeals. I recognize that there is some inconsistency on the Council, but this is consistent with State law, I spent seven years on that Board, I know how they measure. I am completely comfortable, if they say it's 324 feet or whatever, that's what it is. You can go out there and take a measuring wheel and I'm very comfortable that, that's what it will be. So, I will vote to uphold the Zoning Board of Appeals on this.

Councilman Hogan: Ms. Griffin, would you come back to the stand please?

Councilman Green: Ms. Griffin, would you come back please?

Councilman Hogan: Just a moment ago, Councilman Carmody was talking about the fact that there was no opposition.

Ms. Griffin: Yes that's why - - -

Councilman Hogan: Do you have any comments on that?

Ms. Griffin: The reason for that is because my home is South Louisiana. I had a lot of family displaced from Hurricane Katrina and Hurricane Rita. And we're still displaced. So, I have been out of town and could not make it to the - - -, but I'm sure the office is very well aware of me, because I communicate with them when those issues, when I notice that those issues were coming. And then I had several calls.

Councilman Hogan: Okay, that's all. I knew you - - - I could tell you had a comment on that.

Councilwoman Robertson: Could I ask her one question?

Councilman Green: Yes Ma'am.

Councilwoman Robertson: Did you notify them to see if maybe they could postpone it or anything for the ZBA?

Ms. Griffin: Notify who?

Councilwoman Robertson: The Metropolitan Planning Commission when they were going up for vote a on this?

Ms. Griffin: Well, I called, I called the - - - Mr. Thompson's office to find out a little more about it to get the dates and everything, and when the public hearing was and of course, I was told that he has passed. And I asked what was the next step, what could we write and I was told to appeal if I can get it in by the certain amount of time, so I called my president who is Mrs. Brock, and I shared with her. But I was not aware of the type of liquor. All I was told that it was liquor, whether it was packaged or whether it's served in a cup or a can, we were opposing it. So, and Mr. Carroll mentioned about an email. I was the first person to contact Ms. Brock and I did not mention anything about packaged liquor. Ms. Brock made a comment in the email that she assumed that it was packaged liquor. She didn't say Ms. Griffin told her that. Thank you.

Councilman Carmody: Can I ask Mr. Carroll to come back to the microphone? Mr. Carroll, you had mentioned to the Council that you had owned this property. Are we to understand

that you had sold this property or you have it under contract to sell to Mr. Ferrier?

Mr. Carroll: Yes, it's under contract.

Councilman Carmody: Is it going to be a hindrance to you or a problem to delay the actions of the Council here today? I guess it would be two weeks would be the earliest time in order to have any questions answered that the Council Members might have in regard to the application of Mr. Ferrier?

Mr. Carroll: Well, other than paying more insurance and more taxes, no, it's not a hindrance. We've been dragging our feet on this for what seems like six months. So another two weeks is not going to bother me.

Councilman Carmody: Okay, thank you sir.

Mayor Hightower: Mr. Chairman, could I ask a question of Mr. Carroll? Mr. Carroll, you just said that we've been dragging our feet for six months.

Mr. Carroll: No, I didn't say you had been dragging your feet.

Mayor Hightower: That's what I wanted to be clear of. It was not - - -

Mr. Carroll: I said the whole process is just taking a lot longer than we anticipated.

Mayor Hightower: Well, that's what I wanted to be clear of that the ZBA or the MPC or any City Hall function was not dragging their feet, and that was not - - -

Mr. Carroll: No, it's just been the process of getting everything moved out and getting it to where Robby could occupy, it's just taken a lot longer than we anticipated. But we didn't anticipate running into this either.

Mayor Hightower: But that was on your part, and not on the part of anything at City Hall?

Mr. Carroll: Right.

Councilman Carmody: Mr. Ferrier, could I ask you to come forward please? Mr. Ferrier, I'm going to ask you the same question that I asked Mr. Carroll. As I understand it, you have the property under contract to purchase. Is it going to be an inconvenience or a hindrance to your business to wait two weeks to wait for any questions to be answered to this Body?

Mr. Ferrier: Well let me just state kind of some of where - - - to answer your question. I guess not. I mean we have you know, we have done everything to the letter of the law as far as the City is concerned. My only concern is this, that this continues to move along and I rent my building right now. I don't own that building. There is a "For Sale" sign on that building right now. My fear is that someone will come along and tell the current owner, I'd like your building, and then he'd give me 30 days to move out. At that point, my business is no more, because there's no way for me to move a business like mine, given the fact that I'm still regardless of where I go, I still have a set of plans drawn for the City, for the Fire Marshall, that's probably at least a 30 day process, if my memory serves me correct eight years ago. And then to get bids in, if it were to be voted on in a favorable way today, I see no way that I would change building to building within a 90 day period of time. So, I guess that's all I have.

Councilman Carmody: Well and again, I'd be prepared to vote today, and again, these gentlemen understand and excuse me, my fellow Council Persons understand that I'm in support of the application, but in deference then that they'd have some questions, then I would hope that those questions could be answered in the next two weeks so that we would not have to postpone again, then I would ask that both you and Mr. Carroll's patience. And I will make a substitute motion to postpone.

**Substitute motion by Councilman Carmody, seconded by Councilman Jackson to postpone.**

Councilman Carmody: Discussion? Gentlemen, what I was hoping was if we have any questions that can be answered between now and the next two weeks, if we could go ahead and do that, and I'll specifically ask Mr. Jambor and Mr. Jean if they would have Mr. Kirkland in attendance and prior to our meeting to verify exactly how the measurement was made and the verification of what that spacing is as the procedure that we currently utilize to measure the 300 foot buffer.

Councilman Jackson: Thank you Mr. Chairman. I wanted to say, I think Mr. Carmody said a part of what I would say my commitment, and I was unready. My commitment is if the MPC is available on tomorrow, try to get it done tomorrow. Just as soon as we could get it done. And unfortunately, we'd have to postpone still until the next meeting. My commitment is I have no other interest in postponing beyond what I can hopefully find out tomorrow. And I'll be prepared the next time we come to vote on this issue.

Mr. Jean: When I was initially ask the question, I was looking at this marked up copy. The legal measurement that was made according to the ordinance that's in place to day is 482 feet. It's not anywhere near the 300 foot mark. So the margin of error there would have to be awfully great for it to come out differently. When we got into the discussion about the crow flies, that's where the 300 foot dimensions from door to door where I was misreading 372-322, but the legal measurement that is on the books today, measured by the person that's been doing all the long for all these number of years, who knows very coordinates, 482 feet. So, when we got into discussions about crow flies, I misread the first dimension off here, think it caused some confusion. But if we go out tomorrow and I anticipate that we come up with something different, it might be a foot or two different, but we're not going to be anywhere near that 300 foot mark, because of the way that it was measured. It was measured correctly.

Councilman Walford: More discussion. I just think that to postpone on that premise is a slap in the fact to the ZBA and the MPC staff and Mr. Jean and Mr. Jambor, you can convey my apologies to them if this Council is doing that. And I will be voting No.

Councilwoman Robertson: My question was and Mr. Ferrier did answer it was, was a two fold, was that if he was willing to maybe have some hours that could be placed on him. Like he's saying now on Friday's is the only time he does serves the dinner, or whatever, maybe that's when he does his fish fries and that's maybe when he would be serving the beer. And I guess he was saying that he would be serving the fish maybe at lunch time now, or whatever, but you know several people that have spoken or sent emails or sent letters and some of the people that have been consistent with the way that they are voting because of the distances or whatever, that might ease into a unanimous approval if maybe some hours of operation changed. Then the kids or people wouldn't be at the library. The library would be closed so there wouldn't be an issue of having it there for them. I do realize there's other businesses that are there. I do know that they sell beer and alcohol. I do know that there are gaming devices there, but they were there before the library was put in. So that was my wanting to find out some further information, that was my reason for it.

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

BAC-97-05: MARKET STREET TRUCK PLAZA LLC, 1324 North Market Special Exception Use in and I-2 District, Truck Stop with Gaming (A/Lester)

**Motion by Councilman Lester, seconded by Councilman Green to uphold the decision of the Zoning Board of Appeals. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Robertson, Green , and Jackson. 6. Nays: Councilman Hogan. 1.**

**Property Standards Appeals:**

a) Mr. Eric Jefferson - Case #HB00500057 (640 Kings Highway) (B/Walford)

Mr. Thompson: Mr. Chairman, this is a matter that you partially took up yesterday, Mr. Eric Jefferson was just here, he just left. He said his daughter was in labor and he had to go and take her to the hospital. I told him that I thought that the Council would probably go on and act on this anyway. That they knew that he was in opposition to it, and he as trying to find a way to save the structure. But I would report to you that he was here and he said that he had to go because his daughter was in labor.

**Motion by Councilman Walford, seconded by Councilman Lester to uphold the decision of Property Standards Appeals Board.**

Councilman Walford: I went by there again this morning and I'm going to have to agree with Mr. Bowie. This is not a repairable structure. It is - - - looks like a bomb went off in the middle and blew it out is what the tree did. So the house is not repairable.

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

- b) Ms. Gail Swift – Case #PSD0500162 (4054 Velva) (G/Jackson) (Decision rendered November 7, 2005.)
- c) Ms. Olga N. Lebrum – Case #WA30507192 (2808 Anna) (G/Jackson) (Decision rendered November 7, 2005.)
- d) Ms. Essie B. Nickerson – Case #WAB0500961 (NE corner of Miles and Roberts)(F/Green) (Decision rendered November 7, 2005.)

**REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES:**

**CLERK'S REPORT:** Board Appointments to be considered November 29, 2005

- 1. Shreve Memorial Library Board - Ms. Deborah Roberson
- 2. Property Standards Board - Mr. James Moore
- 3. Shreveport Housing Authority - Mr. Richard King
- 4. Shreveport Regional Sports Authority – Sandra Braddock, Sandy Cimino, and Bobby Nichols
- 5. Shreveport Regional Airport Authority - Dr. C. O. Simpkins

Mr. Thompson: Mr. Chairman, we just have the board appointments that are listed on your agenda. We have nothing else.

Councilman Jackson: Mr. Chairman, maybe the Clerk can answer this. We have this that was passed out to us and I thought it was on the agenda somewhere. I thought we added it to the agenda.

Councilman Walford: It was on the e-agenda.

Councilman Jackson: Did we vote on this?

Mr. Thompson: We voted to introduce it.

Councilman Jackson: Oh, the Malcolm Street deal was just for introduction?

Mr. Thompson: Right.

**ADJOURNMENT:** There being no further business to come before the Council, the meeting adjourned at approximately 615 p.m.

*//s// James E. Green, Chairman*

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