

**SHREVEPORT CITY COUNCIL  
COMMITTEE OF THE WHOLE  
MINUTES  
JANUARY 8 , 2002**

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The Committee of the Whole was called to order by Chairman John David Stewart.

**APPROVAL OF THE MINUTES**

Motion by Councilman Spigener, seconded by Councilman Shyne to approve the Minutes of the Committee of the Whole of December 27, 2001. Motion approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

**COMMUNICATIONS FROM THE MAYOR**: None.

**COMMUNICATIONS FROM THE COUNCIL MEMBERS**

Councilman Burrell: I just wanted to recognize some of my constituents from out in West Shreveport. If it is okay, they were here to, I'm sure to address any conversation that we may have on the truck stop to be placed out at Randy's TravelTown. If it is okay, I'll ask them to stand, if you would—out in West Shreveport. We are glad to see you here and we are glad you are interested in this issue. We won't be addressing the issue until the 22<sup>nd</sup>, I think we stated that on yesterday. But, you could have commented on it today if you would have liked, but we are going to take this issue up on the 22<sup>nd</sup>.

Councilman Stewart: We do have one request to speak.

Councilman Burrell: Oh, we do have a request on it. I know we didn't have it earlier.

Councilman Stewart: And for the record, Mr. Burrell, there were seven that were here, that stood.

Councilman Serio: I want to re-visit an issue we talked about a little bit yesterday, go back on that issue of Benton Kelly and yesterday when Mr. Carmody and I were discussion this and I'll try to bring Mike Strong into. It dawned on me that, Mike wasn't here at that time until yesterday evening that Mike was actually in Baton Rouge at the time this issue came up. But then it also dawned on me that, I was a little bit off target where I was talking

about where this was going to come out and why this is such a hot issue in the neighborhood. And the reason it is such a hot issue in the neighborhood, is that if Benton Kelly is extended from the Industrial Park over to Ellerbe Road, which is the request of the business we were discussing yesterday, it would intersect somewhere close to where Chinguapin is located on Ellerbe Road which would then take and put that industrial traffic right in the middle of the neighborhoods, all along on Ellerbe Road as well as Emberwood. And quite frankly, that was a heated debate as to whether or not the neighbors wanted the industrial traffic coming out of the industrial park into Ellerbe Road at Chinguapin and I was pointing to the intersection of Bert Kouns, but as I thought about it, that was incorrect. And so, as I considered the—you know, recollecting my thoughts about this last night, it dawned on me that, that is completely off base but that is why the discussion is so hot with the neighborhoods is that it would take that industrial traffic and put it into the neighborhoods right at Chinguapin and not at Bert Kouns. So that is why, yesterday in our discussion, I was alluding to the fact that it was a, very hotly debated issue, it is a neighborhood issue, very hot neighborhood issue.

Councilman Carmody: I appreciate Mr. Serio explaining that. I think the question I'd asked of Mr. Strong yesterday, though, if my understanding is correct, St. Vincent's is to have some reconstruction done from Benton Kelly south to where it does intersect Bert Kouns. And the scenario across from Benton Kelly over to Ellerbe Road, I know has been very controversial. What I was trying to find out was actually, this is a project that has already been approved and funded to reconstruct the existing roadway and I believe widen it. And if my memory serves me, Mr. Strong, you said that we are process now of negotiating with the new owners of Beard Industries in order to acquire the necessary right-of-way to widen that roadway, so just as a point of clarification.

Councilman Serio: Sure. But we are not going to talk about going Benton Kelly over to Ellerbe. . . .

Councilman Carmody: No, sir; no, sir.

Councilman Serio: We don't want that can of worms.

Councilman Carmody: Exactly. I did want to ask for the Redistricting / Reapportionment Subcommittee to consider the possibility of having a public hearing prior to our receiving the information, the preliminary information from Precision Cartographics in order to allow us to take a look at the census information and to convey that information to the public and the media so that before we even begin into the process, we can actually see what the census information has indicated as to our population and that we can start there so that we'll know the facts that were revealed by the 2000 Census. So at some point, I would like for us to try and convene that committee and discuss that and I think the sooner the better. I certainly wake up in the mornings thinking, we are on a timeline, we need to get this information completed and submitted to the Justice Department and see if we can all come to an agreement on the plan that they feel like is fair and equitable.

Councilman Stewart: We appreciate your comments. 1. I will notify Mr. Joiner of your suggestion and reinforce the time frame issue.

Councilman Shyne: Mr. Chairman, I believe that would be the job of the Chairman of the Redistricting Committee, instead of something that you would do. I would hope at this particular point, the late Hilry Huckaby was a member of that committee and I was wondering if his wife would be willing to serve on that. If not, then we would need to have somebody else.

Councilman Stewart: I will be glad to discuss that with her.

Councilman Shyne: Instead of you discussing that with her, are you in a position now, Mrs. Huckaby, to decide on whether you would serve on the Reapportionment Committee?

Councilman Huckaby: I need to think about it, okay.

Councilman Stewart: Thank you, Mrs. Huckaby.

Councilman Shyne: Could I, since Councilman Carmody has said that he would like for the committee to meet and decide on a date that we would have a public hearing. What I would do then, Mr. Carmody as Chairman of that Committee, I'll contact you and Mrs. Huckaby probably tomorrow or Thursday and if Mrs. Huckaby decide or do not decide, then we will call the meeting and all Council members will be invited to the public hearing and that will, even if not, we will have 2/3rds of the committee that will be there.

Councilman Carmody: Mr. Shyne, I appreciate that.

Councilman Shyne: I'm sorry, I was talking so low. Could you all hear me in the audience?

Councilman Stewart: They are nodding.

Councilman Shyne: That's one of my new year's resolutions, excuse me, Mr Chairman that, Charles, I'll try to hold my voice down. I'm not in the public school system any more where you have to kind of raise your voice some times.

Councilman Carmody: Mr. Shyne, what I think might be best for us to consider doing is to not only having Mr. Joiner attend, but also Mr. Robertson, our Registrar of Voters so that he could add to the discussion. And, if we could hold the meeting such that it would be either after our City Council meeting and televised so that those at home could be privy to the information that is conveyed to us.

Councilman Shyne: What I was hoping that we could do, we could have a Reapportionment Committee meeting either Thursday or Friday (one) and then we could decide on who all we wanted to invite to the meeting and then we could decide on what date. Because I do agree with you, we are running, we are on a time line and we'll look around and all this information should be in and we are still trying to decide on whose going to be on the committee and who is not going to be on the committee or what time we are going to start having these public hearings and all this kind of stuff so I'll get it on, I'll call you on tomorrow and I'll see if I can call Mrs. Huckaby and she, if you have decided by tomorrow, then well and good. If you have not had a chance to make up your mind, we will still have a---and any Council member is welcome to come to the committee. You are exactly right, we need to get started.

Councilman Spigener: I'm assuming that Mr. Shyne has indicated that there will be a committee meeting this week. Have you set a time for that so that Council members will be invited but . . . .

Councilman Shyne: I want to, that is what I was saying. I would call Councilman Carmody tomorrow, Councilwoman Huckaby tomorrow, to see what would be a good time for them, but if you all are in a position right now to say, what would be a good time for a Reapportionment Committee meeting, I'm open.

Councilman Carmody: Can I make a suggestion. Mr. Shyne, if you would contact me and then we could get together with Mrs. Huckaby. I think that we would try—yes, we would go back through Mr. Thompson and make sure that all Council members were aware.

Councilman Shyne: That's fine. I wanted to make sure that all of the Council members are comfortable because we do serve at the pleasure of our colleagues.

## **PUBLIC COMMENTS**

Francine Miller concerning the funding of North Shreveport Development Corporation (motion by Councilman Carmody, seconded by Councilman Huckaby and approved).

**Francine Miller** (2014 River Road, Shreveport, Louisiana): I am here as the Executive Director of the North Shreveport Development Corporation. I have mailed to all of you, including the Mayor and his staff, a comprehensive report on the activities, the progress of North Shreveport Development. And I just wanted to publicly, thank you and the Mayor for seeing fit to refund the North Shreveport Development Corporation for the year 2002. Certainly without your financial support and support of the Administration and the Council and Mrs. Huckaby in getting things done, we could not have been as successful as we have been; so, I just wanted you all to know that, we appreciate it very much.

Councilman Stewart: You are very, very kind. Thank you much, keep up the good work.

Josie B. Harris concerning the truck stop (motion by Councilman Burrell, seconded by Councilman Spigener and approved).

**Josie Harris** (2009 Nottaway Drive, Shreveport, Louisiana, 71119): We are here in opposition of the truck stop and other permitted use located at 7288 Greenwood Road.

We chose to buy our homes in this area because of the tranquility that it offered, at that time. We wanted to raise our families in a peaceful place so we are asking you all today if you all would please help us to keep it this way by voting against this truck stop. We have seen in the inner city just what things would do to a community. We all have, at one time or another, lived in the inner city. If you haven't lived there, you know someone who has lived there. And, we have seen the people with the alcohol, what the alcohol has done to our people and we do not want this to happen to our family in this area. This is a quiet and peaceful place and we want this area to remain this way. We chose to buy our homes out in that area and with all that is coming in, that is going to change the community completely.

Some may ask, why are we involved in this? We are simply involved in this because we minister to the total man: the mind, the body, and the spirit, soul and body. So that means that includes everything around you, your surrounding and everything. So we are asking you all today, to please help us to keep the integrity in our community because this is our home. This is where we want to live.

We chose to live in this area because of all the peacefulness that we have there. So, with the truck stop coming in and gaming devices and all this stuff, and we are aware of just what a truck stop brings. I know they said it is going to be first class and all of this stuff, but I was just talking to someone on yesterday. No matter if it is first class or whatever it is, it still has the undesirable that we want in this area. So, today, we are asking you to please, vote against this simply because this is our home. We chose to live in this area. We do not want to move and we want to keep this area a good place to live.

Councilman Burrell: Josie, we appreciate you coming down and for all of the others who are from West Shreveport, this is a very touchy issue because we've had truck stops in various other Council members' district that the residents in their area has fought and we've pretty well supported them on these issues. It is not a bad business, it is just sometimes it carries with it, some undesirable elements and I think I've stated before that, well the question has come up, well you have one on the south side of the interstate pretty much across from this location but they never asked me the kind of problems that we have in that small community there has been split by the interstate. We have more prostitution and drugs in that area that is brought in, some of which is brought in, I'm sure by some of the truckers. But also because they are there only for a short period, it seems to draw undesirable people with low moral into these areas because they service these individuals

when they come to this area. And no one takes into consideration the impact that it makes on these communities. Even many of the people who are in those communities because of their employment situation some times they will turn to prostitution and drugs simply because the facility is there, and there is a demand. So, with that, it also affect other surrounding neighborhoods that are being built there. So from that perspective, I could very well understand the concerns of the citizens who live in that area, although sometimes we put business before our constituents, but I think this situation we need to look at, look at the situation in reverse.

Councilman Shyne: That is not my district, but I would like to use this scenario: Just because I have a toothache on one side of my mouth, it doesn't necessarily say that I want one on the other side or it is good for me because I got one on this side, then I need to have one on the other side. I think as a Council, we are going to have to start looking at trying to maintain a certain amount of integrity within these neighborhoods. If a truck stop is put in that neighborhood, there is no doubt about it, it is going to destroy the quality-of-life that those people have enjoyed over the last 10 to 15 to 20 years. Some of those people have invested their life savings in a nice beautiful home out in that area so that they could enjoy their retirement years. You don't want to enjoy your retirement years around that kind of activity. I think we have quite a bit of that activity down on the riverfront. We need to make sure that we maintain a certain quality of life for our citizens within our neighborhoods because the bottom line is, your neighborhoods are really the things that make a city what it is, and we are an All American City so we don't want to go about destroying the quality-of-life within our neighborhoods. I would ask my colleagues, to please, take a very close look at that. Put yourself in that position. Would you want a truck stop in your neighborhood? Would you want that kind of activity in your neighborhood? I don't think you would. I know, I won't. Mr. Chairman thank you and Mrs. Harris thank you for coming down and you expressed it extremely well.

Raymond Simmons (motion by Councilman Shyne, seconded by Councilman Burrell and approved).

**Raymond Simmons** (2519 Drexel, Shreveport, Louisiana, 71108): My complaint is simple, there is a morally wrong has been done, it is a violation of constitutional law. And, I asked and put in my request for a City Attorney to adjudicate his interpretation of Article I, Declaration of Rights of the Constitution of the State of Louisiana. And I may it randomly accessible for to have it here, right here. Who is the City Attorney in regards to the rights of private property?

Mr. Antee: He is in Baton Rouge in a meeting.

Mr. Simmons: Well that is okay, I'll do it myself. Ya'll have deliberately. . . . It says every person has the right to acquire, own, control and use and protect and dispose of private property and the right is subject to reasonable statutory restrictions and reasonable exercise of the police power. It also states that property shall not be taken or damaged by

this state or its political subdivisions. Is Shreveport a subdivision of the state of Louisiana?

Councilman Stewart: I defer that to the City Attorney.

Raymond Simmons: Well, I requested he be here in ample enough time and you have about 20 on the payroll.

Councilman Stewart: I don't question that, but I can only. . . .

Raymond Simmons: Well I want to know, who is going to make this morally constitutional violation, right, because I'm a victim of that circumstance?

Councilman Stewart: Well, my suggestion would be, and I would certainly defer to the Mayor here, is perhaps there is an issue associated with. . . .

Raymond Simmons: Well, see I'm homeless behind that. I am experiencing emotional disturbances, disorientation, and that is a form of anguish. And then see, when we have knowledge of this type of violation that is going on and that is just like taking advantage of people that be born of knowledge and lacking of understanding, of this law, see this is in regards to Ordinance No. 158.

Councilman Shyne: Shreveport is a political subdivision of the state of Louisiana. And if it is alright with Mr. Mayor, Mr. Mayor, I would like for Mr. Archie Hall to get with this gentleman after the Council meeting and see if he can come up with a solution to his problem. Is that alright with the Administration?

Mayor Hightower: That'll be fine.

Raymond Simmons: Because I invited Agent Harp over here, because we pay \$ 0.30 out of every dollar to the Federal Bureau of Investigation and we would like to understand and believe that we can get an investigation, if necessary in regard to this situation.

Councilman Shyne: Mr. Archie Hall is gentleman, the tall, good-looking gentleman right behind you. He will work with you.

Councilman Stewart: Thank you Mr. Simmons, thank you Mr. Hall. Mr. Shyne, thank you for assisting us in a prompt resolution.

Councilman Shyne: Thank you very much.

Councilman Stewart: You got a couple of points on that one, Mr. Shyne.

## **MISCELLANEOUS MATTERS.**

Councilman Burrell: Two items: 1. I don't know if you call it Miscellaneous, but we do have a short SRA meeting after the Council meeting, which was postponed from yesterday.

The second item is a letter that I know I received, I don't know if others received it on dealing with annexations and I thought it was very interesting. It was a letter that you may have gotten, I got it faxed to me, I am not sure if we all got it over our fax, but it had to do with Slidell, Louisiana. And there was a court case where the City of Slidell was, I guess, sued by St. Tammy's Parish Council dealing with annexations. As I was reading though this and it was talking about under the First Judicial Court, is that correct Mr. Thompson, we discussed that? Was it held in the First Judicial Court?

Mr. Thompson: I don't remember, it was in Slidell. It was in the District Court that Slidell is in.

Councilman Burrell: 22<sup>nd</sup> Judicial Court, I'm sorry. It had to do with annexation and says in essence that, in order for property that is not occupied by any residents or non-resident owned land, that 90% of the boundary of that land should be, I wouldn't say, connected but should be aligned or contiguous, is the word they use, contiguous with the existing boundary of the city limits of your city or town. And in looking at that, it addresses the question of urban sprawl where we have situation where property is tacked onto our city limit and only a, well less than 90%, probably in some cases 20 to 30% is attached to our existing boundaries and as a result we would see property that is annexed to the city that looks like part of my district which is out toward Greenwood where it goes in the shape of the end of a knife maybe or something to that extent and it comes out to a point or in some cases you would have property that is annexed that is, that may run along a thoroughfare or a road and then blossom out on the end like a balloon. And think that when you have situations like that from the standpoint of city services, it becomes very, very expensive to service properties like that.

We should all be pro-annexation but we also must consider the expense that we put the City in, or should I say, our citizens in as it relates to their tax dollars when we start to annex properties that runs out a great distance from the City and they are not really annexed in somewhat of a constrictive form and I think this is something that we may or should consider, also in our annexation policy. So, I'll ask you all to review that letter and I plan to contact them down there to see what has been the result of this because I think this is the, the way they are looking at it there, is the way we should be looking at here then we wouldn't get these odd shaped city boundaries that we have that is so expensive to our taxpayers to serve.

Councilman Carmody: Just a couple of quick items. I did want to remind all of the Council members that we did receive a copy fo the agenda for the Municipal Fire and Police Civil Service Board meeting for Wednesday, January 9 and that will be in the old City

Hall in our former Council Chamber. Again, this will give us opportunity for those of us that can attend, to hear our Chief Cochran regarding the proposed education incentive requirements as well as to hear the appeals from the different civil service personnel and would encourage members, that can attend, to try and make that meeting.

I would also like to thank Chief Roberts and his department for getting the information I'd requested on Zeke Street regarding the number of violations. Quickly, apparently the Police Department has worked 4 accidents on Zeke in 2000; 6 accidents in 2001 and in 2001, 3 citations were issued for moving violations, 2 for running red lights and 1 for hit and run. No citations were issued in 2000. I just thought that the public, I know that the residents in the Valencia area, especially the Little Texas portion of my district had asked about, actually the incidents that the police had worked and I appreciate them expediting that information for us.

Councilman Stewart: Any time you think honesty and integrity have passed from our presence, we always get a good reminder. I'm holding, if somebody lost, a 2001 New York State quarter.

Councilman Burrell: There it is.

Councilman Stewart: Roy, that was about the smoothest you've ever pulled, I've got to admit that. But nonetheless, this couple here came forward and said, Mr. Stewart, we found this on the floor in the Chamber. So, if anyone would care to claim it, it will be here and if not. . .

Councilman Carmody: I think the Mayor is claiming it as city revenue.

Councilman Stewart: And if not, I will, with the permission of the Council, give this 25 cents to the Mayor to add to the financial welfare of the City—not your campaign, Sir (I assume that is what you were referring to.)

Councilman Carmody: You are not going to encourage everybody else to take a look under their seats?

Councilman Stewart: Not at all, but you may. Mr. Carmody has encouraged everyone to look under their seats.

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

Motion by Councilman Carmody, seconded by Councilman Serio to Rise and Report and resolve itself back into regular Council meeting. Motion approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

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**John David Stewart, Chairman**

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