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Council Proceedings of the City of Shreveport, Louisiana
July 14, 2009

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Ron Webb at 3:03 p.m., Tuesday, July 14, 2009, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Bowman.
The Pledge of Allegiance was led by Councilman Wooley.

On Roll Call, the following members were Present: Councilmen Monty Walford, Michael Long, Bryan Wooley, Ron Webb, Joe Shyne, and Joyce Bowman. 6. Absent: Councilman Lester. 1.

Motion by Councilman Shyne, seconded by Councilman Name to approve the minutes of the Administrative Conference, Monday, June 22, 2009, Council Meeting, Tuesday, June 23, 2009, and Special Meeting, Wednesday, July 1, 2009.

SHREVEPORT CITY COUNCIL
SPECIAL MEETING
MINUTES
July 1, 2009

The Special Meeting of the Shreveport City Council was called to order by Chairman Ron Webb at 2:02 p.m., Wednesday, July 1, 2009, in the Government Chamber Conference Room, Government Plaza 505 Travis Street, Shreveport, LA (The meeting was called by the Chairman, and a public notice was posted, to hold a Special Meeting to convene an Executive Session to discuss pending legislation.)

Invocation was given by Councilman Joe Shyne.
The Pledge of Allegiance was led by Councilwoman Joyce Bowman.

The following members were present: Councilmen Calvin Lester (2:05), Monty Walford, Michael Long (2:07), Ron Webb, Joe Shyne, and Joyce Bowman. 6. Absent: Councilman Bryan Wooley.

The Chairman asked for Public Comments:

Ken Lawler – 1701 N. Market St., was recognized: Mr. Lawler requested information about the status of the Hideaway Harbor Subdivision, Units XIII & XIV Water & Sewer Main Donation Agreement, and Mr. Lester said that he would discuss the matter with Mr. Lawler.

Chairman Webb requested a motion to convene the Executive Session to discuss the following pending litigation:

(1) D'Argent Properties, LLC and Stratmore, LLC v. City of Shreveport

Docket Number: 44,457-CA
Second Circuit Court of Appeals
Appealed from the First Judicial District Court
Docket Number: 521,014
Caddo Parish, Louisiana

(2) Urban Housing of America, Inc., Greenwood Villa Partners II, A Louisiana Partnership in Commendam and Malmstrom Family Partnership v. City of Shreveport, Shreveport Metropolitan Planning Commission of Caddo Parish, Charles Kirkland, in his official capacity and Ron Norwood, in his official capacity

Docket Number: 519,443-A
First Judicial District Court
Caddo Parish, Louisiana

Motion by Councilman Walford seconded by Councilman Bowman to convene the Executive Session. Motion approved the following vote: Ayes: Councilmen Lester, Walford, Long, Webb, Shyne and Bowman. 6. Nays: None. Absent: Councilman Wooley. 1.

The following people were asked to remain in the room for the Executive Session: Council members, Mayor Cedric Glover, Neil Erwin (Attorney representing the City in the two cases), Arthur Thompson (Clerk of Council), Terri Scott (City Attorney), and Dale Sibley (Interim CAO).

All others were excused. The Chair stated that an announcement that the Executive Session has ended would be made in the Lobby, before the Special Meeting reconvened. The Special Meeting reconvened at 2:48 PM, after the announcement was made in the Lobby. Chairman Webb stated for the record, the purpose of the executive session was to discuss *D'Argent Properties, LLC and Stratmore, LLC v. City of Shreveport an Urban Housing of America, Inc., v City of Shreveport* and that no final or binding action was taken during the Executive Session.

There being no further business to come before the Council the Special Meeting adjourned at 2:50 PM.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

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

- A. Awards and recognition of distinguished guests by the Mayor, not to exceed fifteen minutes.

Councilman Webb: Mr. Mayor, you have any communications?

Mayor Glover: Mr. Chairman, we have none today.

- B. Awards and recognition of distinguished guests by City Council members, not to exceed fifteen minutes.

Councilman Webb: Council Members, I see we have Judge, Mr. and Mrs. Judge Pitman in the Chamber with us today, as well as Ex-City Councilman Phil Serio. You have one you'd like to recognize too?

Councilman Shyne: Margene, would you and your brother come forward? Was Mayor Beard able to make it over? Dale, you know (inaudible).

Mr. Sibley: There are a lot of people out here Councilman.

Councilman Shyne: Mr. Chairman, I want to recognize Margene. You and your brother, come on up to the podium.

Councilman Webb: How many years of Shreveport Fire Department?

Councilman Shyne: That's what I was about to say, now Margene, you've got to help us. Between you and your brother, I think you all probably have more years on the Fire Department than the Mayor is old.

Mr. McCoy: Oh yes.

Councilman Shyne: How many?

Mr. McCoy: Close to 80, you've got 38? We've got about 39 a piece.

Councilman Shyne: You know what? You're right.

Mayor Glover: But not as old as you Councilman Shyne.

Councilman Shyne: Now wait, wait. That wasn't nice now. Remember I knew you when you were growing up now. But I asked Margene and his brother to come down. It's very seldom that we have dedicated City employees who have risked their lives for citizens that they serve on a daily basis, and Margen, I just wanted to let you and your brother know, how much we appreciate what you all have given the City of Shreveport. And I don't know whether - - - is the Chief here? Is the Fire Chief here? We have really lost two dedicated servants. The Mayor and I met Margene when we were back, when we first got on the Council. Cause when we'd look up, and somebody was lobbying for something, there come Margene. You couldn't beat Margene as a lobbyist. Even if you told him no, you'd walk about five steps away, and he'd look around and Margene would try to show you another angle. And Margene, I don't - - - I don't really know whether the Fire Department really realizes how much you helped the department. Not only locally, but state-wide. There was nobody else in the State of Louisiana who lobbied as hard for the men and women of the fire departments throughout the State of Louisiana as Margene McCoy did. Now Margene, I just want you to be able to say a few words and then let your brother say a few words, cause he doesn't talk that much. So, I'll leave it up to you Margene.

Mr. Margene McCoy: Well I appreciate that Joe, and the Council and everyone. It's a pleasure (inaudible) it's was a privilege to represent the men and women of the Shreveport Fire Department and the fire service across this whole state, that was truly an honor to do that, and we (inaudible) and we got a lot of stuff done, and I enjoyed it, I appreciate you being here, and the good news is, I don't need one thing today.

Councilman Shyne: Well Margene, that is some good news. Now Margene before you take your seat, tell 'em how you started off and then where you wound up at.

Mr. Margene McCoy: Well I started off as President of the Local 514 here, and from there I went on to be volunteer on the State Association, President on the (inaudible)

association, and served on a lot of boards, and didn't have any time for myself at all. But we accomplished a lot. One of the main things we did, we passed a bill that give us Class I Fire Insurance rating, that give us a savings on residential which is the same as we had on commercial property. I don't know - - it was (inaudible) years that I think we passed 47 Bills and killed all 65 against us. We always worked hard. And I've always had that support from Council and the Administration here, I don't think it was ever a time that we didn't get four votes. I don't remember a time, and y'all always supported us, and I hope y'all realize and I'm sure you do, what a fine Fire Department we have here in Shreveport. It's wonderful. I loved it everyday I was there, and (inaudible) steps to my office just like I did coming down, nobody loved it more than I did, but now that I'm retired, nobody ever loved retirement more than I do. I wake up like a kid every morning at Christmas. I wake up everyday (inaudible), still know the guys, and they call me quite often if they want to know something. And like I said about retirement, anybody ever tell you how good they said it is, don't believe 'em, it's a lot better.

Mr. Mack McCoy: Well I appreciate the chance to serve the City of Shreveport, and as Margene says, this is the best Fire Department in the nation. And we served the best people in the nation. I feel honored and blessed to have been a part of the Shreveport Fire Department. It is indeed the best fire department in the nation. Thank y'all.

Councilman Shyne: Mack, thank you. But before y'all take your seat, I want to open it up.

Councilman Walford: I've just got one question, I've heard from people in Finance and DP both that when they die, they want to come back as firefighters in Shreveport, cause that's heaven. Is there any truth to that?

Mr. Margene McCoy: Yes sir, 100%.

Councilman Walford: I think it has to do with retirement, they might (inaudible)

Mr. Margene McCoy: I think that's in the Bible somewhere, I won't go that far, but it may be true.

Councilman Shyne: Mr. Chairman, anybody else have a comment? Thank y'all for coming down.

Mayor Glover: Mr. Chairman, before you move completely away from communications, I do want to take a moment, I'm sure to join you all in welcoming a group of young leaders that we have here with us. We're joined by this year's class of Leadership, Shreveport and Bossier. So, I would like to ask that they would stand at this point and be recognize, and if we have a spokesperson or a designated individual that might want to come up and say a few words to us, please do that as well.

Councilman Webb: That's what you get for sitting on the front row.

Mr. Gregg Andrews: (Sci-Port, Shreveport) Yeah, whew! I'm learning a hard lesson about that. Just wanted to say, first of all thank you all for allowing us to be here and for taking out the time to help show us how we can become leaders. One of the lessons that has been stressed today is Involvement, and I think that's something that we can all take back with ourselves with the information that we've learned and accumulated over these sessions, and hope that we can do what you all have done, and exceed those expectations as well. So, thank you all so much.

Mayor Glover: Glad to have you guys here, and Leadership Shreveport-Bossier is a great program. And I think we're also joined today Mr. Chairman by Donna Curtis

and the members of Shreve Corps. I think they may be the young folks who might have -
- they're all (inaudible).

Councilman Webb: Yeah, she's going to give us a presentation I believe.

Mayor Glover: Donna, you want to come up and share a few words with us?

Councilman Shyne: I thought they looked mighty young to be members of the Leadership, Shreveport Leadership.

Ms. Yvonne Lee: Well thank you for this opportunity to come before you. Shreve Corps is an AmeriCorps national service program, administered by Shreveport Green, supported by the Corporation for National Community Service, Louisiana Serve Commission, The Caddo Parish Commission, The City of Shreveport, and Chesapeake Energy. We area also delighted this afternoon to have in the audience Mr. Kevin McCarter and Paul Pratt from Chesapeake Energy. They've been a tremendous sponsor for us this year, and sponsor one of our teams in it's entirety. Shreve Corps with AmeriCorps is an environmental youth service corps. Our members are between the ages of 17 and 24. They receive a living allowance and a post service educational award. Community service is a tremendous asset to our nation, and to our local community. This year, 57 young adults are providing over 33,000 hours of service to our community. They're earning over \$153,000 in living allowances, and over \$94,000 in education awards. These Shreve Corps members have improved the quality of life for 11 seniors and disabled residents through construction of handicapped ramps, exterior home painting, and yard maintenance. They removed over 19,000 pounds of litter from our streets and waterways. They recycled 3500 Christmas trees, and 125 tons of telephone books. They planted 267 trees, stenciled 350 storm drains and recycled over 7,000 of household hazardous waste products. They also assist in an ongoing basis in the maintenance of our public lands, parks and buildings. Shreve Corps has won several state and national awards of excellence. And the program provides the members with opportunities for tremendous personal growth. These members learn how to work as a team, they gain valuable job skills and build lasting friendships. Shreve Corps allows individuals from all walks of life to come together for the common goal of service, to gain tolerance and understanding. Shreve Corps provides the opportunity for these young adults to do what other generations of Americans have done before, to take an active role as a citizen to make a difference for themselves and for others. And at this time, we have one of our members who wants to also share briefly with you. Crystal Ann Whitaker.

Ms. Crystal Ann Whitaker: (Shreveport Green, Shreveport) Good afternoon, I never thought that I would ever be so excited to perform manual labor in my life. But, I do find it exciting, because it's very rewarding. Not just individually, like to the families that we help, but she mentioned the elderly families, and we painted their houses, and mowed their lawns, but also collectively, as we clean out the streets from all of the litter that I'm sure none of you add to. Okay, well I'm very glad that I've been so blessed to be able to work with such a program that helps the city, and therefore helps the Parish, which therefore helps the state. And we've helped so many people in so many different ways, and I really do appreciate all the support whether it was monetarily, or just in prayers and well wishes, I really do appreciate it. So, on behalf of all these wonderful people you see in green, all the many countless people we've affected and Mother Earth, I thank you.

Ms. Lee: And I'd just like to close by again thanking you for the opportunity of being here and thank you for the continued support that we do receive from the City. So, thank you.

Councilman Webb: Thank you. Before you leave, I had a question I wanted to ask you. The 3500 Christmas trees that we recycle, what do we do with them when we recycle?

Ms. Lee: We ship them down. This year, they went to Lafourche` Parish, where they're placed in cribs to aid in the wetland restoration that's going on down there. So we actually, we partner with Diesel Driving Academy in that project. And this year, we shipped four 18-wheelers of trees.

Councilman Webb: I hope everyone listening on TV will remember that and help us recycle.

Ms. Lee: It's a great project. We've had opportunities, we didn't get to go this year, but we've been able to go in previous years and actually go down and unload the trees, and place them in the cribs. So, it's a wonderful program. Anything that we can do to help our environment.

Councilman Walford: They may want to thank us, but I want to thank them. I think they deserve our thanks and our applause. We appreciate what you've done. Well deserved pat on the back, there going with that big smile.

Councilman Wooley: Mr. Chairman, I just wanted to say it's great to see young people taking responsibility and taking personal responsibility for our city, and hopefully other people are watching you today and heard you today, and will also take pride in their city to make it better. So, thank you very much, I do appreciate it.

Mayor Glover: Very proud of you all. You're most welcome. And before we wrap up here, want to make it a point to recognize two new individuals who have recently joined the Shreveport community, Major Mark and Chiffonia Smith, would you all please stand for us. Alright. Mr. Chairman and Members of the Council, we're pleased here today to officially introduce and welcome Major Mark and Chiffonia Smith to Shreveport. They're making a transition from Tuscaloosa, Alabama, they are now the new executive directors of our local Caddo/Bossier Salvation Army. We trust that they probably left all their 'Roll Tide' gear back in Alabama, if they haven't, we'll make sure we replace a little bit of that with some 'Tiger' gear, here in the near future. I've been told that they are a powerful and dynamic-duo, bringing with them some 23 years of committed and hard working award winning service to the Salvation Army, serving in Alabama, Mississippi, and Louisiana. I guess they may have a little 'Rebel' gear as well, they're bringing also. Major and Mrs. Smith have a broad range of experience including opening a shelter for abused children and opening an apartment complex for homeless families. Major Smith served as the incident commander for the Salvation Army relief work in Washington, D.C. after 9/11. He also served in the same capacity in Slidell, Louisiana following Hurricane Katrina. In 2006, the state of Alabama's Management Agency honored Major and Mrs. Smith for their outstanding work following Katrina. They have a daughter who lives in Tuscaloosa, and a son is moving to Nashville. I guess that brings in Vanderbilt, a little 'Commodore' connection also, to attend college. And so we just want to ask that you all extend to them a very warm and hearty Shreveport/Bossier Northwest Louisiana as they come here to head up our local Salvation Army.

Major Smith: Sir, if you will allow me please to thank you for letting us come and meet you all today and be a part of this great community. Our son and daughter are both LSU fans.

Mrs. Smith: We raised them right.

Major Smith: So, we thank you for the opportunity to be here.

Mayor Glover: And lastly Mr. Chairman, members of the Council, I know that this a crowd that's a little larger than our usual Council gathering, and so while obviously this is a situation that the Council will direct, because it always says 'Council Meeting' at the top of the agenda. I would hope that we might make some effort to accommodate the group of folks who've come here for at least one particular issue, so that they might have a chance to be able to take their comfort when it's convenient for them.

Councilman Wooley: I was about to say, I know you've already told some of us, I think after Public Comments, we'll make a motion to suspend the rules, to allow this issue to come up. I think, can we do that?

Councilman Shyne: Yes we can, but before we do that, could I just make one other - - - I'd like to recognize Kelvin Cochran, who - - - what was it Dale, 27-28 years? Fire Department here. I almost say he started off like Dannye Malone, as a little boy living in a shotgun house, and wound up being successful, but Dannye didn't start off in a shotgun house. And I think Kelvin has made the Fire Department here in the City of Shreveport and the State of Louisiana, extremely proud of one of Louisiana's greatest sons. And I think that was a tremendous honor, not for the City of Atlanta, but for the City of Shreveport, because this is where Kelvin Mayor, got his start. And this is where he matured, here in the City of Shreveport. So we can be proud to say that we have somebody who will be working at the national level. In a very, very important and a very influential position. So, my hat goes off to Kelvin Cochran, and Kelvin is not here, but I think it would be alright if we gave Kelvin a hand.

Councilman Webb: Bryan, you wanted to make a motion to?

Councilman Wooley: I think maybe you need to - - -

Councilman Walford: We need to go to Public Comments.

Councilman Webb: Okay, we'll move along then.

- C. Communications of the Mayor relative to city business other than awards and recognition of distinguished guests.

Reports

Property Standards Report

Mr. Holt: Somebody left their pen up here. Thank you Mr. Chairman, I'll be glad to take any concerns you have.

Councilman Webb: Any Council Member have any concerns they need to address today?

Councilwoman Bowman: I just wanted to remind you about the 3700 block of Lilly.

Councilman Shyne: I believe that's Bill Bush coming in. Bill? Pleasure.

Councilman Webb: Jim, Knoll Crest, situation. Is there a court date this week? Or is it next week, or?

Mr. Holt: I'll have to check and get you the court date. I know she's gotta go back. Third continuance, I think.

Councilman Webb: The third of next month?

Mr. Holt: No sir, I said it's the third continuance that the court's given her. I don't have the exact date, I'll get that for you.

Councilman Webb: Yeah, if you'll just email me with it. Any other concerns?

Mr. Holt: And I would ask that you give me a name and a phone number to contact. The bad phone number, I need a new number.

Councilman Webb: I still don't have that gentleman's number, I'm gone probably have to go by his house to get it, because it's not listed in the phone book. But I will because I know they wanted to attend the next court session. Okay, I think that was it Jim. Mr. Sibley, do you have a report on the revenue collection plan?

Revenue Collection Plan & Implementation

Mr. Sibley: Yes Mr. Chairman, very briefly. You should have and I think Sharon is handing them out, an update in writing on the parking collection effort, and I'd like to highlight two things that will be coming to you prior to the next Council Meeting, specifically, one is a recommendation by DDA that we shorten the booting from a number of tickets situation to a day, to basically 60 day period of time as opposed to three tickets, as they pointed out to us, experience shows that some people will simply come in and pay one to get below the three ticket limit, and then just ride it out a little bit longer. So, we're going to review that and come to you prior to next Council Meeting with a recommendation of that, and secondly, there is a need to amend the current ordinance to increase the booting fee, in order to cover the proposed fee that the manufacture of the equipment would like to collect on those boots. So, those are two of the primary issues that they've raised in the memo that you have and we'll give you that and come to you with a recommendation from the Administration prior to the next Council Meeting with where we're headed in that direction. We've also identified two local towing companies who are willing to work with us in terms of receiving the vehicles and working with us on getting them in and out. They are local, one of them is a Fair Share vendor, and we're going forth with that. We're also reviewing and I think Mr. Walford had pointed out yesterday in terms of our Compliance Section, again, looking at how many people, if any, we would like to come to you and basically from a budget point of view, look to add to that section, because we believe that will have a particularly significant impact on our ability to handle internal collections. I might also note just - - - Councilman Walford, in response to the issue yesterday with the contractors, just to reassure the Council, that there is a process in place, to catch those. Ordinarily, those contractors file and affidavit, and this particular case, I think he was a contractor with Community Development, doing some of the repairs and modifications on homes. They file and affidavit that attests pursuant to the ordinance that they don't owe the City any money. That affidavit then comes over to Purchasing who attempts to confirm that, and then in the tracking process, the contract works its way through the tracking process and each person signs off on the yellow sheet, it's also checked then under the Compliance Section. In this particular case

with Mr. Jiles, we don't know exactly what happened, Mr. Walford in terms of the process not working, but we do need that he filed an affidavit on June 5th. He came shortly thereafter, shortly before that, and paid an outstanding amount on an adjudicated property so we don't quite know yet the fact that it had to do with affidavit led to the payment, or not. But that's what the record shows. In any case, he has been suspended by the Department from getting paid or doing any further work, and we're working to make sure that whatever may have happened within that process that didn't allow it to be caught will be caught. So, I just wanted to reassure the Council, that there is a process in place to catch that. We don't know exactly what happened in this case, but we're trying to find out and make sure it doesn't happen again.

Councilman Webb: Well, I was just going to ask about the boot. It's people that have a multiple tickets on record right now the way that it's written, they can pay the one ticket and the boot is released?

Mr. Sibley: Well, what the DDA guys have shared with us is through experience, is if there is a three ticket limit before booting, a person may come in to get three, to come in and pay one, then there are two tickets. So, they just keep buying themselves more time by pay without paying the entire amount. They pay down one or two of the tickets just to get themselves more time. But interesting, another reason I think DDA is recommending it and we may very well come to you and recommend a change, if you look in the memo, I believe the more than three ticket persons have about \$364,000 out, and the ones with one or two actually have about \$850,000 out. So if we're trying to be as effective as possible, then rather than building it on the number of tickets, it may be better to build it on a time system. That way we stand to collect more.

Councilman Walford: Where do we stand on collecting some of the Code Enforcement fees, and other fees that are outstanding?

Mr. Sibley: Let me ask Mr. Madden, if you will, because that's handled primarily through our Internal Compliance and the City Attorney's office.

Mr. Madden: We're still sending out the notices after 30 days if they have not paid, but with the problem we have (inaudible) is the billing was sent to the name on record, not necessarily the owner of the property. Because the owner of the property is the person going to before the tax sale. Not the tax sale buyer, and that's the name that's on the property right now. So, the difficulty in getting - - - who is the person responsible for paying this.

Councilman Walford: Mr. Sibley, this sounds like one where we need a procedure.

Mr. Sibley: We actually have one as I appreciate it from the City Attorney and Finance Director. The problems, and I may ask Terri to speak to them, but in terms of identifying who the owner and who makes sure that they get the notice, I think is the issue, and Terri, can you clarify that a little bit for us please?

Councilman Walford: Some of them are not going to get the notice, because they boasted to me and to Mr. Lester, that they won't accept anything from the City. So, they'll never get the notice, but it will be sent to them. They ought to be hand delivered. They could require certify mail.

Ms. Scott: It does require certified mail, and that has been a continuing problem probably the 20 years that I've been here Mr. Walford and Council Members in trying to determine who is the actual proper party to receive notice, the property standards notices

on these adjudicated properties. We sent Mr. Holt, probably about a month or so ago, a copy of the state law, particularly for grass cutting, that allows us to send the notice to the owner of the property based on the records in the Assessors office, as opposed to having to do a full blown title search to determine the owner of record for grass cutting in particular. One of the things I stated yesterday to the Council is that in the next two weeks, the next collection report will actually highlight what our efforts with regard to collection of property standards charges and some recommendations to you all on things that we should do going forward, or can possibly do in going forward to collect on property standards charges. But of all the areas of revenue that we have outstanding, the property standards issue is the biggest issue and it's going to be the biggest one to tackle.

Councilman Walford: Well, we spend some \$800,000 cutting grass, and then each of those has a \$125, administrative fee added on to it when we send a bill, correct?

Ms. Scott: Yes sir.

Councilman Walford: So, it's probably touching a million dollars, if we do 7,000 lots, 7,000 cuts?

Ms. Scott: It probably is, and what we're doing is Mr. Holt and I had the discussion yesterday, is that in order to figure out what our options are and what our best options are, we actually need to go back and look at the entire process in terms of the background information that property standards obtains prior to the violation actually being abated, prior to the grass being cut, the demolition being effective, or the vehicle being removed. We need to know what kind of information they assess in order to determine ownership on the property. And then once we do that, then we're going to be able to make some recommendations on what we need to do when going forward.

Councilman Walford: There are some people in the book that I would just love to see get sued by us. I would be a spectator in court on those days. There are people that have an awfully lot of money. As I mentioned before, one of them talking to me about his airplane was like fingernails going down a blackboard.

Ms. Scott: Well, what if we just take the list that you have in the book and work from that list?

Councilman Walford: You just want my list. Sit there and brood over it.

Ms. Scott: Well, you can make a copy.

Councilman Walford: I'll be glad to share my list with you. It came from Mr. Madden.

Ms. Scott: We'll work from that list again, but not to exclude anyone, but we'll actually take a look at that list and work from that list in developing our processes. And again as promised yesterday, that will be the report that the Council will receive in the collections report two weeks from now. And if there's anything else that you'd like us to look at in the interim, or as we go forward, just let us know.

Councilman Walford: One other question as long as we've got Mr. Madden standing there, are companies paying their occupational licenses?

Mr. Madden: Yes, if we know about them. I mean, there are companies that start, that we don't know about, if we find out, then we do go back and collect all past due amounts on them.

Councilman Walford: But as far as renewals, we have success on that?

Mr. Madden: Yes we do.

Councilman Walford: Okay. I want us to get like Mr. Cefalu, at Caddo-Shreveport. He tells me that when they hit 60 days, that they're liable to find themselves in City Court. I just think that would be a good show to watch.

Mr. Madden: We file, we track occupational licenses very closely.

Councilman Walford: I'm talking about just general.

Mr. Madden: Sure, and we have a very good record of collecting them.

Councilman Walford: Okay. Mr. Sibley, do we know how we stand with collections by City Court for all those people they let leave without paying?

Mr. Sibley: No we don't Mr. Walford. I did have a meeting with the City Marshall, a couple of weeks ago, and actually was a budget meeting, he was making some arguments for some increases they need, and we talked about it. Talked about this system for serving warrants and everything, and that's something we'll have to (inaudible) a little further on, but it's one of those things that we can ask them to pick it up, speed it up, but we really can't compel them very much.

Councilman Walford: But we can.

Mr. Sibley: Perhaps so.

Councilman Walford: Come October, November I think we're going to swing a big stick that's about that big. There was what? Three-quarters of a million dollars outstanding where they've just allowed the people to walk out.

Mr. Sibley: And one of the things that he shared was - - -

Councilman Walford: That was - - - I'm sorry, that was the general fund portion, not their part too. That was strictly our part that would go into the budget that we need so desperately.

Mr. Sibley: And I think that's one of the things when we talked, that I told him to anticipate, is having those discussions as he came talking about budget. Because they - - - you know he presented numbers they feel that they serve a lot of warrants, and they do a lot of work over there, and it may be a matter of helping them understand the need, or however we can help them enhance that collecting activity on our behalf. But I think he's looking forward to those discussions. I think he'll be open to that.

Councilman Walford: One last question for the record. Mr. Madden, I asked you yesterday if we were to find the funding to provide you one or two people to work in collections, do you think they would pay their way and beyond?

Mr. Madden: Yes.

Councilman Walford: Y'all hear that?

Councilman Webb: I heard that.

Councilman Shyne: Question in relation to that. What kind of salary range are we looking at? I mean because I - - - and I'm asking this because we're going to have a very, very tight budget. And I don't want to have any 'sacred cows' put on the table.

Mr. Madden: I believe the auditor range is in the \$40,000 range.

Councilman Shyne: Okay.

Mr. Sibley: And Mr. Chairman, if I may, and Mr. Walford and Mr. Shyne, that's one of the things, if you all recall, that's one of the things we presented as one of the recommendations that we may come with is to add personnel and what we'll do, Mr. Shyne is to assign values to that, so we'll know exactly what it's costing to add people versus what we're collecting. We're also doing the same thing with the collection contracts that we have, and Charles is in the process of setting meetings with those three

providers that we have beyond DDA. You know we looked at the numbers, and we have some concerns about the percentage and the level, but we want to be fair with them, and give them an opportunity to see part of the things that we can do to help them work better, or the things that they can suggest that would help them work better. But I think Mr. Walford, you raised the issue in terms of the publicity with parking, making people come forward. I think once the guys who do the collections for us got the word that we're beginning to look at those contracts, now they're coming forward going 'Hey, we think we can do this a little better, or we think we can help with that.' So, we're looking forward to presenting that to you all, both in terms of our collections contracts, and in terms of any additional personnel that we think can help on the compliance section.

Councilman Shyne: Mr. Chairman, in relation to that and Mr. Sibley, I'm glad to hear you say that, because I think we need to start looking at - - - looking at the value of these positions. And I know you've heard the old expression that from time to time, we all need to take one for the team? So, you know we might have some employees, or we might have to get to the point Mr. Mayor, where we all might have to take one for the team. I've tried to take one for the team from time to time, and it just might get to that point. Because you know when you read about the State of California that we always thought that almost like heaven on earth? \$28,000,000,000 short, maybe more than that. They're laying off 20,000 teachers, cause I've got a couple of friends out there Bill, who packing up to come on back to Shreveport, and I tried to get 'em Mayor, not to go out to California. I told them Arnold wasn't going to treat them like you treat 'em here in Shreveport. You know we'll give them a sandwich and a bottle of milk here, but out there, you know Arnold might give them two or three grapes, but this is what we've got to look at. And you know we've got to have folks who are going to step up a notch, and somebody whose maybe willing to take one for the team, when we're not where we ought to be. I'm hoping that this economy will turn around in the next six or seven months, and I love Barack to death, and I think he's one of the greatest things that ever happened to America, but it's going to be awfully hard for them to turn this economy around. Cause I knew they weren't going to turn it around in 100 days. I don't know whoever thought he was going to be able to do that, had to be out of their minds. I mean, they'll do good to be able to turn around in a year and a half. So, Mayor I think we're going to be going through some tough times, and it's not our fault. I mean, we didn't control Wall Street. We didn't - - - I didn't know Madoff, and Dale, I know you didn't either. So, but I think we're going to have to look at tightening up, and I think we're going to have to look at not having any 'sacred cows' put on the table, and we're going to have to make some tough decisions. So, I appreciate what you're saying and I'm glad to know that you're beginning to look at some of the employees are hearing what you're saying so they just start saying 'Hey look, my golf performers might be evaluated from the value that I'm bringing to the organization, and my salary might be kinda based on that.' So, I appreciate you doing that.

Councilman Walford: Well, one last thing, I would hope that in the spirit of this ordinance that this would also extend to anyone hired by the Administration for work for the city - - -

Mr. Sibley: To make sure the (inaudible).

Councilman Walford: That they too would not owe the city money.

Mr. Sibley: We'll get those. If there's no further questions Mr. Chairman, that concludes our collections report.

Mayor Glover: Mr. Chairman, I just want to offer in relation to what was just said, and I appreciate the perspective of the Council on exactly what we may end up facing with regard to the budgeting process that is upcoming. But I mean with all due respect, we've got a lot of folks right now who are working for the City of Shreveport who are in the midst of already taking one for the team. The numbers that we reported to you all yesterday, when you evaluate department by department, division by division, of Shreveport city government, we are almost 200 people down in terms of unfilled positions. We talked last year in the midst of the start of the budget process of eliminating 33 jobs, well, by and large, you know we at probably six times that number in terms of positions right now that are unfilled. And so we've got folks right now who are putting forth tremendous effort and tremendous sacrifice to provide quality services to the citizens of the City of Shreveport. Two areas that come to mind as we pointed out to you all on yesterday are the folks in public safety, both fire and police, who are accomplishing a great deal without the level of staffing that we know that would ideally be necessary to do the job that they have the responsibility for doing, and secondly, our folks in Operational Services in particular and Solid Waste, I think Mike did a pretty good job of outlining for you guys yesterday, the challenge that those men and women have right now in completing all the various routes and all the various paths that they have. Based upon the current staff that we have in front of them, and so from the Administration end, from the Mayor's office on down, we are all doing what we do right now with less than full staffs. And without the full compliment of what the initial budget indicated that we would end up 'going to bat with' to extend the sports metaphor a little bit further. And so, again there are 197 places, spaces, real people that we started this budget year with, with the expectation that we would have those folks in place, and they're not here. But now part of what that has allowed us to do is to be able to deal with the current economic reality that we're in the midst of. I mean, we're very proud to be able to convey to you all today that it appears right now that we are right on budget, if we carry forth throughout the balance of this year, with being able to meet obligations that we have before us with the resources that we've been given. And you all are correct, we have a hard job before us, going into next year, and that's one that we certainly look forward to engaging with you all. In fact, we look forward to having a chance to be able to get substantially more input from the public, before we end up going through the official process of submitting the budget to you all on the Council of being able to have a chance to go and share with the people of this city, some real insights into what the budgets are. The City of Shreveport, and what they represent and what they mean in terms the things that they see everyday within the neighborhood. To give them a chance to be able to; 1) Understand exactly what's going on, and; 2) Hopefully offer us some input as we finalize the process of putting the executive budget together before we give it to you all. But again, I just wanted to say on behalf of those folks out there right now, who are on the streets of the city of Shreveport, be they in the Water and Sewer Division, be they in Solid Waste, or be they the men and women of the Shreveport Police Department, or be they some of the folks that work within some of the white collar positions within the city, they are right now, some of the over extended, some of the highly stressed, but they are without question taking at least some initial licks for the

team, and before it's all said and done, there may be a few more they'll have to take. Thank you Mr. Chairman, thank you Members of the Council.

Councilwoman Bowman: Mr. Seaton, do you have the information that you were supposed to give to us today? In yesterday's meeting?

Mr. Seaton: Which information is that?

Councilwoman Bowman: The information dealing with Executive Office, another one was with Riverfront Funds.

Mr. Seaton: You asked for some additional comments?

Mr. Sibley: The notes.

Councilwoman Bowman: Yes, the notes. He said yesterday, they were not listed on the - - -

Mr. Seaton: I didn't have any notes, but I can give you whatever you want.

Councilwoman Bowman: No, we requested them yesterday, in yesterday's meeting, and you said you would have them for us in this meeting today.

Mr. Seaton: I do not have them right now, but I'll try to get them to you before the end of the meeting. I was focusing on the legislative report for today.

Councilman Webb: Did Mr. Shea leave? I know he was standing at the back.

Councilman Walford: I think he had to go do his meter.

Councilman Webb: Do you have a comment?

Councilman Walford: I want to piggyback a little bit on what the Mayor is saying, that the proceeds mentioned are the visible ones, and they are doing a fantastic job and DOS and Water and Sewer, all those folks, Solid Waste in this heat, but there's another group that I see and if you've been to your Rec Center, our SPAR folks in these rec centers are stretching the buck, and making the programs work. I know I've been to mine, and I'm so proud of what I see. And I know the public doesn't see those folks, but they're carrying the SPAR programs on no matter what, and making them available to both the kids and the seniors.

Councilman Shyne: Mr. Chairman, just one more statement in relation to that and then we'll move on. It was kinda like (inaudible) Jackson told Colby Bryant at the ball game, and I think Colby dropped in about 51 points. And Colby said, "Well Coach, I think I kinda lit them up tonight, didn't I?" He said, "Yeah Colby, you did 51, but I really think you can do about 62 the next game." So, I'm saying that to say this - - - We have employees that are going above and beyond the call of duty, but I think we have some that could go just a little bit further, and Phil was right, Colby dropped in 51, but he said now the next night, I need 62 out of you. So, that's the kind of mold that I kinda come out of. I appreciate what you're doing, but you know when we look around, all of us might need to step it up a notch. And that's what we've got to do, because we're living in some troubled times. That's what we've got to make sure that we do. Mr. Chairman, thank you.

Public Hearing: None.

Adding Items to the Agenda, Public Comments, Confirmations and Appointments.

Adding Items to the Agenda (Clerk reads items into the record - public comments allowed on items proposed to be added, then items can be added only after unanimous vote [See Act 131 of 2008])

The Clerk read the following:

1. **Resolution No. 140 of 2009**: A resolution to declare July 25, 2009 “Booker T. Washington High School Class of 1969 Day” in Shreveport, Louisiana and to otherwise provide with respect thereto.
2. **Resolution No. 141 of 2009**: A resolution to authorize and accept the receipt of funds from the Louisiana Housing Finance Agency; authorizing the execution of contracts, documents and instruments on behalf of the City of Shreveport relative to receipt and disbursal of the funds; authorizing the disbursal of the proceeds of loan funds to qualifying person; and to otherwise provide with respect thereto.

Councilman Webb: Is there anyone in the Chamber that wishes to speak in favor of or in opposition to adding this to the agenda?

Motion by Councilman Walford, seconded by Councilman Shyne to add Resolution No(s) 140 and 141 of 2009.

Councilman Shyne: I would really appreciate the ones for the Booker T. Washington High School, if we could put that on, Mr. Thompson, if we could add that and approve it?

Mr. Thompson: It will come up for regular (inaudible).

Councilman Walford: It's up today.

Councilman Shyne: Good, good, and I would appreciate getting the support of the Council for that. Booker T. Washington has been one of our better High Schools here in the State of Louisiana and in the City of Shreveport, so I would appreciate that. Thank you Mr. Chairman.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Public Comments (*Comments on items to be adopted*)

Councilman Walford: Ask him if it feels different down there.

Councilman Webb: Does it feel different down on that side Mr. Serio?

Mr. Phil Serio: (8726 E. Wilderness Way) Gentlemen it does, and I tell you what, it's a whole lot less pressure down here on this end of the table, believe me. I tell you what. I've come to you today, we've got an issue going on in our neighborhood, and what we have is the proposal for a Used Car Lot from the edge of our neighborhood. And I don't know if you're familiar with the neighborhood, unfortunately, I had a nice power point, but its not going to work for me this afternoon. Julie, how are you doing? Good to see you, been a while. What we have is a used car lot that wants to develop in the old Citgo station which was originally an Esso station. And so what I'm going to ask you to do, I've presented you with a copy of the presentation, and I'm going to go through it with you and hopefully, we can look at why this just does not belong in the neighborhood and of course we've spoken with the folks in Eden Gardens, there are a lot

of our signatures that are on the petitions that you have, and you've received, you're going to find that a lot of the folks that have signed that are out of the Eden Gardens neighborhood as well. This location is directly on the corner of Albemarle and Line, which is on the edge of the library. And so what I'm looking at right now is that - - - here's some of the comments and the thoughts that occurred to me. "Hey kid, get out of the street, can't you see I'm trying to do a test drive?" As you've got people driving through your neighborhood, or the other one is, "By this time next year, we'll have cars, flags, and tethered balloons from here to the loop." Somehow it just doesn't work when you've got houses of the caliber of the neighborhoods we have. Or when your property values go down, think of all the City and Parish taxes you'll save, by having a used car lot out front. Used car lots in the back of the presentation piece that I've got for you, I've got the copies from the neighborhoods, from the newspapers, Murfreesboro, Tennessee, some businessmen area active in organizations trying to improve the Murfreesboro Pike area of town, and what they're having a problem with are vacant properties, especially vacant gas stations, that have been turned into used car lots. This presented a problem. It's not just a problem here, it's also goes all the way up to Ontario, Canada. And what we find in Ontario Canada is really kind of interesting, because it illustrates here with the article that you have at the back of the page, is that we've seen that the used car lots create a blight. And on this street in particular called West Hill, in the West Hill area of town, which is Kingston Road, it is their main street. Much like Line Ave has always been Shreveport's main street. It stretches 80 some odd blocks, it's been one of the premiere streets of the town. A lot of people don't realize it's named Line Avenue because it's demarcation line for what was the Indian Territory and the U.S. Territory, and it's an important, it's a historical street in the City of Shreveport. Here, same thing, we see the same thing in Canada. There we're finding that when used car lots move in, other businesses move out. Issues. Shreveport's main street, neighborhoods are desirable because of location. If you've lived in this neighborhood, like I have for the last 30 years, one of the most intriguing things is that you can get anywhere. You've got 3132, I-49, you've got 511, you're close to Hwy 1, you're close to I-20. You can go anywhere in town and of course, it makes it a very desirable neighborhood. We're seeing folks that have moved out, come back in because of this accessibility. We've got shopping, dining, medical. We've got upscale business neighbors, we've got large medical areas around us. We've got a nice public library. One of the things that's important, we don't stretch the city resources, we're right there. We're right in the heart of town. We also are neighbors with Eden Gardens. In Eden Gardens, we've got a fundamental magnet, we've got Caddo Middle Magnet, we've got new developments, the Booker T. Washington Nursing Home, the A. B. Palmer Park developed when I was on Council, we had these developments, we've got new retail developments. Cedar Grove Branch Library developed in that time period. Mt. Olive Baptist Church rebuilt. Unity in Prayer Ministries has also rebuilt. We're central neighborhoods. We don't stretch police, fire or utility departments. We're central neighborhoods that were designed to last for generations. We've got multi-phased construction, which has meant a lot because inside of Springlake in particular, you've got streets that were built in the 50s, 60s, 70s, 80s, that's still under development. When you go into the neighborhood, one of the things you'll find is that it's always under development. It's not old at any one point, because it's always got something new that's developing. What we're looking for are

positive developments that encourage growth and expansion of the local business community. Used car lots don't. That's the dead end. When you hit used car lots in the neighborhood, that is the dead end. That is not going to give you any expansion. We're looking for growth that enhances the residential community. What we don't want to see is that we have to protect our children a little bit harder than we have to. That we have to do things and look for more protection, more police protection from people speeding down our streets, and cars that - - - we just had a high jacking in the neighborhood. I don't know don't know if you're aware of that. We just had a car jacking take place in the neighborhood two weeks ago. This is an issue that is very important to our neighborhood, and for everybody in that area of town. The ordinance. The ordinance says that homeowners, and this is what we're concerned with, we're concerned with the site plan, because it is inadequate. It doesn't do anything to protect the neighbors as provided in the ordinance. And what we're concerned with is the ramifications of having a car lot. It might look pretty the first time it's there, but when it's sold or when it goes away, the next one that comes in, it might be terrible. And used car lots just do not enhance property values. The other thing I think is interesting is that lets see how we got to where we are. We've got a B-3 development on the edge of a neighborhood, that at one time, was an Esso station. Mr. Wooley, I know you remember Esso. Mr. Shyne, you and I remember Esso stations. There was an Esso station at one time. You had to have the B-3 to be able to have a gas station on the edge of the neighborhood. At that time, they sold gas. They worked on your lube. They did a few things to make minor repairs, sold Cokes, a few cup cakes and that was it. Service stations do a little bit more now, than they did at that time. But at that time, it was a place where you could go in and get gas, it was a place where kids could ride their bikes up to and get free air. Things have changed. So, right now, what we're going to ask is to deny the request. And I think we're out of sync here, but we're going to ask - - - the solution right here is basically based on common sense. It's not a legal issue. When you start looking at family issues, it is not a big legal issue that has to be answered. It is not a big legal issue that has to be answered. It is - - - does it make sense to back this type of development up to one of your finest neighborhoods in this city? To back it up to the library, to back it up to retail development area that is under development and has room for development, and of course there is also the personal security issue. We're going to ask you to deny the request. We would also like you to do is look at maybe creating a special overlay district protecting the neighborhood until the Master Plan is completed. Because what we're looking at is from 3132 all the way up to 70th Street. That whole area from Springlake through Eden Gardens and Cedar Grove, does not need to have this heavy of a development backing up to the neighborhoods. Look at it and consider it. As the Master Plan comes together, we need to look at protecting the neighborhoods, and what we need to also do is modify the zonings to meet 21st Century needs. Something was said a few minutes ago about - - - before to the group that was looking to become part of the Master Planning group, the one Mr. Kirkland was addressing to was we're going back to the data from the 1950s. I can promise you, this area of town was so rural back in the 1950s, it's nothing like it is today. What we're going to ask you to do is to deny the request, and we hope that you'll listen. I've got some other folks, I've got a couple of lawyers who are going to speak, and try to touch on the legal issues, but I hope you'll consider this to deny the request for the used car lot. Thank you. You have any questions?

Councilman Webb: Yes Mr. Serio. How long has this lot been empty?

Mr. Serio: This lot has been empty, I would say two to three years.

Councilman Webb: The environmental issues, do you know if the tanks have been removed?

Mr. Serio: The tanks are in tact. We've got - - - there are two fiberglass tanks in tact right now. They have not been removed. From what I understand, the tanks are about ten years old.

Councilman Webb: Okay, and you say you've lived there in the area about 30 years, what other businesses have been in that location?

Mr. Serio: We've had a - - - we've had just a little local service station, where you could drive up to and the kids could get air in their tires, and you could always get a tank up or oil changed, or get your tires changed.

Councilman Webb: So other than gas station - - -?

Mr. Serio: That's it. That's all we've had right there. That's always been a service station as long as I can remember.

Councilman Webb: Okay, any other questions from anyone?

Councilman Shyne: Mr. Chairman, I just have one. Bea.

Ms. Johnson: Yes sir.

Councilman Shyne: When they get through, put the time up there so we can make sure that we kinda stick within our three minutes, and then we can move to give them some more time if we have to.

Ms. Johnson: Yes sir.

Councilman Shyne: Thank you Bea.

Mr. Serio: Mr. Shyne, I thought you were giving me a couple of extra minutes there.

Councilman Shyne: Well.

Councilman Webb: Well he'd asked me to give you more time, so we'd know time was going. But I will allow anyone on the other side speaking time.

Mr. Serio: Thank you Mr. Chairman. Appreciate your help.

Mr. Larry Russo: (8912 Creswell) Good afternoon. I'm going to take a more succinct approach, to the legal situation here. The zoning ordinance clearly provides that this applicant to put a used car lot at this location requires site plan approval. And in considering the site plan, the MPC, it is the responsibility of the MPC to ensure a safe, efficient, attractive, and well ordered community and best serve the interest of the public health, safety, and welfare. All uses including the site plan is approved by the MPC are to be harmonious and appropriate in appearance with the existing and intended care of the general vicinity. In this case, the site plan submitted by the applicant was terribly inadequate. It was a single sheet of paper. It didn't have any particular specifications as to what they were going to do other than demolish the gas pump and canopy, put up a rod iron fence, and locate a mobile home on the property in order to sell used cars. The MPC considered the site plan, this came before the MPC. The applicant asked for an extension to improve the site plan. They were given a 30 day extension to improve the site plan. The MPC made itself available to the applicant to help the applicant improve the site plan. The site plan did not improve in one respect from the very beginning of the process to the end of the process. The MPC, I thought gave a very learned opinion. They said the site plan submitted by the applicant was inadequate. It failed to address the curb cuts

and traffic plan it properly. It failed to handle the screening concepts like fencing adequately. It failed to come up with proper landscaping plans. It failed to address the density and the number of vehicles on the site. It did not give sufficient attention to light intensity. And it failed to address the signage issues. So, this applicant in this case really did not make much effort to try to satisfy the requirements that the MCP is required to satisfy, before they could approve the site plan. So, I see this is vastly different than the Sonic case, which there is much discussion about. In that case - - - in this case, the MPC voted unanimously to deny the site plan. In the Sonic case, the MPC voted unanimously to approve the site plan. It's a vastly different situation. So, in this case, I see no reason for us to reverse the fine work that's been done by the MPC. They considered everything they were supposed to consider. They offered the applicant every opportunity to do what they were supposed to do to get their site plan approved. They didn't meet their burden of proof, they failed to put forth the proper amount of effort. I understand they've submitted another picture, that's colored and looks real pretty. It has no specification, in addition to what you can see on the picture. So again, we just got a situation with an applicant that is not putting forth the effort to come up with a site plan that is going to help protect this neighborhood. And if you can judge by the fact that they're not putting forth the effort at this stage, they're not going to put forth the effort as we go down the road, when it comes down to managing that site in a way to protect the neighborhood. So I ask you to please uphold the decision of the MPC. Thank you. Any questions?

Ms. Lisa Folsom: (8313 Ashbourne Dr) I am here, I am an attorney, but I am primarily here as a homeowner. I live in the Springlake area. I have children I'm raising in the Springlake area. I was also raised in the Springlake area, and remember when that was an Esso station. I am concerned. I do not understand why putting a used car lot on the edge of our neighborhood is a good idea. I can't phantom what it may do to crime in our area for our children. My children walk to the library which is going to be right behind the used car lot. I am concerned that the zoning ordinance is not met, that the spirit of it would be violated by placing a used car lot here. Mainly as Mr. Russo has pointed out, the zoning ordinance requires harmonious use of the property. I don't think a used car lot is harmonious, and in keeping with the neighborhood. Further, the uses of the property are not to be hazardous or disturbing. I think there are issues concerning lighting. This backs right up to Ashbourne Drive and Albemarle, I think they're going to have to light this up like Fort Knox in order to prevent crime issues. I think that is a serious problem with those neighbors who are right there on the perimeter. Clearly I don't think it meets the standard or the spirit. The library next door, the school down the street. There are two neighborhoods that would be affected. I also have questions about hazards. I don't know - - - I know there are other car lots in other areas of town that keep cash on the premises. Because they take pay by week. I don't know what kind of situation that would involve. But that concerns me. At any rate, I think this was B-3 originally, because the neighborhood needed a service station. And I was one of the people that went up there and filled up my bicycle tires with air. We went up there, we rode up there and got Cokes when I was a kid. I don't think that is the intent of the B-3 now. And I believe that the Metropolitan Planning Commission was correct in their decision. I believe this would negatively affect our neighborhood, and I would ask that respectively, that you approve the MPC's ruling. Thank you. Any questions?

Councilman Shyne: Well I have one. Ms. Folsom, I was kinda surprised after Phil made the statement that only he and I would remember when there was an Esso station up there. And you came up here and said you remember.

Ms. Folsom: I do remember. And it was an Esso to begin with and then it was an Exxon, and then it was a Citgo.

Councilman Shyne: Phil, you see that? Thank you. I like that Councilman.

Ms. Dorothy Moore: (513 Marlborough Cr) We lived there for 40 years. And my main reason for being here right now is we have gathered over 660 signatures against the used car lot going there. I cannot believe that anybody would put something there that, that many people object to. Thank you.

Confirmations and Appointments: None.

Mr. Thompson: Mr. Chairman, there was some discussion earlier about moving C-26-09, Property located on the NE corner of Line Avenue and Albemarle, Shreveport, LA Site Plan Approval because of the number of people here. I didn't know if (inaudible)

Motion by Councilman Wooley, seconded by Councilman Shyne to suspend the rules. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Motion by Councilman Wooley, seconded by Councilman Long to bring this case forward. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

MPC APPROVAL

C-26-09: Property located on the NE corner of Line Avenue and Albemarle, Shreveport, LA (Site Plan Approval-No Ordinance required) (D/Wooley)

Motion by Councilman Wooley, seconded by Councilman Bowman to uphold the decision of the MPC.

Mr. Wooley: Charles, can you come forward? Just give us a summary on the actual case.

Mr. Kirkland: On the used cars?

Mr. Wooley: Yes.

Mr. Kirkland: There's not a whole lot I can add to your motion to uphold the MPC. That's the prerogative of the City Council. Obviously, I think the people who were speaking against the use articulated extremely well. Like Mr. Russo for example. He's a lawyer, an experienced lawyer, essentially land use. He said it about as well as you can say it. Opportunities were there for the applicant to respond to delay, the MPC granted as opposed to - - - I think the lawyer initially for the client wanted to withdraw it,

and then he wanted to withdraw it so they could work on the site plan and (inaudible) it, we'll just defer it and give you that opportunity. It came back virtually the same site plan. And then the MPC acted, and duly noted for the record, motion by Mr. Sprawls all the reasons why they felt the site plan was inadequate.

Councilman Wooley: Thank you Charles.

Mr. Kirkland: And it was unanimous as someone pointed out the decision, and so that meant the Board, a very diverse group of people just like you, did not see any reason to prolong it. I don't know if there's anything else Councilman you would like.

Councilman Wooley: I just wanted you to make those statements.

Councilman Walford: I do have some questions here. The discussions by the MPC Commissioners, did they address the site plan during their consideration, or did their discussion go more with the neighborhood not wanting a used car lot?

Mr. Kirkland: Site plan. The Board stayed and I have to make sure, I don't recall a single Board Member who went anywhere other than the site plan or what I think were termed as inadequacies, or deficiencies, or they did not get into the use itself, in terms of denial because of the use, but denial because of the site plan which was legally the matter in front of them.

Councilman Walford: Let me read you a couple of comments then. "Because that's B-3, I would say I would want a B-3 around no neighborhood." Then skipping down, it says, "I wouldn't want a car lot nowhere near an area I lived in and we're talking about 'The Next Great City, Shreveport is taking your property value, it's still a car lot. They are not brand new, they are used cars. I know it's B-3, but it's a neighborhood, and most of these car lots, what they are doing, there is - - - they are car lots, then they turn into another car lot where they are fixing cars, and I'm saying this because I live in the neighborhood, and I don't want car lots coming into our area."

Mr. Kirkland: Are you quoting one Board Member or two?

Councilman Walford: That was a Board Member.

Mr. Kirkland: Oh, they're talking about neighbors?

Councilman Walford: No sir. This was one of your commissioners.

Mr. Kirkland: Okay.

Councilman Walford: I'm curious if there was any real discussion of the site plan and what was wrong with it. And I go on over and another commissioner says, "My mom used to say all the money is not good money. So for harmony with my neighbors and my fellow man, sometimes I mean you have to live in that neighborhood. Maybe you need to think that all money is not good money. So maybe being better off with my neighbors and fellow man, it might be a better choice." Nothing about the site plan, they're talking about the type of business.

Mr. Kirkland: That's not unusual. You spent a number of years Mr. Walford on the Zoning Board, and the public and Board Members occasionally will discuss everything under the sun.

Councilman Walford: But my point is (inaudible).

Mr. Kirkland: What's important is when they get to the conclusion. Sir?

Councilman Walford: I can't find that they discussed the site plan.

Mr. Kirkland: When you read the decision of the Board, it was spoke specifically and directly to the site plan. And that's what counts in terms of that Board and what they

recommend to anyone who would review that decision. You don't take apart any particular citizen's comments. Citizens will tell us everything under the sun (inaudible)

Councilman Walford: This wasn't citizens, these were MPC Members, and this was the debate. This is a verbatim transcript of the debate. And they just never talked about site plan.

Mr. Kirkland: Mr. Walford, what is the decision say? Now if you're for the applicant that's fine.

Councilman Walford: I'm not for the applicant. As you know, I'm a little miffed about this whole process is going, and it goes back to another case that we've had. I don't think that site plans should be used as a tool to deny someone their use by right.

Mr. Kirkland: The decision does not say that. The decision speaks to the site plan. Mr. Sprawls ticked off about six or seven things specific. The Board agreed with that and that motion passed, and all I can tell you is that Board Members again, as you know, more than some other folks from having served on the ZBA, you know that they'll discuss almost everything under the sun. The Board Members will and the public will.

Councilman Walford: I understand that, but what I'm saying is I'm concerned that when a property owner has a use by right, and the Sonic case is another one that I didn't agree with the decision. I agreed with the MPC decision, and it - - - the discussion that I read addressed the site plan. The applicant in that particular case bent over backwards to accommodate. That might not have happened here.

Mr. Kirkland: Well when you're drawing a conclusion between the Sonic case and this one, as Mr. Russo said very well, the responses by the applicant to the site plan, Sonic said almost every single thing that's an issue including curb cuts on the side, they removed them. Including additional landscaping, they provided it. And that one spent a fair amount of time at our level, the MPC level. The bottom line was Sonic responded almost everything requested, and that's the reason, in my opinion, MPC approved that case. And then this case, the Board got almost nothing in response to the delay for improving the site plan. In my opinion, I don't know this, had a very good site plan been responded back to by the applicant, that might well have been a different decision. But I can't say that, because they had to work with what they had.

Councilman Walford: Okay, and so I guess where I'm going is, would everyone be better served, the property owner having the use of his property be better served to remand it back and have them work with the staff and develop a site plan, as opposed to -

--

Mr. Kirkland: Well, that's the Council's prerogative as you well know, to modify, remand, approve, deny. The impression I got is that the applicant had met with the neighborhood, or some of the neighbors, in that interim period. And apparently drew a conclusion that there was very little they could do, and I'm just saying something I heard by the applicant, is that there was very little they could do to ever get the neighborhoods' approval, so therefore, what I heard them say was well, we just (inaudible) anything else. But I don't know, the only time you would know is on a remand, as you folks or everyone of you know we've had some extremely difficult cases. Not the least of which that on the interstate area and others, that have been remanded back, and a fairly decent result came back.

Councilman Walford: And that's what I (inaudible).

Mr. Kirkland: But that's up to you and the Council.

Councilman Shyne: Right, that's our decision.

Mr. Kirkland: Exactly. And whatever this Council decides you are the final decision makers unless it goes to the courts, and whatever you decide, I can tell you the MPC and or the ZBA will do our best to try to work with whatever you recommend.

Councilman Walford: Okay, with that Mr. Chairman, I would make a subsidiary motion to remand it back to the MPC for further consideration.

Citizen: Mr. Chairman, if I could interrupt, and you could recognize for a second.

Councilman Webb: No, you're out of order sir.

Councilman Long: I'll second that for discussion.

Substitute motion by Councilman Walford, seconded by Councilman Long to remand C-26-09 to MPC for further consideration.

Councilman Webb: You need to have a seat sir, you're out of order.

Citizen: Your honor, is there someone here who could - - -?

Councilman Webb: You need to have a seat sir, you're out of order.

Citizen: On behalf of the applicant?

Councilman Walford: Mr. Chairman, I do have discussion.

Councilman Shyne: Well hold it, hold it. You gotta see what kind of see how the

- - -

Councilman Walford: You're going to vote on my motion before we discuss it?

Councilman Webb: No go ahead and discuss it then sir.

Councilman Walford: Joe wants to vote.

Councilman Shyne: I sure do. You discussed it.

Councilman Walford: That was on a previous motion. I'm allowed 10 minutes.

Councilman Shyne: Okay, go head on and take your 10.

Councilman Walford: Again, you all know that I was not pleased with the previous decision that went forward. I think that we're sending a terrible message for economic development, we're sending a terrible message for property owners. To me, sending it back to the MPC, having them at their level where the site plan is supposed to be developed, work it out, to everyone's satisfaction. And then if it's appealed, it comes back here. If it's not, it's a done deal. That certainly seems to me to be fair to the applicant. It certainly seems to me it would be fair to the neighborhood. The neighborhood is going to have to recognize that there is a use by right for a used car business there. Now, we could go back, and this same neighborhood, fought a bank in my previous Council term, and it got to be a very heated discussion. They didn't like the B-3, they didn't like the bank, and yet nobody has come forward in that four years or so, and tried to rezone or down zone to B-2, (inaudible) made such a request. So to me a remand would be the fair way to go for the applicant. It would be something that I think in good conscious we should do.

Councilman Long: Mr. Rios did make a good point, they have not had a chance to - - - did y'all not fill out a card in advance? Might they be given the opportunity to state their case?

Councilman Webb: Well I will allow that.

Councilman Long: Well, that's what I was concerned about.

Councilman Webb: Well I have a question.

Mr. Kirkland: I have - - - Mr. Walford, just for clarification, I've always understood from the Council remands, is that we're to review the decision in light of anything you recommend as well as if you don't, we just review it, make a determination, and it comes back to you for final action. It would not have to be appealed back to you, but again, maybe the City Attorney would have to tell us - - - I don't think that it can die at our level. For example, I think on a remand, it has to come back to you. It doesn't mean the Board's got to approve it. It just means they've got to work with it and follow your direction as much as possible, and then send it back to you with their reconsideration, is what it amounts to. And I can ask the City Attorney to tell me otherwise. We've never had something remanded and the public was not required or the applicant to appeal it back to the Council.

Councilman Walford: But normally a site plan doesn't have to come to us unless it's appealed.

Mr. Kirkland: The only way a site plan comes to you is in appeal, that's correct.

Councilman Webb: Mr. Kirkland, let me ask you a question. Did this case not come before the MPC twice? Because the first time - - -?

Mr. Kirkland: No sir, what happened the first time that we heard this case, actually at that point and time, the lawyer had a, Mr. Rios had sent a letter requesting the Board to allow him to withdraw it. And then at Public Comments discussion, his comment was that the reason that they wanted to withdraw it, if I remember it correctly, was to work on their site plan. And the Board Members and I all said, 'Well, the Board can simply defer your request, and you can work on the site plan during the next 30 days, or'

Councilman Webb: Well, did they do that?

Mr. Kirkland: Yes sir.

Councilman Webb: They did do that, so then they come back?

Mr. Kirkland: Then it came back and

Councilman Webb: They came back with a different approach or a different - - -

Mr. Kirkland: Well no, the site plan didn't change.

Councilman Webb: Okay, they came back with the same site plan, they came with the first time.

Mr. Kirkland: Same site plan, same use, same request, and the Board heard it, heard any opponents there were, and heard the applicant, and then the Board made a decision.

Councilman Webb: Councilwoman Bowman, did you have a question or a comment?

Councilwoman Bowman: No I didn't particularly, I would think that you all did fill out a card to speak though, therefore their thing in my opinion would have been to allow them to do it, but before you do that Mr. Chairman, I would certainly as always and Jerry, get out your pen and pencil cause it will be coming up again as always. I'm always for the citizen, in every community, and every zoning case that deals with the MPC that comes before this Council, I am very consistent with my vote. My vote is always for the people. What happens with communities, what happens with neighborhoods when the citizens lose their voice. And when they send me here to vote on behalf of them. That's why I'm here. I'm here for the citizens, and that hasn't changed for the entire time I've

been here, and it won't change today Mr. Chairman, and I think at some point, I would request that those in favor of this and those in opposition to stand.

Councilman Webb: I'll do that. Councilman Shyne?

Councilman Shyne: Mr. Chairman, Charles, let me take this off you. This is not your decision to make at this particular point. This is our decision to make at this particular point.

Mr. Kirkland: Absolutely.

Councilman Shyne: So, I don't want you there with all of this on your back.

Mr. Kirkland: Well thank you Mr. Shyne. I'm sure these neighbors out here wouldn't want that either.

Councilman Shyne: Because this is not - - - right, and you know I guess I've been down here so long, until I understand. You all have done an excellent job, you all passed it on to us, and I'm one of those people who don't mind making a decision whether it's tough, or whether it's good, or whether you agree with me, or whether you disagree with me. I'm going to make a decision, and you have done what you need to do, so I'm not going to try to throw this back on you and then let you bring this back after you've looked at it, because you've looked at it long enough. Now it's time for me to look at it. The only other thing Mr. Mayor, Mr. Chairman that I would say is - - -

Councilman Webb: Please don't call me Mayor.

Councilman Shyne: Well, I'm sorry Cedric about the rumors I'm hearing out there. I'm just kidding, I'm just kidding on that. But I meant what I was talking about Charles, I'm just kidding Mr. Mayor on the rumors that I heard.

Mayor Glover: Jump on in, the water's fine Mr. Shyne.

Councilman Shyne: I'm talking about Ron since I called him Mr. Mayor. But the only other thing Mr. Chairman I would say, I think we by right, this is a true democracy at it's best. I think by right, we need to give the applicants an opportunity to come forward and express their feelings, and I don't know whether it's because they did not understand that they needed to fill out a form where you needed to speak or not, but at this particular point, I mean if it's alright with everybody else, I would - - -

Councilman Webb: Well, let me ask Julie how do we handle this. We've already suspended the rules to bring this case up, and so we got two motions on the floor. How can we - - - can we suspend the rules to allow the applicant?

Ms. Glass: Yes, yes I think we can. Or if there is no objection, you can just - - -

Councilman Shyne: Mr. Chairman, I tell you what, let's vote on Monty's.

Councilman Walford: I would make a subsidiary motion to - - -

Councilman Shyne: You got a motion on the floor.

Councilman Webb: Go head Councilman Walford.

Councilman Walford: So, you want to vote on my motion before he speaks?

Councilman Webb: What would you like to do Councilman?

Councilman Walford: I would like to suspend the rules to allow three minutes for each.

Motion by Councilman Walford, seconded by Councilman Shyne to suspend the rules to allow the applicant to speak. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Mr. James Ballangee: (800 Spring Street, Suite 205) I'm the owner of the property in question. And excuse me, I had a lot ready to say, but I kinda feel like we've kinda we've kinda gotten passed that. But there are a few things I'd like to address. The original hearing, we requested a deferral to meet with the neighbors, because the - - - I guess the interest was higher than - - - we didn't expect that, so we asked for that time in meetings with the neighbors. We did not discuss use, there was strictly to discuss the - - - where they discussed use, not site plan. And honestly, I didn't know it was a - - - I thought it was a very factual, these are their (inaudible), they could do it. I got out politicked. I understand that. I didn't realize it was a political decision. I thought it was a business decision. So I take responsibility for that. I'm not asking the Council to overturn it, I'm asking for a chance to operate a business there. When I bought the property, it was zoned B-3. I don't want to devalue the neighborhood, I feel a little bit offended by some of the personal attacks. You know a used car lot is not necessarily a bad thing. I happen to own a really nice one in Stonewall. It's a new and used car lot. And I take offense to the fact that I'm assuming that it's going to be bad. And Ms. Vice-Chairman, I'm a citizen also.

Councilwoman Bowman: Sure.

Mr. Ballangee: I mean I appreciate you want to represent the citizens, so all I'm asking for is a fair hearing based on the rules. It's been - - - you know I've heard repeatedly that some of the Council already made up their mind before we ever got here. And I understand that and I accept that, but I'm asking for it to be remanded to the MPC, address the site plan issues. If they still like to refuse it, then we can come back here and just ask that you give us a fair hearing based on what the facts are. And not the fact that they happen to have more people here. So thank you for your time.

Councilman Webb: Okay, hold up before you leave. Questions Councilwoman Bowman?

Councilwoman Bowman: I don't have a question, I do have a comment, and that is I said that I speak for the majority of the citizen in a community. I want to make that correction.

Mr. Ballangee: And I would say that that's the vocal group, that's not necessarily the majority, and I would take exception to that.

Councilwoman Bowman: Well, the majority is what I see here today, sir, and I'm not going to sit here and argue with you.

Councilman Walford: Just one brief question. If this is remanded, let me back up. Are you working with an architect, a designer, or - - -

Mr. Ballangee: Yes sir, we are. With Mr. (inaudible) Kellogg.

Councilman Walford: If this body were to remand it back to the MPC, do you see the possibility of re-designing. I have not even seen your site plan.

Mr. Ballangee: Yes, we had met with the MPC after we were denied. The architect met with Mr. Kirkland, has redesigned the plans for taking into account the items that were on the refusal which were - - - there was a retention pond issue, there was placement of trash cans. The architect said that the lightening issues would be handled in permitting which was also set during - - - that that would be a permit issue as well. And we did not file a detailed enough site plan, because I didn't know that we had to. And I didn't realize that we only got - - - that we got one bite at the apple, and so we spent some time and talked with the neighbors and didn't correct the site plan which was incorrect,

but we are willing to do that, and have presented an alternative that had the fewer number of cars that they requested, more landscaping, more buffer between the neighborhood.

Councilman Webb: When you went back to the MPC for the second time with this case, why did you go back with an unchanged site plan?

Mr. Ballangee: We had not gotten any comments that the site plan was the issue. We did not have the - - - we did not take the time to spend with the MPC, that was a mistake, that we addressed the site plan issue. In the neighborhood meeting, they addressed the safety issues from some of the driveways, I don't know I was not present. So, the site plan itself was, you know, we were under the impression it was more of a question of the use, than that they had a problem with the site plan.

Councilman Webb: Any other questions? Okay, thank you sir. Sir, were you wanting to comment, you stood up a moment ago? Oh, she does? Okay, give us your name and address for the record.

Karen Courtman: (800 Spring Street, Suite 205) I am the director and manager of Mr. Ballangee's business interest in Shreveport, one of which is the Springlake Service Center, which is the true property owner for the site that is in question. And I think one of the biggest - - - the first issue that I would like to address with the Council is a misconception that has been out there since the June MPC meeting, was that we did not come to the MPC staff to work on this. When we started this process, it was in March of this year. On March 17th, one of our staff members took the completed report, everything that you needed to file an MPC site plan and met with MPC staff on Tuesday, March 17th. She went through all of the forms, presented the site plan that Charles Kellogg had presented to us, and that we had paid for him to do at the time to MPC staff. I'll provide a copy of it. I'll continue, while the site plan goes up. She found that the MPC staff extremely helpful. They gave her great information on what they needed, and then after she completed the paperwork, she said, 'What do we need to do next?' And the comment was you need to apply for a subdivision. So, we spent the next week, her and a surveyor, applied for the subdivision, and then on March 24th submitted our application to the MPC. She repeatedly asked them what do we need to do next, who do we need to meet with? And we were told the next step in this process was to go to hearing and we would receive a letter, a week before our hearing and that we needed to have someone there. Which we did. As the hearing date came close in May, it became - - - it was brought to our attention that the neighbors were not happy, and we debated the day of, should we pull it down, should we defer, what is our course of action? How do we address this? And it was decided by myself and Mr. Ballangee and Mr. Rios, that we should defer it at that time. But the directive, I was at that May MPC meeting, the directive of the commissioners wasn't to improve our site plan, the directive was to meet with the neighbors. Mr. Smith sat right there and said you need to meet with the neighbors, you need to be a good neighbor, meet with the neighbors, and that's exactly what we did. I called Mr. Serio, a week or two later, he organized a meeting of the neighbors, and we met with him for over an hour. We presented a Phase I, and Phase II environmental of the site that showed we had our tanks inspected and that they had clean environmental, and we talked about their issues, and we were asking for what is your input on this site plan. We were told they didn't want 18-wheelers in the driveway unloading, They didn't want test drives through the neighborhood, they had safety issues, they were concerned about a gate on Albemarle, we explained it was a pedestrian gate, that there was no - - -

that you could not get a car through the gate on Albemarle, it was strictly for pedestrian use. And the overall feelings that I came out of that meeting with the neighbors was that it really didn't matter what we did with the site plan, it wasn't going to be acceptable. And so, we tried to work with it, but it was never understanding that it was mandated that we meet with MPC staff. We had done that. We did that on May - - - on March 17th, we met with them. And had no clear understanding. And maybe, you know as my part as staff, we should have explored that. But because our directive from MPC in May was to meet with the neighbors. That's what we did. So when they say we came back with a site plan that was virtually unchanged, it was. But it was because of what I believe our directive had been. So I think, you know (inaudible) I have heard, I was at a dry second neighborhood meeting, and I've heard quotes like 'You know the applicant had their shot and they blew it. The applicant did not rise to the occasion.' What we're asking for is a remand, so that we can rise to the occasion. So that we can go back and work with these neighbors. I think all the Council Members have been - - -

Councilman Shyne: Mr. Chairman, let me move to give her some more time.

Councilman Long: Second.

Councilman Webb: I was going to allow her all the time she needed. I felt like (inaudible)

Ms. Courtman: I appreciate that. I've got a lot to say. I probably need about five more minutes.

Councilman Shyne: Let's give her five more minutes.

Ms. Courtman: Five more minutes? Thank you Mr. Shyne.

Councilman Shyne: So we can be consistent.

Ms. Courtman: Well I appreciate it. So, the first we heard that we needed to meet with MPC staff, but that we had not met with MPC staff was at the June meeting. Can you show this site plan? There you go, put it right here. So, this site plan was now drawn up in response to meeting with MPC staff after we were told we were supposed to. I think all the Council Members have been given a copy of this. What I'd like to address with you now is the actual reasons for denial by the MPC. I'm reading from the Metropolitan Planning Commission's Land Use Report on May 6, 2009. And it said Boards Decision 6-3-09: The Board voted 6-0 to deny the application due to incompatibility with the neighborhood, including some of the following deficiencies in the site plan:

Inadequate screening from surrounding residential uses (wrought iron fence). Here are the residential uses right here. Here is the zoning around it. This square right here is our property. As you can tell, it's zoned B-3, but then so is the lot next to it, that the Caddo Commission owns, it's part of the library. The library - - - but this entire lot back here is for sale, and it's zoned B-3. So, our property does not abut up against neighborhoods, it abuts up against another B-3 district. Noncompliance with even minimum requirements of the Landscape Ordinance. Okay, we didn't do that, but I think you can tell now that we believe we've gone over and above with new landscaping requirements and this comes out of meeting with the MPC. The number of cars for display as shown on the site plan is too great to be compatible with the neighborhood (20-25 cars would be more appropriate). If you count the spaces we're at 25 cars. This one I have a really hard time with. Dumpster locations were not indicated on the site plan. They weren't indicated on the site plan because there is not dumpster. This is an office, we didn't have a dumpster, we don't need a dumpster, but somehow, no one through the course of reviewing our site

plan even asked why we don't have a dumpster. But however it was given as a reason for our denial. Citing public safety as an issue, all driveways except one driveway on Line Avenue (furthest away from Albemarle) should be removed from the site plan. A memo received from LADOTD Traffic Engineer, Keith Tindell, described the traffic conflicts associated with the driveways. The emails sent to Mr. Serio on May 13th. We received a copy of it the morning of the June 3rd MPC hearing. We read it, his recommendations that he said about not being safe, about too many driveways, was based on the current layout of it. He never even saw the original site plan as presented. So he made his recommendations about safety based on the way it looks now, and I don't think anyone has that intention. We had already submitted a site plan that took away the curb cuts on Albemarle. But in response to this, in our meeting with MPC in June, you can tell that the curb cut is now down to one, the farthest away from Albemarle, and that we have turn arounds now in the parking lot for emergency vehicles. And I think I'd like to piggyback a little bit on what Councilman Walford said. Which is the reason for our remand is to go back and do this right. Go back and do it right the first time. But we do not believe we were given fair and deliberate consideration of our site plan at the MPC hearing. And he's already read a couple of the quotes to you, why we felt like Council Members were coming in with a bias against the use of the property, not the site plan. And let me read one more. And by the way, I'm reading from - - - we had a court reporter take a trans - - - took the DVD of the MPC hearing on June 3rd and had a court reporter do a transcript which all Council Members were provided when we sent the site plan. This is Commissioner Sprawls who listed all the deficiencies in our site plan. He did not ask any questions of us during the time of our presentation, and he was not present at the main meeting. However, this was his direct comment from page 56 if you have your copy in front of you. Landscaping and buffering, you're talking about a B-3 use. And I personally make a distinction between a B-3 use that's right in the middle of a business commercial area, versus a B-3 use that's right at the entrance of a residential subdivision, wherever that residential subdivision might be. That is a use issue. That is a use issue. That is not addressing the B-3. When I read Article VI, Business Districts of the Shreveport Code of Ordinances, Section 106, 3676 generally, the B-3 districts are composed of land and structures used to furnish. In addition to the retail goods and services found in the neighborhood. Business districts such less frequently needed goods as clothing and automobiles. There is not distinction made in the City Shreveport Code of Ordinances that a B-3 is considered differently for a commercial district or a residential district. That's a use issue, that's not a site plan issue. And in Section 106, 3678 saying uses by right, automobile and truck sales. Whether the primary function is the retail of new and/or used automobiles. Now, I do actually - - - I do disagree with Mr. Russo, and Mr. Kirkland about what we call the Sonic case right now. Because yes, how we got here to be in front of Council was very different. They were approved by MPC, we weren't, but we're still here right now. And I'd like to read what I believe are a couple of the relevant comments from the opinion that apply to our issue. Page 2 of the opinion. The Chairman of the MPC defended it's decision saying all the objections were to the use, not to the site plan. And that the approval process was not intended to deny a plan that conformed to zoning. He added that zoning hearings are not a popularity contest. We're asking for the same consideration. Let us go back and get a fair and deliberate hearing at the MPC level. One more comment I'd like to read from the

opinion, aside from ranks speculation, no one presented any proof would diminish the property values. We have the same thing We've asked for it and I believe several Council Members have asked for some proof that our business would diminish your property values. If we relied on rank speculation, then it would be so easy for us to say guess what, our property is being devalued. You have now affectively told any potential buyer and we've made it very clear this lot was for sale for three years, and no one tried to buy it, that yes, you may think you're buying a B-3, but that doesn't necessarily mean you'll get your use by right, whether you're a bank, or whether you're involved in car sales. The last comment from the opinion. Finally, we are guided by the principal that zoning ordinances and actions must be construed in favor of the use, proposed by the owner. We're asking for the same consideration. Please remand this back so we can work on this at the MPC level. Thank you for giving me the time to speak.

Councilman Webb: Any questions? If we have one more that wanted to speak? Okay. I guess we need another motion to - - -

Councilman Shyne: There is a motion on the floor.

Councilman Wooley: Just for clarification, can you repeat your motion?

Councilman Walford: My motion was to remand back to the MPC to basically see if they could work things out. And if they can't, the MPC just sends it back as it, and then we take whatever action we feel is appropriate.

Councilman Webb: Lets vote on that.

Mayor Glover: I know I don't get to vote in this process, but I also know that since you've had some information that's just been presented, I don't know if it would be the appropriate thing to do to allow since what's just been shared was not known to the neighbors or to Mr. Serio or anyone else, prior to this motion being made, I don't know if the interest of fairness of hearing from the neighborhood, whether or not they would have any comments in response to what Ms. Courtman just said or Mr. Ballangee just said.

Councilman Wooley: I would suggest we go ahead and vote on this matter.

Councilman Shyne: Right.

Councilman Webb: That's what I think we'll do, we'll go ahead and vote on it.

Motion to remand C-26-09 to MPC for further consideration failed by the following vote: Nays: Councilmen Wooley, Webb, Shyne, and Bowman. 4. Ayes: Councilmen Walford and Long, 2. Absent: Councilman Lester. 1.

Councilman Wooley: Mr. Chairman, I would go ahead and move forward with the other motion.

Councilman Shyne: I'll second.

Councilman Webb: Hold on one moment. Julie, I'm lost as to where we're at. Do we need to - - -?

Ms. Glass: Go back to Councilman Wooley's motion now.

Councilman Webb: We can accept Councilman Wooley's motion.

Councilman Wooley: And just for clarification, my motion is to uphold the MPC decision.

Councilman Bowman: Second.

Councilman Walford: We already had a second.

Councilman Webb: Yeah, we already had that motion on the floor, so now we're going to vote on the other one.

Councilman Wooley: I know, I just wanted to clarify it.

Motion to uphold the decision of the MPC, and deny the site plan approved by the following vote: Ayes: Councilmen Wooley, Webb, Shyne, and Bowman. 4. Nays: Councilmen Walford and Long. 2. Absent: Councilman Lester. 1.

Motion by Councilman Walford, seconded by Councilman Long to go back into regular session. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Councilman Webb: I'll take a minute recess if y'all want to stay, or if you want to leave before we continue on.

Councilman Shyne: Now if you all are enjoying yourself, stay.

Councilman Webb: We'll be out before 8:00.

Councilman Shyne: Don't leave us. Don't love us and leave us. Thank you.

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

RESOLUTIONS: None.

ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES

RESOLUTIONS: 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. 129 OF 2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHREVEPORT ACCEPTING THE FINDINGS OF A PUBLIC HEARING AS A RESULT OF THE NOTICE OF INTENTION TO ISSUE, SELL AND DELIVER NOT TO EXCEED ELEVEN MILLION DOLLARS (\$11,000,000) UTILITY REVENUE BONDS (SHREVEPORT WATER METER PROJECT), SERIES 2009A (THE ABONDS@) FOR THE PURPOSE OF FINANCING THE COST OF UPGRADES AND IMPROVEMENTS TO ITS COMBINED REVENUE PRODUCING WATER AND SEWER SYSTEM, INCLUDING, BUT NOT LIMITED TO, THE ACQUISITION AND INSTALLATION OF IMPROVED WATER METERS AND TO PAY COSTS INCURRED IN CONNECTION WITH THE ISSUANCE OF THE BONDS, SEEKING FINAL APPROVAL FROM THE LOUISIANA STATE BOND COMMISSION FOR SUCH PURPOSE; AND OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the City of Shreveport, State of Louisiana (the ACity@), applied for and on March 19, 2009, received preliminary approval and permission from the Louisiana State Bond Commission (ASBC@) to publish its Notice of Intention (the “Notice of Intention”) to issue not exceeding **ELEVEN MILLION AND NO/100 DOLLARS (\$11,000,000)** Utility Revenue Bonds, (Shreveport Water Meter Project) Series 2009A, to bear interest from their date of issuance at a rate not to exceed three and ninety-five hundredths (3.95%) percent per annum and shall become due and payable and to mature on or before twenty-two (22) years from the date thereof (the ABonds@); and

WHEREAS, on June 23, 2009, a public hearing was held pursuant to the Notice of Intention (the APublic Hearing@) and at such hearing, no petition of opposition thereof was filed which would prohibit the issuance of the Bonds without an election and the City desires the SBC to deliver its final approval for the issuance of the Bonds.

WHEREAS, the City desires for the Bonds to be privately placed with DHH in the manner prescribed by and under the authority of Part XIII, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950 as amended (LSA-R.S. 39:1011 to 1025 inclusive) (the “Act”), and other constitutional and statutory authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Shreveport, State of Louisiana, acting as governing authority of said City (the AGoverning Authority@), that:

SECTION 1. Public Hearing. Pursuant to and in compliance with the provisions of the Louisiana Revised Statutes and other Constitutional and statutory authority, the Governing Authority does hereby accept the findings of the Public Hearing held pursuant to that Notice of Intention to issue not exceeding **ELEVEN MILLION AND NO/100 DOLLARS (\$11,000,000)** Utility Revenue Bonds of the City, (Shreveport Water Meter Project) Series 2009A, and, due to the fact that no petition of opposition was presented objecting to the issuance of the Bonds, the Governing Authority desires to proceed with the issuance of the Bonds.

SECTION 2. State Bond Commission. Application be and the same is hereby formally made to the Louisiana State Bond Commission in Baton Rouge, Louisiana for final approval for the issuance of the Bonds.

SECTION 3. Publication. The minutes of the Public Hearing shall be published as soon as possible in the official journal of the City. For a period of thirty (30) days from the date of such publication, any person in interest may contest the legality of this resolution, any provision of the Bonds to be issued pursuant hereto, and the provisions made for the security and payment of the Bonds and the validity of all other provisions and proceedings relating to the authorization and issuance of the Bonds. After said thirty (30) days, no person may contest the regularity, formality, legality or effectiveness of this resolution, any provisions of the Bonds to be issued pursuant hereto, the provisions for the security and payment of the Bonds and the validity of all other provisions and proceedings relating to their authorization and issuance, for any cause whatsoever. Thereafter, it shall be conclusively presumed that the Bonds are legal and that every legal requirement for the issuance of the Bonds has been complied with. No court shall have authority to inquire into any of these matters after said thirty (30) days.

SECTION 4. Ordinance. The Bonds will be issued and authorized pursuant to an ordinance to be adopted by the Governing Authority.

SECTION 5. Costs of Issuance. The Governing Authority acknowledges that it has received from bond counsel a report of the estimated costs of issuance of the Bonds required by La. R.S. 39:1405.4(A).

SECTION 6. SBC Swap Approval. By virtue of Issuer=s application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission=s approval resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that is understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the AState Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc@, adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

BE IT FURTHER RESOLVED, that the Governing Authority hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City individually and/or collectively to do any and all things necessary and incidental to carry out the provisions of these resolutions.

BE IT FURTHER RESOLVED, that if any provision or item of these resolutions 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 to be severable.

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

Read by title and as read, motion by Councilman Shyne, seconded by Councilman Long to adopt. Motion approved by the following vote: Ayes: Councilmen Long, Webb, Shyne. 3. Nays: Councilman Walford. 1. Out of the Chamber: Councilmen Wooley and Bowman. 2. Absent: Councilman Lester. 1.

2. **Resolution No. 130 of 2009:** Directing the Chief Administrative Officer to request the Louisiana Department of Natural Resources, Office of the State Mineral and Energy Board, to lease certain mineral interest owned by the City of Shreveport and authorizing the Mayor to execute all documents relative to same; and to otherwise provide with respect thereto. (E/Webb)

Read by title and as read, motion by Councilman Shyne, seconded by Councilman Walford to postpone until the next regular meeting.

Councilwoman Bowman: Why?

Councilman Long: Well, let's have some discussion here.

Ms. Glass: Mr. Chairman, that was because it authorizes the making of a contract which requires advertising before final passage.

Mr. Thompson: It was introduced today, and it has to lay over.

Councilman Long: Okay. I got you.

Councilwoman Bowman: Mr. Thompson, so this will come back up in two weeks on the next agenda.

Mr. Thompson: Yesterday, I mentioned that yesterday, that it had to lay over.

Councilman Long: I remember now.

Councilman Webb: That it had to lay over for two weeks.

Mr. Thompson: That's correct.

Councilman Long: Mr. Chairman?

Councilman Webb: Yes sir, Councilman Long.

Councilman Long: Mr. Thompson, the terms of the - - - specific terms don't have to be defined at this point and time.

Mr. Thompson: Well I believe that Ms. Glass, she can speak to this directly, but I think that she's put certain terms in there and if they're to be changed, (inaudible) do it.

Councilman Webb: Let me ask you this Julie, could we call a special meeting?

Ms. Glass: Yes. A special meeting could be called after the resolution has to be on file with the Clerk and advertised one week in advance. But we could call it a little bit early.

Councilman Webb: So, we could call it next Wednesday?

Ms. Glass: I'm not sure exactly what the time frame we need for advertising. Mr. Thompson asked whether it had to be done at a regular meeting, but we looked at that yesterday, and no it doesn't.

Councilman Webb: It can be done in a special meeting? Okay. Well I may just do that. I'll look at calling a special meeting at the earliest date possible.

Councilman Walford: I would encourage you to please do that.

Councilman Long: I agree.

Councilman Shyne: And Mr. Chairman? Mike, I want to let you know I'll have to probably postpone my trip to Jamaica then, because I want to be in on this vote. Y'all remember that hear? For the Reggae Festival.

Councilman Long: I didn't know you were a Rasta man.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Webb, Shyne, and Bowman. 5. Nays: None. Out of the Chamber: Councilman Wooley. 1. Absent: Councilman Lester. 1.

RESOLUTION NO. 131 OF 2009

**A RESOLUTION TO SUSPEND CERTAIN PROVISIONS OF CHAPTER 10
RELATIVE TO ALCOHOLIC BEVERAGES ON SEPTEMBER 12, 2009
RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF
ALCOHOLIC BEVERAGES AT SHREVEPORT RIVERVIEW PARK FOR THE
SHREVEPORT DOWNTOWN ROTARY CLUB'S RED RIVER DRAGON BOAT
FESTIVAL FUNDRAISER AND TO OTHERWISE PROVIDE WITH RESPECT
THERETO.**

BY: Councilman Monty Walford

WHEREAS, the Shreveport Downtown Rotary Club will host the Red River Dragon Boat Festival Fundraiser on September 12, 2009 between the hours of 8:30 a.m. and 5:00 p.m. at Shreveport Riverview Park located at 601 Clyde Fant Parkway; and

WHEREAS, the Shreveport Downtown Rotary Club desires to dispensed and allowed the sale and consumption of alcoholic beverages at Shreveport Riverview Park located at 601 Clyde Fant Parkway during the event; and

WHEREAS, Section 10-80(a) makes it unlawful for any person to dispense alcoholic beverages except within those sections of the city wherein such sale is permitted by the applicable zoning ordinance, Section 10-192 prohibits the possession, sale and consumption of alcoholic beverages in city parks, Section 106-130(6) provides that unless otherwise excepted, all uses shall be operated entirely within a completely enclosed structure, and Section 10-81 provides that Section 10-41 (requiring a retail dealer's permit) shall not apply to a bona fide nonprofit event meeting the requirements of this section, only when it is held within the confines of an enclosed building; and **WHEREAS**, the adoption of this resolution would allow the dispensing, sale and consumption of alcoholic beverages at Riverview Park located at 601 Clyde Fant Parkway, on September 12, 2009 for the Red River Dragon Boat Festival Fundraiser for the Shreveport Downtown Rotary Club.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the suspension of Sections 10-80(a), 10-81, 10-192 and 106-130(6) on September 12, 2009 for the Shreveport Downtown Rotary Club's Red River Dragon Festival Fundraiser, between the hours of 8:30 a.m. - 5:00 p.m. at the Shreveport Riverview Park located at 601 Clyde Fant Parkway.

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

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

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

Read by title and as read, motion by Councilman Walford, seconded by Councilman Wooley to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, and Bowman. 5. Nays: Councilman Shyne. 1. Absent: Councilman Lester. 1.

RESOLUTION NO. 140 OF 2009

**A RESOLUTION TO DECLARE JULY 25, 2009 "BOOKER T. WASHINGTON HIGH SCHOOL CLASS OF 1969 DAY" IN SHREVEPORT, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO
BY: COUNCILMAN JOE SHYNE**

WHEREAS, Booker T. Washington High School in Shreveport, Louisiana, named for the founder of Tuskegee Institute, was completed in 1949, and classes began on January 23, 1950; and

WHEREAS, Booker T. Washington High School was built at a cost of One Million Five Hundred Fourteen Thousand Dollars and sixty five cent (\$1,514.65) for the physical plant and Five Hundred Thousand Dollars (\$500,000) for equipment; and when constructed, it was one of the most modern schools in Louisiana, offering innovations such as individual lockers for all students, central heating, movable desks, modern laboratories, administrative offices, asphalt tile floors, and fluorescent lighting; and

WHEREAS, the mission of Booker T. Washington High School is to embrace the total school and community population to provide an educational program in a safe, caring environment for all students that will help them develop and grow socially, emotionally, and intellectually so that each individual student can become a productive, viable member of society; and

WHEREAS, Booker T. Washington graduates, including members of the Class of 1969, have become productive and valuable members of society. They have distinguished themselves in legal, economic, scientific, medical, religious, construction and social professions and vocations across the United States of America and beyond; and

WHEREAS, Booker T. Washington Alumni support the school and its students by providing monetary and in-kind contributions for programs and scholarships; and

WHEREAS, members of the Booker T. Washington High School class of 1969 will celebrate the 40th anniversary of their graduation during their reunion on July 24, 25, and 26, 2009, in Shreveport, Louisiana.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport declares July 25, 2009, “**Booker T. Washington High School Class of 1969 Day**” in Shreveport, Louisiana, in recognition of the many achievements and contributions of the members of the Class of 1969.

BE IT FURTHER RESOLVED, that this resolution shall be executed in duplicate originals with one original presented to Ms. Willie Deloris Alexander, Reunion Chairperson and the other 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 Shyne, seconded by Councilman Walford to adopt.

Councilman Walford: Mr. Shyne are they going to invite us? We'd feel comfortable around all those kids, 1969?

Councilman Shyne: Oh yeah, they're grandmothers and grandfathers now. They're older than I am.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

INTRODUCTION OF RESOLUTIONS: *(Not to be adopted prior to July 28, 2009)*
The Clerk read the following:

1. **Resolution No. 132 of 2009**: A resolution authorizing the Mayor to donate video cameras and emergency light bars listed in Appendix “A” to the Caddo Parish Constable for Ward 5, Caddo Parish, Louisiana, and to otherwise provide with respect thereto.
2. **Resolution No. 133 of 2009**: A resolution authorizing the Mayor to donate video cameras and emergency light bars listed in Appendix “A” to the Caddo Parish Constable for Ward 7, Caddo Parish, Louisiana, and to otherwise provide with respect thereto.
3. **Resolution No. 134 of 2009**: A resolution authorizing the Mayor to donate video cameras and emergency light bars listed in Appendix “A” to the Caddo Parish Constable for Ward 8, Caddo Parish, Louisiana, and to otherwise provide with respect thereto.
4. **Resolution No. 135 of 2009**: A resolution authorizing the Mayor to execute an amendment to the May 11, 2007 Sludge Processing/Marketing contract between the City and C.E. Delaney, and to otherwise provide with respect thereto.
5. **Resolution No. 136 of 2009**: A resolution ratifying the waiver of building permit fees and the donation of building materials and supplies to 12 to 14 qualified low to moderate income homeowners in the City of Shreveport, and otherwise providing with respect thereto.
6. **Resolution No. 137 of 2009**: A resolution authorizing the Mayor to execute right of way and easement (20 year term with renewal options) with Louisiana Midstream Gas Services L.L.C., for the construction and maintenance of pipelines and related facilities on city property, and to otherwise provide with respect thereto. (E/Webb)
7. **Resolution No. 138 of 2009**: A resolution authorizing the Mayor to enter into an agreement for automatic aid fire fighting assistance between the City of Shreveport and Caddo Fire District No. 5, and to otherwise provide with respect thereto.
8. **Resolution No. 141 of 2009**: A resolution to authorize and accept the receipt of funds from the Louisiana Housing Finance Agency; authorizing the execution of contracts, documents and instruments on behalf of the City of Shreveport relative to receipt and disbursal of the funds; authorizing the disbursal of the proceeds of loan funds to qualifying person; and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Wooley, seconded by Councilman Walford to introduce Resolution No(s). 132, 133, 134, 135, 136, 137, 138 and 141 of 2009 to lay over until the next regular meeting.

Councilman Wooley: On the one with the pipeline easement, do you know if we're getting paid for that, or is that just a donation of land?

Councilman Webb: It's a donation I thought.

Mr. Sibley: I believe there's a payment in conjunction with it.

Councilman Wooley: I just didn't see it in the outline of the background, so I was just curious.

Mr. Strong: Excuse me.

Councilman Wooley: Oh, that's fine, no on the executing the right of way easement for the midstream gas service, I didn't notice anything as far as the payment. So I didn't know exactly how that worked.

Mr. Strong: That is actually, it shows in the agreement as a \$10 agreement plus other arrangements that would be in there. Does not show an exact payment of what is in the agreement.

Councilwoman Bowman: I don't understand.

Councilman Long: So what's the actual amount?

Mr. Strong: Pardon?

Councilman Long: How much right of way are we granting?

Mr. Strong: What we're doing is basing it upon what the ordinance that we have right now, that is set up and it will be an appraisal, I believe that will be done on the property at the time that we move forward with it.

Councilman Long: Are they buying the property?

Mr. Strong: Just the leasing of the property for the pipeline. Based on a 20 year life.

Councilman Wooley: A 20 year lease on the property?

Mr. Strong: Yeah, I can have you more of the detail exactly how it is by the next meeting.

Councilman Wooley: That'd be great. Thank you.

Councilman Shyne: Mr. Chairman? Mike, just before you go, I want you to make sure that you show it to me where it's noted in the budget when we get the money, hear?

Mr. Strong: Yes sir.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent. Councilman Lester. 1.

INTRODUCTION OF RESOLUTION: *(Not to be adopted prior to August 11, 2009)*
The Clerk read the following:

1. **Resolution No. 139 of 2009:** A resolution stating the City of Shreveport's endorsement of Mid-City Plaza, LLC to participate in the benefits of the Louisiana Restoration Tax Abatement Program, and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Walford, seconded by Councilman Shyne to introduce Resolution No. 139 of 2009 to lay over until August 11, 2009.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

INTRODUCTION OF ORDINANCES: *(Not to be adopted prior to July 28, 2009)*

The Clerk read the following:

1. **Ordinance No. 68 of 2009:** An ordinance amending the 2009 General Fund Budget, and to otherwise provide with respect thereto.

Motion by Councilman Shyne, seconded by Councilman Wooley to withdraw Ordinance No. 68 of 2009.

Councilman Shyne: Mr. Sibley, I forgot.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

2. **Ordinance No. 69 of 2009:** An ordinance amending the 2009 Budget for the Public Safety Grants Special Revenue Fund, and otherwise providing with respect thereto.
3. **Ordinance No. 70 of 2009:** An ordinance amending the 2009 Capital Improvements Budget, and otherwise providing with respect thereto.
4. **Ordinance No. 71 of 2009:** An ordinance amending the 2009 Community Development Special Revenue Fund Budget, and to otherwise provide with respect thereto.
5. **Ordinance No. 72 of 2009:** An ordinance amending Section 2-106 (a) of the City of Shreveport Code of Ordinances relative to indemnification of the City Officials and Officers and to otherwise provide with respect thereto.
6. **Ordinance No. 73 of 2009:** An ordinance repealing a portion of ordinance No. 66 of 1963 which created a two way stop at the intersection of Creswell Avenue and Oneonta Street and to create an establish the intersection of Creswell Avenue and Oneonta Street as a four way stop, and to otherwise provide with respect thereto.
7. **Ordinance No. 74 of 2009:** An ordinance declaring the City's intention to acquire full ownership of a certain adjudicated property in the Allendale area and otherwise providing with respect thereto. (A/Lester)

Read by title and as read, motion by Councilman Walford, seconded by Councilman Wooley to introduce Ordinance No(s). 69, 70, 71, 72, 73, and 74 of 2009 to lay over until the next regular meeting. Motion approved by the following vote: Ayes:

Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 7. Nays: None. Absent: Councilman Lester. 1.

ORDINANCES ON SECOND READING AND FINAL PASSAGE (*Numbers are assigned Ordinance Numbers*)*The Clerk read the following:*

1. **Ordinance No. 33 of 2009**: An ordinance authorizing the City to close and restrict vehicular access to Fannin Street from Baker Street to Douglas Street, and otherwise providing with respect thereto. (B/Walford) (*Postponed June 23, 2009*)

Having passed first reading on April 28, 2009 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 Wooley to table. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

2. **Ordinance No. 56 of 2009**: An ordinance declaring the City's intention to acquire full ownership of certain adjudicated properties, and otherwise providing with respect thereto. (A/Lester)

Having passed first reading on June 23, 2009 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 Wooley to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

3. **Ordinance No. 57 of 2009**: An ordinance creating and establishing a No Parking Zone in the 1500 Block of Stephens Avenue, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on June 23, 2009 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 Long to adopt.

Councilman Walford: Just for the record Mr. Chairman, this is at the request of (Inaudible) Memorial Methodist Church. This is adjacent to them.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

4. **Ordinance No. 58 of 2009**: An ordinance closing and abandoning the 20 foot alley dedication and the 30 foot road dedication for Yale Street, located between Greenwood Road, and the abandoned V.S. & P. Railroad, located in the Idlewilde Subdivision in Section 2, (T17N-R14W), and otherwise providing with respect thereto. (B/Walford)

Having passed first reading on June 23, 2009 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 Wooley to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

5. **Ordinance No. 59 of 2009**: An ordinance amending the 2009 Capital Improvements Budget, and to otherwise provide with respect thereto.

Having passed first reading on June 23, 2009 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 Wooley. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 59 of 2009

Amend the Ordinance to add the following as new projects:

In Program H (Airports):

Establish a project entitled Construct Perimeter Fencing at the Shreveport Regional Airport (09H002) in the amount of \$3,131,500. Funding source is Federal Aviation Administration (95%) and the Louisiana Department of Transportation and Development (5%).

Establish a project entitled Clear and Grubb Airport Property at the Shreveport Regional Airport (09H003) in the amount of \$1,689,400. Funding source is Federal Aviation Administration (95%) and the Louisiana Department of Transportation and Development (5%).

Establish a project entitled Overlay Runway 5/23 at the Shreveport Downtown Airport (09H004) in the amount of \$1,416,000. Funding source is Federal Aviation Administration (95%) and the Louisiana Department of Transportation and Development (5%).

Adjust totals and subtotals accordingly

Motion by Councilman Walford, seconded by Councilman Long to adopt Amendment No. 1 to Ordinance No. 59 of 2009. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Motion by Councilman Walford, seconded by Councilman Long to adopt Ordinance No. 59 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

6. **Ordinance No. 60 of 2009**: An ordinance amending the 2009 General Fund Budget, and to otherwise provide with respect thereto.

Having passed first reading on June 23, 2009 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 Wooley. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 60 of 2009:

Amend the Ordinance as follows:

In Section 2 (Appropriations):

In Spar, Increase Contractual Service by \$25,000.

In General Government, Decrease Operating Reserves by \$25,000.

Adjust totals and subtotals accordingly.

Motion by Councilman Wooley, seconded by Councilman Shyne to adopt Amendment No. 1 to Ordinance No. 60 of 2009. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Motion by Councilman Wooley, seconded by Councilman Long to adopt Ordinance No. 60 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

7. **Ordinance No. 61 of 2009:** An ordinance amending the 2009 Budget for the Riverfront Development Special Revenue Fund, and otherwise providing with respect thereto.

Having passed first reading on June 23, 2009 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 Wooley. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 61 of 2009

Amend the Ordinance as follows:

In Section 1 (Estimated Revenues):

Increase Fund Balance by \$250,000

In Section 2 (Appropriations):

Increase Contractual Services by ~~\$10,000~~ \$10,100 and Increase Transfer to MPC by ~~\$240,000~~ \$239,900.

Adjust totals and subtotals accordingly.

Motion by Councilman Walford, seconded by Councilman Long to adopt Amendment No. 1 to Ordinance No. 61 of 2009.

Councilman Long: Alright so that money that we're moving is specifically for the Master Plan cost, right? It's not to be utilized for MPC overhead or anything like that?

Mr. Thompson: No, it's for the Master Plan only.
Councilman Wooley: Anything incurred with the Master Plan.
Councilman Shyne: Suppose Charles wanted to take a trip. Could he?
Councilman Webb: Well, he'd be in trouble.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Motion by Councilman Walford, seconded by Councilman Wooley to adopt Ordinance No. 61 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

8. **Ordinance No. 62 of 2009**: An ordinance amending the 2009 Budget for the Metropolitan Planning Commission's Special Revenue Fund, and otherwise providing with respect thereto.

Having passed first reading on June 23, 2009 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 Wooley. *The Clerk read the following:*

Amendment No. 1 to Ordinance No. 62 of 2009

Amend the Ordinance as follows:
In Section 1 (Estimated Receipts)
Increase Transfer from Riverfront Fund \$239,900
In Section 2 (Appropriations):
Increase Contractual Services by \$239,900
Adjust totals and subtotals accordingly.

Motion by Councilman Walford, seconded by Councilman Bowman to adopt Amendment No. 1 to Ordinance No. 62 of 2009. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

Motion by Councilman Shyne, seconded by Councilman Wooley to adopt Ordinance No. 62 of 2009 as amended. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

9. **Ordinance No. 66 of 2009**: An Ordinance to adopt Chapter 25 of the City of Shreveport Code of Ordinances establishing regulations relative to the conduct of oil, gas and other hydrocarbon well operations with the City of Shreveport, and to otherwise provide with respect thereto.

Having passed first reading on June 23, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Bowman to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

10. **Ordinance No. 67 of 2009**: An Ordinance to amend Chapter 78 of the City of Shreveport Code of Ordinances to adopt regulations relative to the placement of pipeline across City-Owned property or within city rights of way, and to otherwise provide with respect thereto.

Having passed first reading on June 23, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Long, seconded by Councilman Shyne to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

11. **Ordinance No. 63 of 2009**: ZONING APPEAL: C-33-09 – An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances, by rezoning property located on the NW corner of East Kings Highway and Zeke Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District to B-3, Community Business District, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on June 23, 2009 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 Long to remand to MPC.

Councilman Walford: Yesterday this one with Mr. Jean, and thought we had the power to actually do this at Council level, but Julie and Mr. Kirkland talked to me today. I want to remand it to the MPC to grant a B-2E. And I'm going to cite some specifics. But there's been no site plan approval. So, it has to go back to the MPC for site plan approval. Mr. Allen from the neighborhood is here, and I think the applicant is here or was. Everybody is in agreement. Now it's just procedural, we can't do it at our level according to Mr. Kirkland. So, if we remand it back, and I'm going to state for the record the terms, and if we go back, and I think there'll be full agreement, and we probably won't see it again. Basically it'll be granted B-2E zoning, where the applicant may be permitted to do the following: Automotive and truck repairs where the primary function is a service, and repair shop including major and minor repairs, but not limited to tires, batteries, mechanical repairs, adjustments, rebuilding engines, motors and storage of automobiles that need not be within an enclosed structure. However, automobiles and trucks may not be parked on the levy to the rear of the property. And yesterday, that was one of the considerations that the neighborhood wanted. The automobiles will not encroach on the right of way of Zeke Drive, as an additional parking area. Vehicles on

the premises will not exceed 30. Delivery trucks if any, shall use the west side of the property to supply the business and not block the flow of traffic on Zeke Drive, and applicant may use the enclosed structure on the east side of the property, the existing brick building to sell rims for automobiles and trucks. Additionally, the applicant may use enclosed structure for any purpose which is allowed under B-2 by right. The hours shall not exceed 7:00 a.m. in the morning, till 8:00 p.m. in the evening, and finally, the applicant will keep the premises in a neat and orderly fashion.

Councilman Webb: And that's a letter from who?

Councilman Walford: No, this is the terms that we've agreed on, and as I told you yesterday, it was signed by Mr. Querbes for the applicant, Mr. Allen for the Stoner Hill Action Group Neighborhood, and Michael (inaudible).

Councilman Webb: But the MPC will still have the final say (inaudible).

Councilman Walford: The MPC will have the final say, but this is the recommendation that we're sending back to them. And so, then they will approve the site plan as well. Again, they just didn't approve the site plans since they denied request for B-3 zoning. So, I think a yes vote would be in the best interest of everybody at this point.

Councilman Shyne: I'm going to follow you lead this time. Bryan last time, I couldn't follow his lead the last time.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

12. **Ordinance No. 64 of 2009**: ZONING: C-34-09 – An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinances, by rezoning of property located on the northwest corner of Flournoy-Lucas Road and I-49, Shreveport, Caddo Parish, Louisiana, from R-A Residence/Agriculture District, to B-3, Community Business District with MPC Approval, and to otherwise provide with respect thereto. (D/Wooley)

Having passed first reading on June 23, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Wooley, seconded by Councilman Long to remand to MPC.

Councilman Wooley: The reason for this as Steven Jean also yesterday spoke on this case, along with MPC, the developer, and the neighborhood, they all feel it is in the best interest of the area to be a B-2E and not a B-3, therefore, that is why I'm making this motion.

Councilman Walford: Well yesterday, there was some discussion about not restricting the go carts or something and I think the Mayor suggested that that's all stuff that would be considered by the MPC now on the remand. Have to make a race driver out of my grandson.

Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

13. **Ordinance No. 65 of 2009:** ZONING: C-35-09 – An ordinance amending Chapter 105 of the Code of Ordinances, the City of Shreveport Zoning Ordinances, by rezoning of property located on the west side of Monkhouse Drive, 1,290 feet south of Greenwood Road, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, one-family Residence District, to B-2 Neighborhood Business District, and to otherwise provide with respect thereto. (G/Bowman)

Having passed first reading on June 23, 2009 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Bowman, seconded by Councilman Wooley to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Long, Wooley, Webb, Shyne, and Bowman. 6. Nays: None. Absent: Councilman Lester. 1.

The adopted ordinances and amendments follow:

ORDINANCE NO. 57 OF 2009

AN ORDINANCE TO CREATE AND ESTABLISH A NO PARKING ZONE IN THE 1500 BLOCK OF STEPHENS AVENUE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport in regular and legal session convened that it shall hereafter be unlawful for anyone to park any vehicle between the hours of 6:30 am to 8:30 am and 4:00 pm to 5:30 pm Monday through Friday on the east side of Stephens Avenue beginning one hundred and eighty-eight

(188) feet south of its intersection with Jordan Avenue and continuing south for a distance

of two-hundred and thirty-six (236) feet.

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,

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. 58 OF 2009

AN ORDINANCE CLOSING AND ABANDONING THE 20 FOOT ALLEY DEDICATION AND THE 30 FOOT ROAD DEDICATION FOR YALE STREET, LOCATED BETWEEN GREENWOOD ROAD AND THE ABANDONED V.S. & P. RAILROAD, LOCATED IN THE IDLEWILDE SUBDIVISION IN SECTION 2, (T17N-R14W) AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport is constructing a new building and re-arranging the layout of their operations at their Water & Sewer Field Operations facility, located at 2139 Greenwood Road. In the process, the City is preparing to combine their eight

separate tracts of property into a single lot through re-subdivision. All of the proposed closure and abandonment area lies within the limits of this facility and is as shown on the attached plat, and

WHEREAS, none of the polled utility companies have expressed an objection to this closure and abandonment, and

WHEREAS, the Office of the City Engineer has reviewed this request and has no objections to this closure and abandonment, and

WHEREAS, this closure and abandonment was approved by the Metropolitan Planning Commission on June 3, 2008, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, regular and legal session convened, that the 20 foot alley dedication and the 30 foot road dedication for Yale Street, located between Greenwood Road and the abandoned V.S.&P. Railroad, located in the Idlewilde Subdivision, as recorded in Book 150, Page 281, of the Conveyance Records of Caddo Parish, Louisiana and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby officially closed and abandoned.

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

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

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

ORDINANCE NO. 59 OF 2009

AN ORDINANCE AMENDING THE 2009 CAPITAL IMPROVEMENTS BUDGET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City Council finds it necessary to amend the 2009 Capital Improvements Budget to shift project funding 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. 129 of 2008, the 2009 Capital Improvements Budget, be amended and re-enacted as follows:

In Program H (Airports):

Increase the appropriation for **Rehabilitation of Runway 14-32 and Taxiway A South (07-H001)** by \$1,851,000. Funding source is Federal Aviation Administration (95%) and Louisiana Department of Transportation and Development (5%).

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance 129 of 2008, 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 to be severable.

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

Amendment No. 1 to Ordinance No. 59 of 2009

Amend the Ordinance to add the following as new projects:

In Program H (Airports):

Establish a project entitled **Construct Perimeter Fencing at the Shreveport Regional Airport (09H002)** in the amount of \$3,131,500. Funding source is Federal Aviation Administration (95%) and the Louisiana Department of Transportation and Development (5%).

Establish a project entitled **Clear and Grubb Airport Property at the Shreveport Regional Airport (09H003)** in the amount of \$1,689,400. Funding source is Federal Aviation Administration (95%) and the Louisiana Department of Transportation and Development (5%).

Establish a project entitled **Overlay Runway 5/23 at the Shreveport Downtown Airport (09H004)** in the amount of \$1,416,000. Funding source is Federal Aviation Administration (95%) and the Louisiana Department of Transportation and Development (5%).

Adjust totals and subtotals accordingly

ORDINANCE NO. 60 OF 2009

AN ORDINANCE AMENDING THE 2009 GENERAL FUND BUDGET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY:

WHEREAS, the City Council finds it necessary to amend the 2009 budget for the General Fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 131 of 2008, the General Funds budget, is hereby amended as follows:

In Section 2 (Appropriations):

In City Attorney, decrease Personal Services by \$15,000 and increase Improvements & Equipment by \$15,000

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED the remainder of Ordinance 131 of 2008 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 shall be held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications; and, to this end, the provisions of this ordinance are hereby declared to be severable.

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

Amendment No. 1 to Ordinance No. 60 of 2009:

Amend the Ordinance as follows:

In Section 2 (Appropriations):

In Spar, Increase Contractual Service by \$25,000.

In General Government, Decrease Operating Reserves by \$25,000.

Adjust totals and subtotals accordingly.

ORDINANCE NO. 61 OF 2009

AN ORDINANCE AMENDING THE 2009 BUDGET FOR THE RIVERFRONT DEVELOPMENT SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

WHEREAS, the City Council finds it necessary to amend the 2009 budget for the Riverfront Development Special Revenue Fund to adjust appropriations, reflect current revenue estimates 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. 130 of 2008, the 2009 budget for the Riverfront Development Special Revenue Fund, is hereby amended as follows:

In Section 2 (Appropriations):

Decrease Contractual Services by \$310,000

Increase Operating Reserves by \$20,000

Increase transfer to MPC by \$290,000

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 130 of 2008 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.

Amendment No. 1 to Ordinance No. 61 of 2009

Amend the Ordinance as follows:

In Section 1 (Estimated Revenues):

Increase Fund Balance by \$250,000

In Section 2 (Appropriations):

Increase Contractual Services by ~~\$10,000~~ \$10,100 and Increase Transfer to MPC by ~~\$240,000~~ \$239,900.

Adjust totals and subtotals accordingly.

ORDINANCE NO. 62 OF 2009

AN ORDINANCE AMENDING THE 2009 BUDGET FOR THE METROPOLITAN PLANNING COMMISSION'S SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

WHEREAS, the City Council finds it necessary to amend the 2009 budget for the Metropolitan Planning Commission's Special Revenue Fund to adjust appropriations, reflect current revenue estimates 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. 140 of 2008, the 2009 budget for the Metropolitan Planning Commission's Special Revenue Fund, is hereby amended as follows:

In Section 1 (Estimated Receipts)

Increase Transfer from Riverfront Fund \$290,000

In Section 2 (Appropriations):

Increase Contractual Services by \$290,000

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 140 of 2008 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.

Amendment No. 1 to Ordinance No. 62 of 2009

Amend the Ordinance as follows:

In Section 1 (Estimated Receipts)

Increase Transfer from Riverfront Fund \$239,900

In Section 2 (Appropriations):

Increase Contractual Services by \$239,900

Adjust totals and subtotals accordingly.

ORDINANCE NO. 65 OF 2009

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING OF PROPERTY LOCATED ON THE WEST SIDE OF MONKHOUSE DRIVE, 1,290 FEET SOUTH OF GREENWOOD ROAD, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO B-2, NEIGHBORHOOD BUSINESS DISTRICT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning

classification of property located on the west side of Monkhouse Drive, 1,290 feet south of Greenwood Road. Shreveport, Caddo Parish, Louisiana, legally described as Lot 46, Redbud Heights Subdivision, Shreveport, Caddo Parish, LA, be and the same is hereby changed **from R-1D, Urban, One-Family Residence District to B-2, Neighborhood Business 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 substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.

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

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

UNFINISHED BUSINESS:

1. **Ordinance No. 204 of 2006:** An ordinance amending the 2006 Budget for the Riverfront Development Special Revenue fund and otherwise providing with respect thereto. (Disparity Study) (A/Lester) (*Introduced November 14, 2006 – Tabled December 12, 2006*)
2. **Ordinance No. 205 of 2006:** An ordinance amending the 2006 Capital Improvements Budget and otherwise providing with respect thereto. (*Introduced November 14, 2006 – Tabled December 12, 2006*)
3. **Resolution No. 51 of 2007:** A resolution supporting the Employee Free Choice Act, and to otherwise provide with respect thereto. (*Introduced March 27, 2007 -- Tabled May 8, 2007*)
4. **Ordinance No. 32 of 2008:** An ordinance to amend and reenact portions of Division 3 of Article V of Chapter 26 of the Code of Ordinances relative to Retained Risk and to otherwise provide with respect thereto. (*Introduced – March 25, 2008 - Tabled April 22, 2008*)
5. **Ordinance No. 24 of 2008:** Amending Chapter 42 of the City of Shreveport Code of Ordinances to add Article XI relative to operation of a rendering plant or transfer center within the City of Shreveport and to otherwise provide with respect thereto. (*Introduced March 11, 2008 - Tabled May 13, 2008*)
6. **Ordinance No. 58 of 2008:** ZONING - C-25-08: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the west side of N. Market, 3,322 feet north of Martin Luther

King Drive, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District to B-1, Buffer Business District and to otherwise provide with respect thereto. (A/Lester) (*Introduced May 27, 2008 - Tabled July 8, 2008*)

7. **Ordinance No. 83 of 2008:** ZONING: C-35-08 Amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of Hilry Huckaby, 1800' south of North Lakeshore, Shreveport, Caddo Parish, Louisiana, from B-3-E , Community Business/Extended District, to B-3-E, Community Business/Extended Use District **Limited to “an office, equipment storage yard, with the addition of stockpile materials (wood chips/recyclable wood products” only,** and to otherwise provide with respect thereto. (A/Lester) (*Introduced July 22, 2008 - Tabled August 26, 2008*)
8. **Ordinance No. 97 of 2008:** An ordinance amending Chapter 42 of the Code of Ordinances relative to itinerate vendors and to otherwise providing with respect thereto. (E/Webb) (*Introduced August 26, 2008 - Tabled October 14, 2008*)
9. **Ordinance No. 115 of 2008:** An ordinance requiring a permit for use of municipal property for business operations in the City of Shreveport; requiring the provision of certain information prior to issuance of such permit; and otherwise providing with respect thereto. (*Introduced September 9, 2008 - Tabled October 14, 2008*)
10. **Ordinance No. 166 of 2008:** An ordinance amending and reenacting Chapter 98 of the Code of Ordinances relative to vegetation, and to otherwise provide with respect thereto. (*Introduced November 25, 2008 - Tabled January 27, 2009*)
11. **Resolution No. 79 of 2009:** A resolution authorizing the Mayor to execute a donation agreement between the City of Shreveport and E & L Development, Inc., hereinafter called “Owner” and acting herein through Kenneth G. Lawler, Manager for the private Water and Sewer Main Extensions and related facilities to serve Hideaway Harbor Subdivision Units XIII & XIV, and to otherwise provide with respect thereto. (A/Lester) (*Introduced April 14, 2009 - Tabled May 26, 2009*)
12. **Ordinance No. 38 of 2009:** An ordinance amending Chapter 14 of the code of ordinances , and to otherwise provide with respect thereto. (G/Bowman) (*Tabled June 23, 2009*)
13. **PROPERTY STANDARDS APPEALS:**

HBO0700145 – 426 Woodrow, Shreveport, LA (F/Shyne) *Ms. Carolyn Miller*, 424 Woodrow, Shreveport, LA 71105 (C/Long) (***Tabled August 25, 2008***)

PSD0700058: 557 Egan Street, Shreveport, LA (B/Walford) *Mr. Daniel Markulus*, 853 Place, Shreveport, LA (B/Walford) (***Postponed April 27, 2009 until November 9, 2009***)

PSD0700214: 2732 Logan Street. Shreveport, LA (G/Bowman) *Willie Roberson*, 6915 Quilen Rd, Shreveport, LA (E/Webb) (***Postponed June 22, 2009 until July 27, 2009***)

PSD0700131: 1530 Arlington, Good Samaritan Funeral Home, Inc., Shreveport, La (A/Lester) *Mr. Winnifred Jackson*, 2200 Laurel St, Shreveport, La (A/Lester) (***Tabled June 9, 2008***)

HBO0800039: 7221 Bethany Street, Shreveport, LA (C/Long) *Mr. Ellis Pope*, 11085 Sandwood Drive, Keithville, LA 71047) (***Postponed June 23, 2009 until August 24, 2009***)

HBO0900005: 241 Wichita Street, Shreveport, LA 71101 (B/Walford) *Ms. Deborah McCauley*, 241 Wichita Street, Shreveport, LA 71101 (B/Walford) (***Postponed May 11, 2009 until July 27, 2009***)

PSD0800336: 1652 ½ Cross Lake Blvd, Shreveport, LA (G/Bowman) *Mr. Donald R. Pelham*, 150 Humming Bird Lane Blvd, Stonewall, LA 71078 (***Postponed June 23, 2009 until July 27, 2009***)

NEW BUSINESS

PROPERTY STANDARDS BOARD OF APPEALS - Decision rendered July 13, 2009

PSD00900103: 2860 Looney Street, Shreveport, LA (G/Bowman) *Mr. Reginald Mims*, 527 East 85th Street, Shreveport, LA 71106 (D/Wooley)

ABO APPEALS – Decisions rendered July 13, 2009

Ms. Bernnade Jordan, 6122 Canal Blvd, Shreveport, LA 71118 (F/Shyne) (*Brookshires 5828 Line Avenue, Shreveport, LA 71106*)(D/Wooley)

Ms. Jennifer Mears, 146 Settlers Trace, Shreveport, LA (D/Wooley) (*Olive Garden, 7150 Youree Drive, Shreveport, LA, 71105*)(D/Wooley)

Ms. Jessica Sellers, 5826 Tom Ridge, Blanchard, LA (*Buffalo Wild Wings, 7441 Youree Drive, Shreveport, LA, 71105*) (D/Wooley)

ALCOHOL APPEALS – Decision rendered July 13, 2009

Denial of application for renewal of Alcohol Beverage Permit for North Market Citgo, 3101 North Market, Shreveport, Louisiana, 71107 (A/Lester) *Mr. Saleh Rahman*

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES

Councilman Long: Did we set a date?

Councilwoman Bowman: Yeah, I was about to, and it's set for the 27th, which is the day before our next Council Meeting. A Public Safety meeting per request of Councilman Long, and that will be at 2:00.

Councilman Webb: What's going to be on the agenda?

Councilman Shyne: Oh, I thought you were going to say at noon, and we'd have gumbo.

Councilman Webb: What's going to be on the agenda?

Councilwoman Bowman: Art said we were broke. He said we didn't have any money left. He did!

Councilman Webb: What time did you say?

Councilwoman Bowman: 2:00.

Councilman Shyne: I'll take one for the team. Take it out of my travel.

Councilman Long: My truck zone issue. I'd like to get some resolve (inaudible).

Ms. Glass: Councilman Long, as I recall the last meeting, the Police Department was going to get us some information on the types of vehicles. What I will do is, I will contact them and I guess my question is whether you were wanting a draft ordinance?

Councilman Long: Yes, I'll get with you on that, and we'll propose. And we have language from Bossier City on their ordinance, and yes, I'll get with you on that.

Councilman Walford: I thought Ms. Bowman was going to say it since she said it yesterday. Okay, Mr. Kirkland, you don't have to come up, but Mrs. Bowman brought up something very good yesterday. We would like to have a little more detailed minutes of the Super committee, as I call it. The thing is neither one of us can come report with accuracy for the Council.

Mr. Kirkland: On the MPC agenda tomorrow, their mid month meeting, is a discussion of that, and staff this morning to recommend a directive from the MPC to the staff to provide a more comprehensive set of minutes. The only caveat is Mr. Walford, and I've already said this to Ms. Bowman, the staff cannot possibly provide those minutes the next day. And as you know the Committee had also wanted at an earlier meeting information to go out as quickly as possible. It will take several days to do the more comprehensive set, but I see no reason why that will not happen. We did get the message, and we agree that a more comprehensive set will be better.

Councilman Walford: I think the public would be probably more than happy to wait an extra day or two to get a better feel for what went on, and that will allow us to share it with other Council Members.

Mr. Kirkland: And the Board will also continue to practice as far as the Committee is concerned to allow anybody in the public to speak at those meetings, whenever they choose to. It's not a public hearing, but it's certainly, we're going to comply with the law. And the MPC does and ZBA allow anybody to speak, and I think you addressed that yesterday.

Councilman Walford: Charles, I have not missed a meeting of the Committee, and there has never been a time that anyone was denied the opportunity to speak that wanted to speak.

Mr. Kirkland: And we will certainly continue that practice. But again I appreciate the remarks that you and Ms. Bowman have made and other members of the Council to make certain that we provide more information, not less.

Councilman Walford: And I have to say at this point that on the issue of speaking, we just have to consider the source. But I didn't say that.

Mr. Kirkland: We will.

CLERK'S REPORT

THE COMMITTEE RISES AND REPORTS: (Reconvenes Regular Council Meeting)

ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at approximately 5:43 p.m.

//S// Ron Webb, Chairman

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