

COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA
FEBRUARY 12, 2002

The regular meeting of the City Council of the City of Shreveport, State of Louisiana, was called to order by Chairman John David Stewart, at 3:08 p.m., Tuesday, February 12, 2002, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Dr. E. Edwards Jones.

On Roll Call, the following members were Present: Councilmen Pearl Huckaby, Stewart, Carmody, Serio (3:10), Spigener, Shyne and Burrell. 7. Absent: None.

Motion by Councilman Shyne, seconded by Councilman Spigener for approval of the Summary Minutes of the Administrative Conference of January 18, 2002 and the Minutes of the Regular Meeting of January 22, 2002. Motion approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Spigener, and Shyne. 5. Nays: None. Absent: Councilman Serio. 1. Did not cast a vote: Councilman Burrell. 1.

Awards, Recognitions of Distinguished Guests, and Communications of the Mayor Which Are Required By Law.

Mayor Hightower: The only communication I have today is, I'd like to congratulate, thank the general public, this Council, the Administration and mostly the Krewes of Gemini and Centaur for the excellent show that they put on over the past two weekends. The problems were minimum. We learned a lot in the first week, but I think that the Police Department, SPAR, Public Works, every department that worked the parade had the experience under their belt now so that we will be in a position to have a bigger and better and safer parade in the coming years. And, most of all, I just want to thank everybody that came for conducting themselves in a manner that I think is indicative of the way we believe that we ought to conduct ourselves in public in Shreveport and I also think that it will send a strong message back to the School Board and to the principals and band members and parents to let them know that the parades are safe and that the parades are a family, and the parades a fun, and the parade should be reward for what the band members do during the year so that they can perform at the next Mardi Gras parade. So, again, everything went well, everybody cooperated well, and I think it speaks high of the confidence that the City Council had and the Administration and Departments to be able to handle the full brunt of the parade compared to half the parade in previous years. I think we had everything to lose and nothing to really gain, but we were able to step forward and I think provide the type entertainment, quality-of-life festival and parade that people had come to expect in Shreveport-Bossier as part of, at least quickly becoming a part of, our heritage and part of what we look forward to doing every February. So, again I want to congratulate and thank all of those that came to parade for conducting themselves in a manner that will enable us to continue in the future.

Councilman Shyne: Chief Cochran, would you please come forward. Chief, I'd like to make a few statements, I don't know whether you can make any comments about the newspaper article about the equity and about the situation where I believe a

lawsuit has been filed against the Shreveport Fire Department about reverse discrimination.

First of all, I think you have done an excellent job. I think you and your staff and I think the Administration has done an excellent job in meeting the federal guidelines and the federal mandates about making the Department as close to 50-50 as possible.

And what I would like to see, I would like to see the Council members and other people that are in positions of authority to support you and to support what you've been doing. I think we some times, we sit back and we support people, but we don't say anything about it and make other people feel like that we are in agreement on what is going on, but I believe the figures came out where it showed that the Fire Department is 76% white males and about 24% or a little bit better of minorities and I believe the federal mandate says that we should get as close as we can to the 50-50 percentile. Chief Cochran: That is correct. Councilman Shyne: And I think the editorial in the Shreveport Times was right on target and I believe they supported the position and the type of leadership that you've brought to this Department even with the educational incentives that you've talked about, improving the level of education within the Department and look like I read somewhere where somebody might have criticized you for doing that. But, I think that is vision on your part and I think that is something that we need to work towards because we understand education is a tool and the better educated the men and women of the Fire Department become, the better firefighters that you are going to have.

And Chief, a lot of times just because one person might make a 100 on a test, another person might make 95 on a test, there are a lot of things that go into making a firefighter beside scoring on a written test. There are intangible qualities that it is pretty hard to measure. Chief Cochran: That is correct.

Councilman Shyne: So, I want you to know that, the people in District F and the people that I've talked to support you and I feel like that you are doing an excellent and you know yourself from your standpoint, about ten years ago there was an Assistant Chief position that was opened and it stayed open for about a year and half. And everybody understood that Kelvin Cochran was the best man for that position, but you know it took a little pushing and a little pulling from the late Councilman Hilry Huckaby and Joe Shyne in order to kind of move us in that direction. And today, Kelvin Cochran is Fire Chief. So, I think the City made the best choice and I appreciate the kind of leadership that you've given to the Shreveport Fire Department and to the City of Shreveport, so I hope you continue to do what you are doing and if you have a remark or two that you would like to make, I would appreciate it at this time.

Chief Cochran: Thank you Mr. Shyne it is just that the City of Shreveport since 1997 has been under a federally mandated consent decree. Mayor Hightower and I, we was following the guidelines of that consent decree and our hiring efforts reflect the goals as defined in the federal consent decree. We believe that it is still right for the City to pursue those goals, that our Fire Department should reflect the diversity of our City as a whole and we are continuing along those paths and I appreciate your comments today.

Councilman Shyne: You are doing an excellent job and I am extremely proud of you and there are others in this City who are extremely proud of you--keep up the good work and I would like to commend the Mayor for the selection. I don't think he could have found a better person than Kelvin Cochran.

Councilman Burrell: Chief, I do also support the effort. I think I made mine very public because many times we do sit back and don't put our comments out to the public and the public want to know what you think. And I guess, I with my personal experience being in corporate America and the only way I got a job in Shreveport was that a suit was filed against a telecommunications company to give me an opportunity to work and to show what I can do as an engineer because there were people who felt that people like me shouldn't be engineers. But it gave me a job and an opportunity for 22 years to show that this is what I could do and to help others. So I know some times these are, I wouldn't say necessary evils because they are not evil. It is just the fact that because things are different, people have a problem in making changes. Changes to me, bring about strengths, it challenges people. It makes them be the best that they can be. We can't stay the status quo because when we do, we die. And I think what we are doing here is sort of stretching a little bit, we are growing a little bit. And, given that, I think that we do need to work toward bringing about diversity within our City because we are a diverse city and I think diversity is strength and I think that is what this whole situation actually presents itself as.

Again, I know it is tough decision. You are going to raked over the coals, many of us have, so you are no different than some of us who have already had to go down that road, but I think if we stay focused on what we are doing, eventually people will accept it and find that it is better overall. I don't think that you are doing anything to discriminate against someone else, you are following a mandate and if you don't follow the mandate, then you are in trouble. So I guess in one way, you are damned if you do and damned if you don't—excuse me, Pastor, but under those circumstances, the people will embrace it eventually.

Chief Cochran: Thank you Councilman and with Mayor Hightower's support, with the support of the Council, I am just going to represent us and I represent all of us in our efforts where this lawsuit is concerned. I am going to represent us in a way that, it brings credit to our city government; I promise you that.

Councilman Stewart: Chief, thank you very much for the excellent work.

Councilman Shyne: Mr. Ferdinand, is Mr. Bowie with you? Mr. Ferdinand: He is out of town.

Councilman Shyne: I happened to be driving by, and I drive by Kennedy and Hollywood Avenue quite often, there is a convenience store at that corner and I think you might be familiar with it. Mr. Ferdinand: Yes, I am.

Councilman Shyne: And I appreciate the Mayor has been on t. v. for the last week or so talking about lets keep Shreveport clean. I happened to be passing by there on yesterday, and my boys looked at that and they said: Well, Daddy, do we have to have this in our neighborhood? I mean it is just trash everywhere. I mean it is so much trash around the store, it is trash has blown from the store to the fence next door and you know really, my boys are right. We shouldn't have to have that out in a neighborhood. I would hope that in the morning, that you would have Mr. Bowie and one of his inspectors and if they will call me, I will meet them there to make sure and I think we have some legislation on the books where we can compel and I think we need to start doing that. The Mayor is right and this is something we talked about that when you were on the Council, about how we need to keep our neighborhoods clean. And I think that would be a good starting point, at the corner of Kennedy and Hollywood, there is a convenience store and if you didn't know any better, you would kind of think it was a trash dump. And these people make too

much money in our neighborhood to just let it run down. Mr. Ferdinand: It sounds like they are in violation of our Care of Premises Code, so we will have someone out there in the morning.

Councilman Shyne: Please; thank you very much.

Public Hearing: None.

Confirmations and/or Appointments: Motion by Councilman Carmody to confirm to the 1) SPAR Council: Joe L. Thomas and to the 2) Shreve Memorial Library Board: Dianne Hayes Turner, seconded by Councilman Huckaby. Confirmation approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

Public Comments (Agenda Items to Be Adopted). Motion by Councilman Carmody, seconded by Councilman Huckaby to allow the speaker to address the Council; motion approved.

Dr. E. Edwards Jones (3035 Independence Avenue, 71109): I am in the District of the Honorable Roy Burrell. If I may take just a moment to welcome the lovely Councilwoman Mrs. Pearl Sibley Huckaby to the Council, please. I just want you to know, I am happy you are here.

I want to speak today because of my long time concern for a couple of things: economic development and for revitalization of communities. Down on Milam Street, I understand that there is a zoning appeal which is coming up, possible today, and I am here not because I live on Milam, but because I live all over the city of Shreveport through the membership that I serve.

There is one lady in the back who was a member of my first church more than 50 years ago who lives in the vicinity of the Milam Street property, Lillian Bradford. I have another member Eleanor Brood Bryant, and even another member who has recently had heart surgery, lost a husband, and has gone through a series of experiences who live in that neighborhood.

I am concerned about how our neighborhood operates, how it looks and what comes into where we live. I am here not because I have anything against whoever it is that may be asking for this particular exception or whatever, but I am here because I feel that it is my duty as a Pastor, as a community leader and please believe me or understand the stress and strain you go through. After all, I was one of the first black city, not city councilmen, but police jurors way back in the '70s when it was not quite so easy to operate and I know of the problems that you may have.

I would ask, humbly that you would vote against this particular appeal that is coming up for 2911 Milam Street. These persons are not young people any longer. They are senior citizens, as I am and maybe a little bit more senior, I hope, than I am.

And in my closing words, let me just commend the Mayor. I think on Kelvin Cochran, not only Kelvin Cochran, but the job you are doing.

Motion by Councilman Shyne, seconded by Councilman Burrell to allow the speaker to address the Council; motion approved.

Alton Jerome Ross (678 Princeton Road, Princeton, Louisiana): I am the license holder for the New Nat Café and I brought my appeal to the City Council in regards to obtaining a B-2 license for the café.

Well, we are getting a lot of opposition, I see but nevertheless, I think my business has been in good standing with the City for a number of years that we've been open. And

for the people that is the opposition, respectfully, Sir, if you visit us I am sure you will see that it is not as bad as people make it out to and we are just trying to do our business in the confines of the City and under the laws and regulations that the City puts before us. And we are not the only business in the City that is trying to get a B-2 zoning and others do have a license to sell liquor. I just really don't see where we are doing so much detriment to the community that we would get so much opposition but everybody has a right to their own opinion and we respect that. And I think to be fair, our standing in the community has been a good one with the City and we just appreciate your consideration and however ya'll rule, we thank you all for your time and your consideration.

Motion by Councilman Shyne, seconded by Councilman Burrell to allow the speaker to address the Council; motion approved.

Mrs. Lillian Bradford (6319 La Fleur Drive, 71119): I formerly lived, as my former Pastor said, in Lakeside and I still owe property there. We own property there (my children, grandson and I). We are still interested in Lakeside. I reared by children there, so we have interest there. Personally, I don't have anything against Mr. Ross and his establishment or his business. But where there is a request where liquor can be sold that is what I am opposed to.

I have seen or lived there 36 years and I have seen what it has done to the community and what it is still doing to the community. I am here representing those persons, persons who own property and those who are residents there. They are opposed to it because of the fact that they know the type of neighborhood it has become. They know what happens and many times they tell us that they can't rest, that is the senior citizens.

And I am fighting for them as well as the youth because of the fact when they have put their life's work into their little homes, not big homes, but they love those homes and they try to strive to keep them up. So, now they have retired and they want to rest and they want to live in peace and comfort and it is far from that.

I am also interested in the youth because the youth as I've stated before when I was here, they are our citizens of tomorrow. They are our leaders of tomorrow. Are we going to let them fall through the cracks because I see what happens to a lot of them when they get out of school because I am over there a lot of times and I see what happens to them. They don't go home. A lot of them come up there and if they can't get up there, somebody will get what they want to them. I see those things happening and I see, if this keeps up, those youth are going to fall through the cracks. Wouldn't you rather educate them than to pay for them to be incarcerated? I think that it would be cheaper, I would. I am just interested in youth because I do still work with them and they are our citizens of tomorrow, as I said. And we need to provide something for the voiceless, those people who can not do for themselves.

And I would just ask that you would vote against the rezoning of this establishment because they already have beer, they have video poker, we don't need liquor there. So, please vote against it, that is our request.

Motion by Councilman Huckaby, seconded by Councilman Shyne to allow the speaker to address the Council; motion approved

Ms. Essie A. Johnson (536 March Street, Shreveport, Louisiana, 71101): I would just like to say that—I am going to say this before I make my other statements—50 years ago when we organized our civic club, I am speaking on behalf of the Patzman Civic Club, when we organized 50 years ago we could not come to the Council, but we wrote you all a

letter asking you not to let alcohol get in the stores. And of course, we did not win, we lost. You put alcohol in every store in our neighborhood had alcohol and look what it has done to our children and so I am here today, the Patzman Civic Club President, Officers and members believe the City must support the citizens

We are working to create programs that will give our children a chance to improve their quality-of-life to minimize (inaudible) use of their ability. To minimize duplications of crime being committed by our youth, to help our children obtain their highest level of self-sufficiency, to promote, collaboration and cooperation within the community which will ultimately improve youth and to enhance their lives.

And, of course, I would also like to say, the reason that I oppose it, not the restaurant, but the alcohol being placed. My aunt I told you before when I was here, my aunt had to move out because of all the noise that, they would go under her house and be under the house, ring the doorbell, and she had to move out of her lovely home and go to the nursing home because of that. So, I am asking you all, please do you vote against the alcohol. Again, I'll say not the restaurant, but vote against the alcohol at this particular place of business that would like to open at 2911 Milam Street. And don't forget at 50 years I am still here talking about it, so you can see that what it has done to our children. You know each of you know what it has done to our children.

Councilman Stewart: Mrs. Johnson, thank you for your wonderful words and thank you for your commitment to our community.

Councilman Burrell: We hope you be around another 50 years.

Motion by Councilman Shyne, seconded by Councilman Carmody to allow the speaker to address the Council; motion approved.

Craig B. Lee (3500 Milam Street, Shreveport, Louisiana, 71109): I was interested in hearing the comments by Reverend Jones and the citizens of this area. The spin off to this whole thing is the issue of economic development and listening to Chief Cochran speak about the consent decree, we spoke last week about this in our Tuesday Morning Breakfast, where the City of Shreveport was forced to mandate it on the employment with the Fire Department; that's what we've been pushing for as it relates to the business contract side.

As you very well know, I represent the Committee for Equity and Gaming and Tourism. We are lobbyists and advocates for black business interest as well as other interests in the black community here in Shreveport. We offered in 2000 our statistical analysis of the Fair Share Program and Ms. Graham and the Internal Audit Department finished their report in December, and I don't know how many of your guys have read this report. How many of you have actually read this, in terms of City Councilmen (show of hands). Are you aware that 95% of what is in this report corroborates the charges that I brought forth against the Keith Hightower Administration in terms of what has been going on with this program? The numerical data is one of the key areas that is being debated and if you go into the Fair Share ordinance, we already know that the program is not impacting the black business concerns which is why the program was suppose to be introduced, in the first place. Now, we have Sam Gilliam representing the Fair Share Department trying to add numbers that are not suppose to be in the statistical data in order to give the illusion that the program is actually working for the African-American business concerns when it truly isn't.

And I am going to ask this City Council what is their position going to be after

analyzing this documentation, are we going to continuously give the Hightower Administration the carte blanche access to do an Enron because this is basically what's going on? Falsification of data. The Accounting Department, I think one of the most blatant things I found in this report was something that Liz Washington said, upon the recommendation of Ms. Pfister, as it relates to her recommendation in terms of the actually reporting of numbers. She said, our system is in tack. The accuracy of the numbers may be a little bit off or whatever but we are comfortable with those things.

There is a blatant reality here that we have to deal with in that this program is not a mandate, it is a goal where the census decree is a mandate and that is the only thing that produced black firefighters. We are playing around on the contract procurement side and then when we go into areas like Lakeside, that is why we don't have economic development opportunities and that is why we don't have issues, like this, basically being hammered home.

I am going to say to Councilman Carmody and Councilman Stewart specifically, since you guys talked about quality-of-life issues dealing with the truck stop on Industrial and 20, I am going to see whether or not you are going to be serious about the quality-of-life issue, that truly impact the black community in terms of contract procurement so that we can create viable black businesses, so we can create jobs in the community.

So, I want to know what the Council's position is on this internal audit because if the position is still going to be the same, then I know that we have to pursue our legal action against the Hightower Administration and what I will know from the City Council at that point and time, is that you guys are going to allow for an Enron situation to happen and continuously happen here in the city of Shreveport.

Councilman Stewart: I need to apologize as Chair person. I did request the gentleman to come forward, actually this should have been handled at the later part of the program, please accept my apologies.

Motion by Councilman Burrell, seconded by Councilman Shyne to allow the speaker to address the Council; motion approved.

Josie B. Harris (6209 Nottaway Drive, Shreveport, Louisiana, 71119): First of all, I'd like to thank you all for the vote on last Council meeting. Thank you very much and God always reward us for doing good deeds.

Today, we are here because the zoning with the restaurant and package beer and alcohol. We heard earlier that the residents was talking about the effect that alcohol have in their community. So, what we are saying that, if this is allowed then, it would have the same effect in our neighborhood too.

We do not want this in our neighborhood. We, most of us have lived in the inner city. There we found drug, alcohol on every corner almost and all this other illegal stuff going on so we thought we had escaped by moving where we are today. We love our neighborhood and we want to stay there and we want it to remain a peaceful and safe place to live. With all of this stuff coming in, it will not be that way. We are for economic development also, but not this kind. This is negative.

We have got to think about our children, even our children's' children. We do not want them in this kind of environment. This is negative. We do not need this. Our children will be able to run right next door and get whatever they want. We do not want this. So, we are going to stand here and we are going to fight until it is not in our neighborhood because we do want it in our neighborhoods.

The value of property will go. If it go down in Timberline, Deer Creek, it is also going to go down in Western Hills. We do not need that. We have worked hard for our homes and we want it to stay peaceful. Just last week, I think it was, I was in a rush going to work, I left my garage door up. I did not lock my kitchen door; so, that mean my house was open. Thank God that we still have good people in the area. Nobody went in my home to take anything, so I thank God for that and we want to continue to thank God so we don't get all this other stuff in our neighborhood.

As you know the people in south Shreveport they said that they did not want a truck stop. People at the Lakeview area said they do not want a truck stop. And we in the West Shreveport area saying that, we don't want a truck stop or any of this other stuff that goes along with a truck stop.

We do not have to agree on every issue, but we are not required to agree on every issue, but we are required to protect each others rights and provide and sustain for our family and our community and that is what we intend to do. Besides, even with our church most of us that attend Greenwood Acres, that is the route that we take going to and from church. We don't want to have to deal with all this stuff. So, thank you in advance for making the right decisions.

Motion by Councilman Burrell, seconded by Councilman Shyne to allow the speaker to address the Council; motion approved.

Richard King (330 Marshall Street): Basically, I am here to make comments with regards to this but it has already been voted on at the last Council meeting.

I just want to point out that I did at that point, ask that it be continued until this date so we wouldn't waste each of our times or be repetitive in connection with this. And, some other points in that now we have two votes and there may be possible two lawsuits that now have to be defended. And I asked through a motion before this Council to consider possible delaying it until today to one vote, but we didn't do that, we didn't even consider the vote on the delay and I just want to point that out to the Council, in connection with that.

Basically what we have here in connection with this is the application of ZBA in the second vote in connection with that and my comments are, basically, I would like to thank Council member Spigener and Council member Serio in standing up and having the courage to vote what they evidence is as before the Council and not personally views or morality issues in connection with that because I know that many of us don't agree with gaming or alcohol in connection with that, but thank you for standing up in connection with those filings before this Council.

With regard to this filing here at I-20 and Industrial, it is totally different from any of the applications that have been from the limited access road that has been filed in the other neighborhoods. We are talking about the corner of Industrial and I-20 which is totally different. There was no evidence before this. We didn't ask the Vice Squad, we didn't ask traffic control with regard to any of the traffic count itself to make any determinations with regard to the traffic count there at that location in making these decisions. We came before this and the value of housing. I've already showed you the aerial photograph, (inaudible) before this Council showing that this is hardly an industrial part that is totally surrounded by industrial zoning. So, to say that this would be an introduction of a new facility and a new type zoning, it is just without merit.

With regard the filing itself, we ask for the fairness and an impartial hearing, that is all we wanted and that is all we wanted in connection with the filings here. I'm afraid

though that when one Councilman called my client and said he was against it a week before, there is only quotations in the paper itself indicting the positions, that that is not possible. I am sorry that a fair hearing, an impartial hearing, due process requirements can't be, in my opinion, can't be afforded at that point, but that is my opinion.

I thank you for your time, I thank you for the votes that were afforded based on the merits and evidence that were presented before the Council.

Councilman Shyne: I would just like to make a couple of comments. I don't know, I think this Council generally tries to be fair and although we don't always agree with one another, but I don't think that we disagree from the standpoint that we are not fair. And this is the first time I have had somebody to tell me that I don't have any courage, in a long, long time. I might be wrong some times but it is not because I don't have any courage and it is not because I don't take an in-depth look at the material. Most of this information we receive a couple of weeks before we vote on it and I'd be a pretty poor individual if I could let you stand before me and maybe persuade me maybe, one way or the other; sometimes you do and some times you don't. But just because I might not vote the way that you think that I should vote, it does not necessarily say that I have not tried to be fair with you. So, I want to make it clear that all of the votes that I make on this Council, I try to be extremely fair. Now, I might not vote the way you want me to vote. I didn't do everything my momma wanted me to do, didn't do everything my daddy wanted me to do, but it did not necessarily say that, I didn't try to be fair. So, it makes me feel a little bad when persons come before the Council and this is nothing personal, this is strictly professional. and I still love you.

Motion by Councilman Burrell, seconded by Councilman Shyne to allow the speaker to address the Council; motion approved.

Jessie Mae Monroe (6814 Morrison Drive, Shreveport, Louisiana, 71119): I reside in Greenwood Acres Subdivision and I oppose all the things that's listed for BAC-10-02, Sports Mall/ Randy Travel Town, 7288 Greenwood Road.

I have lived in Greenwood Acres from 1958 until today. I reared my children there, my husband and I, we are founding members of Greenwood Acres Church. We have had an enjoyable time rearing our children and to have drugs, alcohol, and all of these other vices come in. My children are grown, but I will be always there to help boys and girls to grow. So, I will ask you please, to vote in opposition to whatever is listed as BAC-10-02, Sports Mall / Randy Travel Town, 7288 Greenwood Road.

Motion by Councilman Burrell, seconded by Councilman Shyne to allow the speaker to address the Council; motion approved.

Mr. Ester Monroe (6814 Morrison Drive): I don't want to be redundant about what has already been spoken about, the activity that is proposed out on Randy's Travel Town.

Whenever we talk about marijuana and some of the other drug, we get excited but I'm afraid alcohol is a sleeper. To me, I think that is one of the biggest detriments to our society, particularly the young people than I have seen anywhere. As my wife said, we have been out there since 1958, even then, kids would stroll through there and alcohol was a long ways from there, even then, they would get it. By putting it next door means one thing, it doesn't take long for them from to get it. You need not to say that some adult is going to give these kids that. Money, in that are regard, they will go and get it for themselves and give it to the kids. And kids right now, every now and then, you see them walking down the street reeling and rocking. Not many of them, just now and then. And we believe that putting that activity in that area would certainly would not do our community any

good at all.

We have been there, as my wife has spoken, we have raised our children there and not only that, a lot of kids. I have worked in all facets of the community, in raising kids. When my kids went to high school, I came the President of the PTA and I had a pick up truck. When my truck got ready to leave, I had a load of kids. And then when I would come back from the game, I had a load of kids. They didn't ask anything, they just pile in. The parents did not mind it. We didn't have, there wasn't anything going on that we couldn't corral and every kid, their parent, whoever kid that parent happen to be there. If that parent saw that kid doing something that he had no business, that parent had the right to discipline and then call his parents and everybody lived in peace and harmony out there, all of these years.

We believe that by bringing an activity like that, will not serve the purpose for which we have labored so hard for, to keep out.

Councilman Burrell: I just wanted to recognize some of my other constituents out in West Shreveport. If they would, at this time and if they feel like standing up, it is always important for the Council to see who did come this time for this issue. If you wouldn't mind standing, West Shreveport, I know my constituents out in that area (8 persons stood).

Councilman Stewart: Would those that feel contrary to this, please feel free to stand and be recognized (no one stood).

Adding Legislation to the Agenda. Motion by Councilman Serio, seconded by Councilman Burrell to add the following entitled legislation to the agenda. 1) *Ordinance No. 194 of 2001: An ordinance to reverse the decision rendered by the Metropolitan Planning Commission during their public hearing meeting of November 7, 2001, by closing and abandoning the portion of Glen Iris Boulevard located north of Ontario Street in the Glen Iris Addition Subdivision, and to otherwise provide with respect thereto.* Motion approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

2) *Resolution No. 9 of 2002: A resolution suspending the effects of certain provisions of Section 10-172 relative to Sunday sales and consumption of alcoholic beverages and otherwise providing with respect thereto.* Mr. Antee: That is in regards to the pool tournament that was addressed in the work session yesterday. And what our plan is, is to address this one particular tournament and then get with the Police Department and Legal to come up with a permanent solution to bring as a proposal to the Council.

Councilman Burrell: On this issue, I know there was some discussion after the meeting in which I thought I had a clear understanding that what was going to be done would not affect what was already in place and it appeared from the discussion that we had yesterday, after the meeting, that it would. What you are introducing now, is it, would it be for this one particular tournament is what you are saying? Mr. Antee: It is only for this one particular tournament with the American Pool Players Association on March 3rd and that way it would give us time to really sit down and think through and work out a good permanent solution that can take everything into consideration and bring back to the Council at one time, rather than try to rush and to get something and miss one of those aspects that we did, causing this problem.

Councilman Burrell: Again it wasn't quite clear yesterday. Hopefully, we (inaudible) we deal with this one situation then yeah, we definitely need to study this other situation a lot more thoroughly.

Councilman Spigener: Do we have a copy of the resolution that Councilman Serio introduced? Mr. Thompson: I wanted to comment on that if I could. Its really, as I understand it, a motion to reconsider Ordinance 194 of 2001. It is not a new ordinance, but it a motion to reconsider an ordinance that was previously dealt with at the last Council meeting and it has to do with the Glen Iris closing.

Councilman Stewart: Do you have copies that we could. . . .Mr. Thompson: I can get copies in a minute for everybody. Councilman Stewart: I would appreciate very much. Mr. Thompson: I just wanted to be sure that everybody. . . .

Councilman Shyne: Could Mr. Serio give us synopsis of what it is all about.

Councilman Serio: I'll do this as quick as I can. At the request of Councilman Stewart, to re-look at this particular issue that we had that we voted on at the previous Council meeting and I'll give you the information right off the sheet. It is considered a proposal to close and abandonment of a portion of Glen Iris. Request to close and abandon this portion of the street that was denied by the MPC. And basically to look back at this, I think Mr. Stewart has a couple of issues that he'd like to bring forward on this and I really yield it to Mr. Stewart so that he can address this issue properly as to what he wants to do with this.

Councilman Stewart: I am happy to do it. I voted in the affirmative and I requested that Mr. Thompson prepare the information to bring it back to the agenda. I'd like to provide some additional information to the Council today and ask for your support and vote after the explanation.

It is a matter of record that I voted on the prevailing side which allows us who like to bring it back and I believe information was not provided to members of the Council that I think is pertinent to the decision and at the appropriate time on the agenda, when Mr. Thompson points it out, I'd be happy to discuss it and offer any suggestions and directions. Is that a reasonable commentary, Mrs. Glass?

Councilman Shyne: Madame Clerk, do you have a list of those votes who voted in the affirmative and who voted. . . .Ms. Lee: The prevailing side? Councilman Shyne: The prevailing side. Mr. Lee: Those that voted against it were: Councilmen Stewart, Serio, Spigener, Shyne and Burrell. The ones in favor were: Councilmen Huckaby and Carmody.

Councilman Shyne: To close that? Ms. Lee: To reverse the decision. Councilman Shyne: That helps me a whole lot.

Motion to add the resolution to the agenda approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

CONSENT AGENDA LEGISLATION:
INTRODUCTION OF RESOLUTIONS AND ORDINANCES ON CONSENT:

RESOLUTION: None.

ORDINANCE: None.

ADOPTION OF RESOLUTIONS AND ORDINANCES ON CONSENT:

RESOLUTION: None.

ORDINANCE:

Councilman Huckaby: I would go along with this and ask that my colleagues would do the same, please. I think it would be an asset to District A.

Read by title and as read motion by Councilman Huckaby, seconded by Councilman Burrell adopted by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

ORDINANCE 4 OF 2002

AN ORDINANCE CLOSING AND ABANDONING THE 20 FOOT-WIDE DEDICATED "T" SHAPED ALLEYWAY IN BLOCKS 3 AND 4 OF THE PARK VIEW SUBDIVISION BOUNDED BY SYCAMORE, WALNUT, AND LAUREL STREETS, AND OTHERWISE PROVIDE WITH AND RESPECT THERETO

BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the 20 foot-wide alleyways bounded by Sycamore, Walnut, and Laurel Streets in the NE/4 of SECTION 2 (T17N-R14), Caddo Parish, Louisiana and as shown and as indicated and as more fully described on the plat attached hereto and made a part hereof, is hereby closed and abandoned, and be it ordained that the sewer, utility and drainage servitudes be retained throughout the closed and abandoned alleyways.

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

BE IT FURTHER ORDAINED that if any provision 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.

REGULAR AGENDA LEGISLATION:

RESOLUTIONS:

The Deputy Clerk read the resolution by title: Resolution No. 5 of 2002: A resolution ratifying the Mayor's signature to the Release of Guaranty of Lease and Consent of Lessor, City Estoppel Certificate and Landlord Waiver, between Industrial Holdings, Inc., Beard Acquisition, LLC, and City of Shreveport and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Shyne, seconded by Councilman Burrell for passage.

Councilman Carmody: I would like to make a substitute motion that we postpone this. My rationale for the request is that we had asked for some information yesterday to be provided back to the Council members which we have not received. And having talked to the City Attorney's Office, I understand that the postponement will not have any real effect but it will provide enough time for them to get this information to us and let us take a look at it.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Serio to postpone the resolution until the February 26, 2002 meeting.

Councilman Stewart: Mrs. Glass, would you give us direction? A vote on the motion to postpone, is that priority at this time? Mrs. Glass: Yes, that is correct.

Councilman Burrell: How long do we look for the postponement, just the next two weeks? Councilman Carmody: Yes, sir.

Motion to postpone approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION NO. 6 OF 2002

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

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

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

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

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

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

- 1) Lot 131 Exposition Heights
- 2) Lot 8, Block A, Exposition Heights
- 3) Lot 3, resubdivision of Block A and B, Block B, Exposition Heights
- 4) Lot 7 and the South 10 Feet of Lot 6, resubdivision of Block B, Exposition Heights

- 5) East 30 feet of Lot 2 and the West half of Lot 3, Block E, Edgehill Subdivision
- 6) Lot Eighty-Five (85), Carver Heights Subdivision, Unit Number Two (2)
- 7) The East Portion of Lot Sixteen (16), Block Q, Werner Park Subdivision
- 8) Lot 4, Greenmoor Park Subdivision
- 9) Lot Ninety-Nine (99), Hotchkiss Subdivision
- 10) Northeasterly 85 feet of Southwesterly 167.5 feet of Lot 18, less R/W, Jones Mabry Subdivision
- 11) Lot 111, Lakeview Subdivision
- 12) Lot Seventy-Eight (78), Wood Pine Place

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

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

Read by title and as read motion by Councilman Carmody, seconded by Councilman Serio passed by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION NO. 9 OF 2002

A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF SECTION 10-172 RELATIVE TO SUNDAY SALES AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the American Pool Players Association of North Louisiana will sponsor a pool tournament at Secrets, 6950 Jewella Ave., on March 3, 2002; and

WHEREAS, the tournament sponsor has requested that the sale and consumption of alcoholic beverages be permitted during the tournament; and

WHEREAS, Section 10-172(a) prohibits the sale of alcoholic beverages on Sundays; and

WHEREAS, the City Council wishes to study the effects of allowing such Sunday sales at sanctioned or licensed events of state or national associations in order to determine whether the ordinance should be amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

Shreveport in due, legal and regular session convened that Sections 10-172(a) is hereby suspended on March 3, 2002 to the limited extent necessary in order to allow the sale and consumption of alcoholic beverages during the American Pool Players Association Tournament at Secrets, 6950 Jewella Ave. All other provisions of Chapter 10 of the Code of Ordinances shall remain in full force and effect.

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

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

Read by title and as read motion by Councilman Carmody, seconded by Councilman Stewart for passage.

Councilman Carmody: I just want to clarify with Mr. Antee I think that Mr. Burrell got his answer and I want to make sure I understood it correct. What we are doing in order to meet the time constraints for this particular event to take place, we are going to allow suspension of the Sunday alcohol sales for this one time and then we are going to clean up the rest of the problem that we seem to have in these special events by further legislation?

Mr. Antee: Yeah, that is correct. It is limited to this specific event at this specific place on March 3rd and that would go towards their limit of 10 special exceptions.

Councilman Carmody: Thank you for that clarification.

Councilman Stewart: Mr. Carmody's comments I think are pertinent and Mr. Antee if both you and the Mayor, I would accept my thanks and I believe the thanks of the Council for the introspective approach you brought to us yesterday and the clarity of what we need to do in order to protect everybody's rights. I appreciate the work of both of you and the Administration very much.

Resolution passed by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

INTRODUCTION OF RESOLUTIONS:

1. Resolution No. 7 of 2002: A resolution authorizing the Mayor to enter into an agreement with the Executive Office of the President-Office of the National Drug Control Policy, and otherwise provide with respect thereto.
2. Resolution No. 8 of 2002: A resolution authorizing the Mayor to execute grant documents with the U. S. Department of Justice for the acceptance of grant funds, and otherwise with respect thereto.

Read by title and as read motion by Councilman Shyne, seconded by Councilman Carmody for Introduction of the Resolutions to lay over until the February 26, 2002 meeting. Motion passed by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

INTRODUCTION OF ORDINANCES:

1. Ordinance No. 8 of 2002: An ordinance to amend and re-enact Section 2-258 of the City of Shreveport Code of Ordinances relative to the Department of Operational Services and to otherwise provide with respect thereto.
2. Ordinance No. 9 of 2002: An ordinance amending the 2002 Capital Improvements Budget and otherwise providing with respect thereto.
3. Ordinance No. 10 of 2002 by Councilman Carmody: An ordinance to create and establish a no parking any time zone on the South side of the 700 block of Montrose Drive and to otherwise provide with respect thereto.
4. Ordinance No. 11 of 2002 Councilman Stewart: An ordinance to create and establish a no parking any time zone on the North side of the 200 block of Rutherford Street and to otherwise provide with respect thereto.
5. Ordinance No. 12 of 2002 Councilman Serio: An ordinance repealing Ordinance No. 213 of 1988 and amending and reenacting a portion of Section 90-198 of the Code of Ordinances of the City of Shreveport pertaining to the maximum limits on West 84th Street and to otherwise provide with respect thereto.
6. Ordinance No. 13 of 2002 Councilman Huckaby: An ordinance amending and reenacting a portion of Section 90-198 of the Code of Ordinances of the City of Shreveport pertaining to the maximum limits on Willow Ridge Boulevard, and to otherwise provide with respect thereto.
7. Ordinance No. 14 of 2002: An ordinance to amend Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, relative to on-premises advertising signs and to otherwise provide with respect thereto.
8. Ordinance No. 15 of 2002: An ordinance to amend Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the east side of Youree Drive, 200 feet north of East Wilkinson Street, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District to B-3, Community Business District and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Huckaby, seconded by Councilman Carmody for Introduction of the Ordinances to lay over until the February 26, 2002 meeting. Motion passed by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne

and Burrell. 7. Nays: None.

ORDINANCES ON SECOND READING AND FINAL PASSAGE:

1. Ordinance No. 185 of 2001: An ordinance authorizing the execution of an agreement with Coca-Cola Enterprises, Inc., d/b/a Coca-Cola Bottling Company of Shreveport and to otherwise provide with respect thereto.

Having passed first reading on November 13, 2001 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Huckaby for passage.

Councilman Carmody: Again, I would like the Administration to guide us here. I understood that we had postponed this in order to get some of the legalities worked out. Have we crossed every “t” and dotted every “i” that we needed to do in order facilitate this contract? Mayor Hightower: I think so.

Councilman Carmody: And as I appreciate it, the contract will not—it covers all public buildings being used with the exception of the new Convention Center? Mayor Hightower: That is correct.

Councilman Carmody: We will have the ability to negotiate that venue once it is complete? Mayor Hightower: That is correct.

Mr. Antee: Councilman Carmody, we do have a representative of Coca-Cola here that I think can acknowledge, publicly, that it does not affect the new Convention Center, Barry Bernard.

Councilman Stewart: Would you like to have him come forward? (Councilman Carmody’s response was inaudible.)

Mr. Thompson: The new agreement that we have before us, is a substitute for the one that we were given on November 13th? Mr. Antee: That is correct and you should have received that either yesterday or today.

Councilman Carmody: Is that what we are looking at? Mr. Thompson: Yes. I believe we received one on November 13th and this is a new agreement. We just need to make sure so that we can put this in our file as being the one.

Councilman Carmody: I mean I am comfortable.

Mr. Thompson: Okay.

Councilman Stewart: Are we comfortable with Mr. Thompson’s suggestion and direction? Mr. Thompson: I just want to be sure this was the latest.

Councilman Burrell: There is no action needed by the Council in order to make the substitution or just pull it? Mr. Thompson: It says, substantially in accordance with the one that was on November 13th and I think that this is probably, substantially in accordance.

Councilman Burrell: That’s an assumption or is that a fact? Mr. Thompson: Assumption. The Administration can answer that.

Mr. Antee: The only change was clarification on some issues such as does it, it refers to Convention Center. We wanted to clarify that it is the existing Convention Center. And there was some language to make sure that in the event the current concessionaire company that has the contract now changes, that whoever comes in or takes over, would still be

required to comply with this contract which was the agreement that everybody had, they just wanted to make sure that the language was clear that they had to come in and abide by this contract during the term of it.

Councilman Stewart: I am happy to entertain a motion for postponement.

Councilman Burrell: Postponement---not postponement. There was not request for postponement.

Councilman Stewart: There has been some comments. Do we have a request for postponement?

Councilman Carmody: In that this is not the same contract that I'd read before, I would be agreeable to postpone today. I don't think it is going to have any effect at this point, but I would like to have read it before I really felt comfortable in voting on it and again, if I could get a second.

Motion by Councilman Carmody, seconded by Councilman Huckaby to postpone the ordinance until the February 26, 2002 meeting.

Councilman Carmody: I think within two weeks, we should be prepared to vote on this. I am sure that there is probably no problem but I would just rather air on the side of caution.

Mr. Antee: That's fine. Coke is just wanting to know when to bring us that \$70,000 check.

Councilman Stewart: Two weeks.

Motion passed by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

2. Ordinance No. 194 of 2001: An ordinance to reverse the decision rendered by the Metropolitan Planning Commission during their public hearing meeting of November 7, 2001, by closing and abandoning the portion of Glen Iris Boulevard located north of Ontario Street in the Glen Iris Addition Subdivision, and to otherwise provide with respect thereto.

Having passed first reading on December 11, 2001 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Stewart to reconsider the ordinance, seconded by Councilman Carmody.

Councilman Stewart: Any questions? Mr. Shyne, do you have some questions.

Councilman Shyne: Not really, Mr. Chairman.

Mr. Shyne, Councilman Stewart: I am happy to offer some thoughts for everyone, if that would be appropriate.

Councilman Shyne: Mr. Chairman, I do. And I think it was brought to my attention by Councilwoman Spigener, I believe it says in here that this piece of legislation is to reverse, what we did at the last Council meeting by upholding. Am I—Mr. Thompson: I believe what you have in your hand is the ordinance that was considered at the last Council meeting.

Councilman Shyne: Okay. So this is, I think what Councilman Stewart is asking that, we would just take a another look at it, am I understanding you right?

Councilman Stewart: I would like to vote on it.

Councilman Shyne: Again?

Councilman Stewart: That is correct. Mr. Thompson, is that appropriate?

Mr. Thompson: I think that there are two motions that are going to be required. I believe that the—I think that there are two motions that are going to be required: 1) is a motion to reconsider and that would be to reconsider the action that was taken at the last meeting which was to not approve this ordinance and then 2) if you do vote to reconsider, then the question would be whether or not you would adopt the ordinance.

Councilman Stewart: Then my motion would be to reconsider at this time.

Councilman Burrell: Mr. Chairman, as I appreciate it, you are asking us to give you the proper leeway to present new information, by asking us to reconsider, that is my understanding. It is not necessarily that we would reverse it, but given the fact that the new information you give, may change our minds, then we would take that issue up as a second motion to reverse the MPC's decision, am I correct?

Mr. Thompson: I would say, yes that is correct.

Councilman Shyne: At this particular point, Mr. Thompson, do we need to reconsider this in order for Mr. Stewart to give us some information about this? I mean, could we ask him to give us some information to see if we wanted to reconsider this? I mean, couldn't this be possible?

Mr. Thompson: I guess you are now debating the motion whether or not you could reconsider and if he wanted to offer any reasons for reconsidering, he could.

Councilman Shyne: Right. This is what I'm saying. Could we get some information on why we need to reconsider this?

Councilman Stewart: Certainly. I'm happy to address it.

Councilman Spigener: The motion that we have before us is, to reconsider this, not to vote on?

Mr. Thompson: That is correct.

Councilman Stewart: And if we move to reconsider it and there is an affirmative vote?

Mr. Thompson: Then you could either move to adopt the ordinance or to postpone the ordinance.

Councilman Stewart: Or reverse?

Mr. Thompson: Your motion would be to adopt.

Councilman Burrell: But as a clarification of what Councilman Shyne just said, if we request during this particular motion while we are in position to question, then if you give us compelling information to reconsider the reconsideration, then we can vote it up or down and we would only have to do it once and that could be in this motion rather than having two motions to come back and reconsider.

Mr. Thompson: If you denied it, that would be correct.

Councilman Stewart: I am happy to address it, if that is the wishes of the Council.

Councilman Shyne: That would be my wish.

Councilman Stewart: It is appropriate. I gave a lot of consideration to this. It was in fact defeated, that is everyone's right. No one spoke to me about it who was against it, that is everyone's right. However, when I in the past have felt differently, I have spoken to others; that's everyone's opinion.

I think it is a very simply issue. Issue No. 1) is a request that was presented to me in

the form of a petition by all of the abutting neighbors, that's number 1. The original request from two or three and I requested that all abutting neighbors register their opinions as to whether or not, this should closed; all did.

2) I am not certain as to whether or not everyone received and if in fact received, had an opportunity to read the basic information. I am not here to tell anyone in this room that I know more about District B than anyone else, but I can tell you I have walked this area four times on four different elections. I visit this area no less than 10 times in the deliberations and while I find it to be a rather simple and pleasant request, it was in fact defeated, but the real issue is what is the information and let us all vote on it.

I underscore the fact that every neighbor abutting this property, everybody to the north, everybody to the south, the east and the west, within 2 or 3 houses, not just 1 or 2 people, felt that it should be abandoned.

From a risk management standpoint unless somebody would contradict me and Mr. Carmody, I do not try to influence you, but if you have thoughts to the contrary I would appreciate it from your venue and Mr. Antee, the same from you Sir, as a member of the Risk Management Committee.

Vacant land, particularly, in a drainage area where there is no sidewalk, is downhill and has been a problem for many years, is not maintained, is a difficult issue particularly, in this area where you have a tremendous number of children. Now perhaps others might think, because there are large houses, but we don't have children we have older people and we have children. That ditch is a part of the confluence. It drains down hill into the park.

There is an allegation that this particular piece of property that is city property, is the only way to attach oneself to that property on Baltimore Street; that is not true. I have walked that area, I have driven that area again and if you were to look at the house on the north side of this particular property, you would find it on a very steep incline. You would find that the house was built by Mr. Weiner for a client and you drive down to it. Yes, it is low. It has always been low. It was low when it was purchased by Mr. Weiner who complained about us taking his rights. I state unequivocally, I take no one's rights but for anyone to assume that their rights are being taken when you move for quality of life, when you move to protect the neighbors, when you move to protect the children, I think is personally not in keeping with what we are responsible to do as citizens, not just here. I re-emphasis, risk management of vacant areas particularly where you have children, it doesn't matter what type of child, it doesn't matter what location, is not in anyone's interest.

Legal opinions. I have an opinion from Mr. Mike Strong. I asked him to inspect it. He wrote a letter, everybody received it saying he felt it was appropriate to close it and abandon it back to the abutting property owners, that's interpretation of the letter. I believe everyone received it.

I was asked to recuse myself because I knew Mr. Weiner and I knew the gentleman who lived next door, Mr. Malpass. Certainly I know them, Mr. Weiner was an early contributor. Mr. Kirkland out here with MPC can cite numerous times Mr. Weiner, Mr. Kirkland, Mr. Mitchell (his former partner in architect) and I have met, time and time again on Saturdays, on Sundays in the evening, so in any inference by anyone that my devotion to what's right or to any individual is in question, is a complete and utter falsehood.

I was asked to recuse myself because I am friends with (inaudible). That is, according to the City Attorney's (inaudible) and not a reason. I did not receive all of the communications ya'll got. I only received a certain portion of them. I did not know that

until actually one of the members of the Council show me their copy, but that's okay, that is not the issue here. I asked for public input, I received public input. I have a letter from the South Highlands Association, from the President and we talk about attention to that. Everybody in this room got it and suddenly we don't pay attention to it because somebody has offered us a trip somewhere or a deal. I don't understand this issue, but I do defend everyone's rights without question. I am not trying to in-pune anyone.

The issue is, we have a legal opinion. We have the South Highlands Neighborhood Association. We have the abutting neighbors. I am telling you have been there, that in my opinion, as an engineer by degree, who has done engineering work on drainage although it is sometime ago, as a person who has communicated with Mr. Kirkland 3 to 4 times on this one issue and you heard him speak to the issue that was clearly indicative, not putting words in his mouth, that while it was unique, this is not an issue as represented by others, it is an issue as represented by me.

My personal request of each of you is, to do what you want to do, but everyone of you at one time or another has said to me and many times it has been said publicly, *well it is in my district and know what's best*. I am not telling you I know what is best. I am telling you each you've asked me and every prior Council, I've done this same thing, but I am also telling you I think a terrible mistake was made. I understand that people can say things to members of this Council and twist them and cause you to believe things about me or things that are not true or represent things that aren't fact. I think all of those things have occurred.

Now, how you vote is your business, ladies and gentlemen. I guess this is probably the most passionate statement I've made since 1991, the only thing different is when I said, thank you when I was first elected. But I am astonished that integrity is questioned, is in-puned by people who stand to gain for it, who've never done anything with it and have made allegations that are unfounded. I would hope that you would re-think this issue and let us vote to reconsider it and let us abandon it back to the abutting property owners as it should have been a long time ago and realize that it really doesn't matter whether you've got a 9-0 vote when it is a matter of fact. What does matter is, what the people want which is exactly what everyone said.

I certainly would close on this manner and statement, I am not trying to be emotional about it, that is not the issue but emotions have been brought to it and I think it is unfair when people's emotions disfigure and discolor reality. I hope that helps and I'm happy to answer any questions.

Councilman Carmody: For a point of clarification, you made a statement that all the property owners had signed off an agreement to close. And that I know is in error because of course, Mr. Weiner being the property owner on the north side, was not in agreement. Councilman Stewart: I stand correct.

Councilman Carmody: That being said and I don't mean to kind of go down the line, but I know that Councilman Spigener had said that she thought this was an awful lot of time spent on the issues that only affected three people.

But I have to look at it from a different perspective because the direct affect might be three persons, but actually as part of the risk management and the things that we discussed is trying to look at the liabilities that the City might have out there and try to avoid potential problems that they City does have. This is a case in point, at least in my opinion of what in essence constitutes lines on a plat that was filed back in the early part of the 1900's for a

street that was never built. The Department of Operational Services, as well as our Engineering Department, we have no use for this piece of property as a City. There's no public necessity to have it. We have no plans, no funding to ever build it. I appreciate where Mr. Weiner's comments were in that he bought the property knowing that he had a city street access to get to his land, but I'd have to disagree with him again because there is no city street there. There is basically (inaudible) and for him to make the assumption that at some point, the rest of the citizens of this City are going to say we want to build approximately 90 foot of street to get you a driveway into your lot, I think, is a greatly (inaudible) because I guarantee you I will have constituents from end to end of District C that would say, you've got to be kidding. We are going to benefit one person and spend the kind of money we are talking about.

When we went through this whole discussion before, there was an awful lot of information that I had requested. I requested the City Attorney to provide me with an opinion as to whether or not we could declare this property surplus because as a surplus property, as I appreciate it, the City could go out and have an appraisal made and then we could solicit it to the open market. If at that point, Mr. Malpass, Mrs. Herold or Mr. Weiner wanted to be the owner of that property, the proud owner of that property, they've have an opportunity bid on it and buy it which I think would be the best solution to the whole thing. The opinion as I appreciate came back and said, no you can't do it because it actually is a public right-of-way, its established.

But again, in my mind when I walk out there, I don't see it as a street because there is no improvements there. We do have utility easements—infrastructure easements that run through it, but no one has answered for me the position that Mr. Weiner has always taken in that, I'll build my driveway across your city street right-of-way. Can a person build their driveway across a City street right-of-way? I don't know. Maybe if we told him he had to build it to City standards and build the street that wide with a drainage and with the curbs and gutters and sidewalks, that he might reconsider what he has bought. But for him to position this such that this is his only access and that the City therefore has to maintain this right-of-way to allow him a driveway access into his lot, I think does not hold much merit.

The property he purchased was platted and fronts on Baltimore Street. Because of the fact the terrain drops off so dramatically off Baltimore again, it was like that in 1964 or '65 when the gentleman bought it, nothing has changed out there. And if he designed a house that basically next door that allowed for persons to enter into the property, in essence driving onto their roof, then he figured out a way to skin the cat and he could do the same thing here. But from a risk side, I don't see the necessity for us to have a liability like this that if someone where to be hurt in it, then again they are going to come after the City. So, I am not trying to deprive anybody of a perceived right and I am certainly not trying to benefit two property owners to the chagrin of a third, but I think it has some merit for us to reconsider it as opposed to letting the status quo remain and then and it goes odd infinitum with us still have a potential problem out here.

Councilman Shyne: Mr. Chairman, I appreciate you being very passionate. I think that only shows that you are human and I don't think that it is anything wrong with being passionate. I think we all are passionate from time-to-time and if you really believe in anything, if you are really committed to anything you will be passionate.

And I am glad that Councilman Carmody corrected a false statement that you made while you were passionate, and we do, do that sometimes, that all of the property owners was

in favor of it and I think Mr. Weiner had spent a lot of time coming down before the Council to make his point known.

And I really feel like that it really puts us in a position and it kind of puts me in a position of being unprofessional and kind of blind-siding somebody at the last minute and I know, some of us might be good at that and some of us might not feel bad when we do, do that. I think that it would only be right and professional if we had let Mr. Weiner know what we had planned to do at this particular Council meeting. I don't think that it is fair to him to do what we are about to do without notifying him that, this is what we are about to do.

I don't know who that was that made all of the accusations if we can say that, they were accusations that you stated during your moment of being passionate about, you should do this and you should do that, I know one thing, it was not me. As the little boy said, it was not I. I feel like that, you don't need to recuse yourself, but I do feel like that, at this particular point we should at least let Mr. Weiner know what we are about to do and no do something at the 11th hour. It puts a bad taste in my mouth and it makes me feel bad.

I've always tried to live the kind of life where I kind of let people know what I am going to do, up-front and I hate to do things at the 11th hour. And I hate for people to do things to me at the 11th hour and I guess I kind of live by the principle that, I am my brother's keeper. I wouldn't want anybody to do anything to me like that, so I wouldn't want to do anything to somebody else like that. And then when you look at it, the MPC had voted not to close this piece of property, from what I can understand, two or three times and it could be a risk factor but, hey it has been a risk factor then for years. I mean, with me driving my car, is a risk factor. I don't know when I might get hit or when somebody might hit me. I mean, life, is a risk factor.

The MPC didn't look at it as being a risk factor and from what I can understand it, has brought before the Council before and when it was brought before the Council before, all the Council members that I've, I've worked with a lot of Council members and they have all seemed to have been men and women of integrity and men and women who were actually concerned about the direction in which this community is going. At this particular point, I think we are doing something that we really don't need to do. I probably wouldn't mind to reconsider it, if Mr. Weiner and the other property owners had been notified that hey, look this is what we are about to do and we are not going to do this at the 11th hour.

Councilman Spigener: I guess I have a concern that over the past 20 or maybe 30 years, however long this has been coming before MPC panels that all of them have denied the closure of this. We are just the Council for this period of time in history, but there have been groups or people on the MPC that have denied this over the past, well, I guess, since '61, so I guess that is over 30 years. There must have been some wisdom on their part and some thought as to why they were denying this.

Also, I understand the risk factor but as far as drainage ditches and risk factors, they are all over the city, I mean, lots of them. And I don't see that as a real, I mean, as a valid point but I think that is just something that we have to deal with in the type of terrain we have here in this City. And if we abandon this and we give the property to property owners, there are three property owners involved there. And if we've been advised we can't declare this surplus property, I just have concerns about all those things and it just, even though this is not my district and I understand that we vote our conscious not necessarily whether it is in our district or not, but I have a problem with these issues. Why, over these last 30 years has been denied by the MPC and then suddenly we decide that it is going to be okay.

Councilman Stewart: Would you like Mr. Kirkland to speak to that? Councilman Spigener: Well if he needs to correct me but I believe it has been unanimous, most every time. Anyway, that's my position. And of course, as you all know I was one of the only people that voted against abandoning the street and I am not much for closure or abandonment.

Councilman Stewart: Mr. Kirkland, would you please join us. I think Mrs. Spigener raises a question that we've talked about before. You have any comments about this issue that you could share with us that are objective. I do understand that it has been voted down before, I've known that. But if we take the position, ladies and gentlemen, that's its been done before and things are somewhat different now, I think we have to examine what is different and I can assure you what is different right now, if you go look inside of risk management, you've all seen the numbers. That is an issue that to me, is extremely important, but is it anything that you would bring to us about this?

Councilman Shyne: Mr. Chairman, before he say that, could I speak to what you had just said about, being a little different?

Councilman Stewart: No, I want Mr. Kirkland and I will be glad to recognize.

Mr. Kirkland: I'd be glad to sit down and let you. . . Councilman Stewart: No, no, this is an issue that is important and we get our directions and objective as they might be.

Mr. Kirkland: I was a voting member on one of those issues in front of the MPC, Mrs. Spigener and certainly had awareness of the last two after that. What I would say to you, fairly simply is that Mr. Weiner can be very compelling in his arguments. When he presented the same rationale that he has presented before this time, that he wanted to be able to use that property. But every single time after a vote, Mr. Weiner took no steps to, and to me, the logical step would have been to then ask the City for an encroachment to allow that driveway but each time, the argument was, I am going to do this. And you are right, I think time itself would indicate that, I guess the real question is, when Mr. Weiner are you going to do this? And I think the MPC, the last time it was in front of them simple was reaffirming what they'd said before under the, perhaps thought, that Mr. Weiner had some legal right to be able to run his driveway from the rear of his lot to the other street. That is why, you remember one of my remarks to you was, ask our Legal Department to please clarify what rights Mr. Weiner actually has and I agree with Legal, I think in my summary judgment that they basically said, Mr. Weiner really has not rights to that property. He doesn't have the right to go put a driveway there without an encroachment granted by this Council and I believe Mrs. Glass that is what was determined to be true. Mrs. Glass: That is right.

Mr. Kirkland: But I think there perhaps was, at one time, a thought that he ha some rights without any real review of what those were; that is enough Mr. Chairman unless you wanted more comment, maybe more than what you wanted.

Councilman Stewart: Mr. Shyne do you have a question?

Councilman Stewart: If you have a question, please, direct it to him.

Councilman Shyne: I do, I have a question. It mean it is kind of like you, took the privilege to have some dialogue a while ago and I think I'm due the same. I am just not Chairman at this particular time, but we all have one vote.

Mr. Chairman, and Mr. Kirkland, don't we generally notify people when we are zoning issues or when we are voting on closing—I mean, didn't we notify them before? Mr. Kirkland: Yes we did and yes, we do.

Councilman Shyne: If you were in Mr. Weiner's position, wouldn't you want

somebody to notify you before we would do this, I mean, even, it doesn't matter what action we would take. I mean, wouldn't that be the gentlemanly thing to do. I mean, wouldn't that be the right thing to do, to at least notify him? Mr. Kirkland: Mr. Shyne, I am not going to be flippant, but I wouldn't begin to second guess the Council's wisdom in what to do.

Councilman Shyne: And I wouldn't want you to second guess, but, maybe I'm wrong, but if I was in Mr. Weiner's position, I'd want the Council to notify me. Maybe the Council members wouldn't and maybe you wouldn't, but I would think that it would only be fair play because we are not dealing with a life or death situation. I mean, I could understand if this was a life or death situation or if this was something that we had to hurry up and do because somebody was going to be impacted in a very negative manner, but I don't think anybody is going to be impacted in a very negative manner and I think that we need to notify Mr. Weiner and I think that is something that is different Mr. Chairman. And I think you being very passionate and you being very concerned about people might say about you or what people might say about this Council, I would take that into consideration.

I mean, what Mr. Kirkland has just got through saying, I believe was basically the same thing that you said before and we went on and voted like we had to vote, so you know I would ask you, Mr. Chairman, if you wanted to reconsider this to at least notify Mr. Weiner, what you plan to do and just don't come up all of a sudden and do this. Evidently, you had probably talked with some of the Council members, I was not one of those that was privy to talk to you about this and if I had been privy, if I had been one of the ones that you had talked to about this, I would have suggested to you, Councilman, I think the gentlemanly thing to do or the, I almost said the, Christian thing to do would be to or the passionate thing to do was to notify Mr. Weiner what you plan to do. Because to me he has shown that he has been before this Council time and time and time again, and if I was in Mr. Weiner's position, that is what I'd want you to do for me. I have a tendency to treat people like, I want them to treat me. I don't know how you all feel about it, but that's the way I do. I treat people the way I want them to treat me, and I would hope that you would want to be treated the same way.

So, Mr. Chairman, I am very passionate in what I saying and I would even beg you to reconsider this, to at least, notify Mr. Weiner on what you plan to do and then I think we would be in a better position to move from here.

Councilman Burrell: Mr. Kirkland, you made a statement a few minutes ago about encroachment. If Mr. Weiner had any desire to utilize this property then it appeared to you that he would file for an encroachment on this property. Is that what I understood you to say?

Mr. Kirkland: I think he would have taken steps, Mr. Burrell, to affirm that right, i. e., to apply to the City Council, Engineering Department and then the City Council I believe is the only one who can grant an encroachment for his private driveway as he has proposed for a number of years now to go across that property then a number of issues would have been addressed if he had followed through on what his intentions were.

There are some real issues about engineering and I am sure they would go over those with him, about what level of improvements would be required in order for him to do that which he has shown on paper he wants to do. He wants not only a driveway, he has shown private parking for his home to be along that driveway, in that right-of-way as the latest diagram that he had drawn, so. And I believe Mrs. Glass may have addressed that is that, I believe that would be considered an encroachment and as such, I think the Council would have to approve that, but I am not aware that Mr. Weiner has ever gone forward or followed

through with the denial when each time he has maintained, I am going to build a home. Well, the question like I said earlier, is when might that be built and how much longer will this property be kept in public ownership rather than simple granting these owners to either side of it the request to abandon.

Councilman Burrell: Well, given this situation that it would appear that he would have filed for encroachment, given the fact also that he is an architect, I understand. Mr. Kirkland: Right. Councilman Burrell: And I know that is an assumption that can be made that, because he is an architect he should maybe understand that the filing of an encroachment onto this property, could be an option to strengthen his case on leaving it open for future use. But has that every been addressed to him, to file an encroachment, maybe that would? Mr. Kirkland: I'm not aware that it had, but just speaking from a hat from a few years back in a former life in the real estate business and land development business, I can tell you for a fact that if he got that encroachment, that the value of that property would have been increased substantially because then he might have had the possibility of an address on that new street, not Baltimore, but he also would have had a firm look what I can do, here's my driveway, here's the parking that would have been a substantial enhancement to the value, in my opinion. And I'm surprised that he never followed through, but it leaves a question out there Mr. Burrell, is my point.

Councilman Burrell: Well, I know that everybody don't think the same. You may, because of your experience, you may think one way, due to his experience it may be another, but given the fact that, that may be an option, it may be one that he may consider if he knew that he could do it or if he just took the initiative to do it or what have you and maybe that will help solve what we are dealing with at this point. Mr. Kirkland: Well, you know what Mr. Weiner asked for was a third option, and that neither has been followed through, that I'm aware over the last 20 years and that third option was, I'll get with these owners privately and we will come up with a private agreement which will resolve this whole issue; that has not been followed up on either, so.

Councilman Burrell: I am always going to play the devil's advocate and that is, did the adjoining property owner get with Mr. Weiner and say that, we need to resolve this. It is my understanding that they never did, either. So if you assume—Mr. Kirkland: Well, I don't have any proof, but I do know that those owners have from time-to-time tried to work with Mr. Weiner on issues of maintenance of property, clear cutting and that sort of thing that have, well anyway, they've not been able to get along is my opinion and I think that (inaudible).

Councilman Burrell: I think that is the real issue here is the fact that they have some differences and because of those differences, they want us to thrash them out here on the Council. I think that is the bottom line right there. But I don't think that we should be getting into these personal issues. But a citizen has a right to request the denial of an abandonment, I think that the citizen has that right to come to us and to ask us for that. Mr. Kirkland: Oh, any citizen in this city has every right to oppose any request for abandonment and to put forth their argument.

Councilman Burrell: Well, I think given that situation, I think, again, kind of what like Councilman Shyne has said earlier, I feel sort of like we are blind-siding him. He has every reason to argue his position and he has argued it over how many years, Councilwoman Spigener, maybe 30 years and I just feel sort of like I'm blind-siding him after I listened to his arguments before for him not to be here to defend himself.

Councilman Carmody: Mr. Kirkland, first no sir you don't need to come back up but I appreciate your memory being the same as mine in that I received a letter after the denial from Mr. Weiner committing that he was going to meet with the two other owners and to try and work out an amicable solution.

What we've got in front of us right now is a motion to reconsider this. We are not and I along with all the rest of the Council, I believe, not in a position to say, lets pull a 180 degree about face right now today, so that while Mr. Weiner is not here and neither one of these other two owners are here, we can just take care of business the way we want to do it; that is not the way that this Council operates.

What I would like is for us to consider the reconsideration of it, but I would want us to postpone it until we got Mr. Weiner here to come back and to relay to us, what progress he has made with these two owners to try and come to some amicable resolution to this situation because as, I would like to give the man the benefit of the doubt and hear what he has to say. And, so again, I just want to go back to the point that I don't think that this is anything in the way of a night of the long knives against anybody. I mean, we are here to try and conduct the business of the City and it did appear to me that we voted very quickly on this issue and that there was more merit to it than we gave it the first time.

Councilman Shyne: Councilman Carmody, I agree with you. Don't you think that we need to notify him that we plan to reconsider this instead of just reconsidering it and then notifying him?

Like I say, this is not a life or death situation, so if you feel like that he needs to be notified, why don't you agree to, we notify him to let him know that we are going to reconsider this at the next Council meeting and give him this opportunity. Because you know like Councilman Burrell has said, and I've said, I mean I feel very uncomfortable. I mean, I feel very, very uncomfortable and you are talking about being compassionate but I feel very uncomfortable about more or less blind-siding somebody or doing something or reconsidering something. I just think that, that is the gentlemanly thing to do. I mean that is the Christian thing to do, is to let somebody know, Mr. Weiner, lets send him a letter letting him know that at the next Council meeting we are going to reconsider and as a matter of fact, it is nothing wrong with letting your colleagues know. Say, hey look, Joe, such and such a thing. I am going to move to reconsider or I'd like to reconsider this. I mean to me, this is blind-siding somebody. I mean this is something I wouldn't even want to do to—I mean I wouldn't want to blind side a cat let alone a human being. So, Councilman Carmody, I do agree with you. I do agree that it would be good to let Mr. Weiner know that we are going to reconsider this and then lets go from there. I mean, lets don't take all this action just on the spur of the moment.

Mrs. Glass: I am sorry Mr. Shyne, I just thought I should let the Council know that under the Rules of Procedure you can only do the reconsideration on the next legislative day, which is the next meeting.

Councilman Stewart: That is a matter of fact.

Mrs. Glass: If you don't do it on that day, I think it probably would have to go back to square one.

Councilman Stewart: Let me speak to that. I appreciate that very much. Let me finish Mr. Shyne.

1. I'm not trying to railroad anything and I appreciate the fact that, you might have felt that way. You just heard the fact stated, it had to be done this day. I am not out here to

do anything other than to tell ya'll what the facts are that I know. You've heard Mr. Kirkland's facts and I have no intention today or any time in the future of blind-siding anybody but when you have to bring it up and you have to discuss it, that's the purpose of today and the facts that you've today were not facts that were presented before or made available to us and even though they were available. So, please understand, each of you, I am not a person that has ever blind-sided anybody and I'm not starting today, but it had to be brought up today. Mr. Serio, do you have a question?

Councilman Shyne: Mr. Chairman I wasn't through with---Councilman Serio: I have got a question. This issue has to be voted on today, is that correct? Mrs. Glass: Not the ordinance itself, only the motion to reconsider. You can adopt the motion to reconsider and then vote to postpone it, the ordinance itself.

Councilman Serio: Very good. I mean, this could actually be brought up, accepted on the agenda, and discussed and voted on at the next meeting.

Mr. Chairman, one thing I was going to ask and I think that I've got a little bit of nodding heads and consensus looking and talking back here with Mr. Carmody, that maybe it would be good if myself as well as you and Mr. Carmody meet as a group with the individuals that are involved over this time period, before the next Council meeting, so that we can come back with some type of opinion for the Council. I think maybe we can work out some agreement with the neighborhood with the people that are involved. And if that would be agreeable to you, I'd be so inclined to chair that if need to get the ball moving on this and to move forward on this.

Councilman Stewart: That makes very good sense to me subject to these directions.

Mr. Thompson: If you make this a formal committee, it is a public committee and you will have to have public meetings.

Councilman Shyne: Exactly right.

Councilman Serio: I have no problem with that.

Councilman Shyne: Before we get into start appointing committees and from what I can understand then, that you just came up with this today to reconsider this, I am asking you a question or had you thought of this before. I mean, if you had thought of this last week we would have had time to notify Mr. Wiener.

Councilman Stewart: I did not think there was any basis for notifying anyone until I could bring it up and see if it could be reconsidered which is what I've done today. If the votes are not there, there is no reason to notify anybody.

I understand that it may appear that there is some illusive move, but it is not that. I've asked specifically of Mrs. Glass and Mr. Thompson and Mr. Kirkland of information, so that I believe that has been done in the right sense. It certainly was not an effort nor is it effort or ever be one to do anything other than to move it in the appropriate fashion.

Councilman Shyne: You could have asked Mrs. Glass and Mr. Thompson and Mr. Kirkland or anybody else, to me, it seem like it was an illusive move.

Councilman Stewart: Your incorrect.

Councilman Shyne: Hold it just a minute now. I could be incorrect but that is my opinion just like your opinion was that it was not an illusive. I could say that you were incorrect because we all have opinions.

I think that if you had really been fair about it, you would have notified Mr. Weiner and say, Mr. Weiner and said, Mr. Weiner I am in the process of thinking about bringing this up. The bottom line is, I still think that this is a bad idea. I am not, I only have one vote but I

am not in favor of you appointing a committee with yourself and Councilman Carmody and Councilman Serio to talk to these people and then ya'll bring us some ideas back. I am in favor of having Mr. Weiner come before the Council again, let him re-state his case, let Mr. Malpass or anybody else come before this Council and restate their case. I am not in favor of some committee hearing what is going on and then coming back and re-stating what was said. I could be wrong but, I smell something a little fishy about it and I don't think that is the right way to go. I mean, lets bring it out in the opening.

Councilman Stewart: Mr. Shyne, I reiterate, this was done in a parliamentary fashion. If I could not get the votes, there is no purpose in bringing anybody from Colorado or any place else.

Councilman Carmody: I would ask all of the Council members to please revisit the Rules of Procedure regarding decorum at meetings. We are suppose to confine our remarks to the merits of the pending question.

Councilman Stewart: That is correct.

Councilman Carmody: We are suppose to reframe from attacking members motives.

Councilman Stewart: That is correct.

Councilman Carmody: I'd like to call the question at this point, because I think we are all on the same page here. We are not planning on voting this thing today. What we are going to end up doing is serving third party notice by way of this young lady sitting and taking notes to everybody in the City, that we are thinking about reconsidering it and then we will have the ability to have the persons to come back and talk to us. We are not making a decision today.

And no, I am not in favor of forming any type of a committee to look into this. I think we've all got better things to do, our time is more valuable than that. But, I call for the question at this point. Lets vote on the merits of whether or not to reconsider it and go about our business.

Councilman Stewart: I am comfortable that the question has been called, do we need to any guidance.

Councilman Burrell: Mr. Chairman.

Councilman Stewart: He's called for the question, Sir.

Councilman Burrell: Well I could call for it too. . . .

Mrs. Glass: Mr. Chairman, the way that should work, if someone calls for the question if there is no objection and everyone is ready to vote, then you could just go ahead and vote. But if there is objection to it, then you vote on whether to call the question; so, the vote now would be, *do we cut off debate or not*.

Councilman Stewart: So the question is, at this moment, all of favor of cutting of debate on this issue at this time, vote yes; all opposed, vote no. Is that correct? Mrs. Glass: That is correct.

Councilman Stewart: And that has to be voted on before I can allow Mr. Burrell to speak, is that correct? Mrs. Glass: That is correct, that is not debatable.

Councilman Stewart: That is my point. So, it is not debatable.

Councilman Burrell: Well, let me ask a question, please.

Councilman Stewart: Well, please address it—I am just trying to get us down through parliamentary order because that is what we've all made a pledge to follow.

Councilman Burrell: Mr. Chairman, I am not against your directions but I do feel that this Council, I do have a right as individuals to not only follow the Roberts Rules of Order,

but to provide some courtesy on this Council. And the only courtesy that I am asking for and the only reason I was asking the question was to get a basic clarification—hell, I don't forgot what it is now.

Councilman Stewart: Mrs. Glass will you assist us here. Mrs. Glass: I don't know what the question is.

Councilman Stewart: Mr. Burrell, certainly this is not my measure to deny you.

Councilman Burrell: Is that another one of your tactics?

Councilman Stewart: It is not a tactic, I don't. . . .

Councilman Burrell: Under the circumstances, Mr. Chairman, the reason, the basic reason why I want to reconsider—hell, I don't forgot the dam thing, but it was pertinent.

Councilman Stewart: Mrs. Glass, why don't you assist Mr. Burrell.

Mrs. Glass: If Mr. Burrell is withdrawing his objection to calling for the question, is that what I understand? Councilman Burrell: Well it wasn't that. The only reason I wanted to get a clarification. I forgot what the clarification is, after he gone through his rendition.

Councilman Stewart: What is the motion, please? Mrs. Glass: Then I think the motion is to call for the question. Do you want cut debate off, unless there is no objection in which case you could move on to the question of the reconsideration.

Councilman Shyne: I think Mr. Burrell has an objection. Mrs. Glass: I didn't understand that he was—I didn't understand that he was withdrawing his objection.

Councilman Shyne: I have an objection then, if he doesn't.

Councilman Burrell: Whether you call it an objection or not, all I had was question. Now whether you call it an objection, if I can ever remember. Go ahead on. We'll go on ahead with it at this point because I tell you, you have thrown me off.

Councilman Stewart: That is alright, candor is important. The question is?

Councilman Burrell: It was valid though, Mr. Chairman, I want to say that.

Councilman Stewart: I don't question that.

Mrs. Glass: Again, I am not sure if all objections to call for the question have been withdrawn, then you wouldn't have to vote on whether to call for the question, you can just proceed and have to vote on the reconsideration, I believe that is my understanding.

Councilman Shyne: Mr. Chairman, I have not withdrawn my objection. Mrs. Glass: Okay, then you are on the question of whether to cut off debate by calling for the question.

Councilman Shyne: I think out of Council consideration, Councilman Burrell should have an opportunity.

Councilman Burrell: I am foregoing that because I am trying to get to a speaking engagement. We can move on.

Councilman Stewart: Mr. Burrell: I understand, that is quite alright. Then the vote is, all in favor of (Mrs. Glass: Calling for the question.) vote *yes*; all opposed vote *no*. *Motion approved by the following vote: Ayes: Councilman Pearl Huckaby, Stewart, Carmody, Serio, Spigener and Burrell. 6. Nays: Councilman Shyne. 1.*

Motion by Councilman Carmody to reconsider the ordinance, seconded by Councilman Serio.

Councilman Burrell: I know what it was now. The question that I wanted to ask, is to reiterate the reason why we are reconsidering because I am not sure whether or not we got the clarification on why we are reconsidering in the first place. I know you read of a number of different items but if we could get that before we vote to reconsider, would be very

valuable to me (that senior moment).

Councilman Stewart: I think you would like me to reiterate why I think we should reconsider this, is that correct? I can make it very short.

1) We have a written commentary from the South Highlands Neighborhood Association indicating that they believe it is in the best interest of their community and the City of Shreveport as a whole this being closed.

2) We have a petition from the surrounding personnel that says, those that live in that area, that says simply as follows: They feel like that it is appropriate that it be abandoned back to the owners on either side.

3) You have comments from Mr. Mike Strong in the form of a letter stipulating that it should be, in his opinion, qualified for abandoned as surplus property. He cites the other issues of concern about public safety. You have the comments from Mr. Carmody that certainly follow mine on the issue of public safety and the commentary of how important that is without going into specific numbers and experiences that we all know we have had to date.

4) You have the comments from Mr. Kirkland who indicates clearly that while this has been talked about many times, the same issues have been raised because nothing has been resolved; that in my opinion, is sufficient reason for reconsideration.

Councilman Burrell: Let me reply to that. Of all those issues you just named, I think I've heard all of them except one addressed in our first deliberations and the only one that I did not hear the first time, if I remember correctly, was the public safety issue. I don't think that, that was. We talk about public safety but we talk about it from the standpoint of risk management. All the other issues for reconsideration was addressed, in my opinion, in the first dialogue that we had on this issue from what I can remember. So as far as I am concerned there is only one issue here and that deals with the risk management.

Councilman Shyne: I call for the vote.

Councilman Stewart: Fine, we have a request. We are voting on the issue of? Mrs. Glass: Whether to reconsider.

Councilman Stewart: Has Mrs. Huckaby left for the day or . . . Councilman Serio: No, I think she just stepped out.

Councilman Shyne: While we are waiting on Mrs. Huckaby, Councilman Carmody, I really think your comments just a few minutes ago, I don't think anybody really made any comments towards anybody's character. I think Councilman Stewart first raised that issue about some people that made some statements about he should recuse himself or he should do this or he should do that. So, I don't think anybody on the Council was attacking anybody, if that was your perception. I didn't perceive that.

Councilman Carmody: Councilman, I don't—all I wanted to do was just remind what proper decorum was at the meetings.

Councilman Shyne: And I appreciate that, but I think we all keep that in mind. We all been down here for a good little while.

Councilman Carmody: That's right.

Councilman Stewart: Thank you very much. We are all in order.

Motion to reconsider the ordinance approved by the following vote: Ayes: Councilman Pearl Huckaby, Stewart, Carmody, and Serio. 4. Nays: Councilman Spigener, Shyne and Burrell. 3.

Motion by Councilman Carmody to postpone the ordinance, seconded by Councilman Huckaby. Motion approved by the following vote: Ayes: Councilman Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

3. Ordinance No. 3 of 2002: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the south side of Milam Street, 100 feet west of Arkansas, Shreveport, Caddo Parish, Louisiana, from B-1, Buffer Business District to B-2, Neighborhood Business District and to otherwise provide with respect thereto.

Councilman Burrell: I need to get a clarification from the applicant before we vote.

Councilman Stewart: Should we have a postponement? Councilman Burrell: I don't think so. We've talked about it before. Councilman Stewart: Would you like to have the applicant come forward? Councilman Burrell: Yes, if you will.

Councilman Stewart: And may I suggest that you make a motion and we'll get it on the table and then we'll have the applicant come forward.

Councilman Burrell: I talked with your mother, I did not talk to you, you were not here. If you would call her up please. What I wanted to do on this issue was try to strike some compromise.

I think I stated to your mother, clearly, that I am not in support of hard liquor at that location. I think that was the opposition that the people in the community had, expansion of alcohol into your area. Now, a compromise to this is, is that for me to remand this back to the MPC based upon B-1-E zoning. You are not getting B-2, that is what you are requesting.

Sit down with Mr. Kirkland, with the MPC and see if we can work out something where you can expand your business, you can build your parking lot if that is what you want to do, renovations if you want to in which you can really do part of that under the existing zoning that you have but I think the actual expansion you can not. So, by getting a B-1-E zoning, you can do some of the things that you want, except, let me make it clear again, except expansion of alcohol and I think that is what was in question.

The people have spoken and said that they do not want hard liquor at your location. You have beer already, it is nothing that we can do about that, that is grandfathered in, period. But under the circumstances, I think that I heard them loud and clear that they do not want that, but as a compromise to you we can give you a B-1-E. If you can agree upon that, at this point, we'll remand it back to the MPC other than that I will ask my colleagues to vote it down.

Mrs. Ross: We can go with it.

Mr. Ross: That's fine, we accept that Mr. Burrell and we appreciate your time and--- Councilman Burrell: We've wrestled with it.

Mr. Ross: It is not what we wanted, but it is something and we appreciate that.

Councilman Burrell: We've wrestled with it. I've been down there. I've picked up bottles and paper and cans and everything else down there in vacant lots, not saying that it is your's, but I have for 8 years have heard the people in that area complain and many of those persons are senior citizens. And Mrs. Bryant, Mrs. Bradford, I've heard you loud and clear over the period under those circumstances and it is unfortunate that you have others who are in that area that is violating that too. We've had parking problems, we've had to run people off the property. We've had people who go up Milam Street to the apartments, they can't

even get to their apartments because of the congestion in that area, parking in the middle of the street. I've had it all. Everything that you can name, I've had it there. Alcohol, dope. Mr. Ross: I wish I had that type of business there.

Councilman Burrell: I wish that you all may have been in another place, we could have dealt with it differently, but it is unfortunate that that's where it is. So, I think that this would be a compromise and again, if you can accept that, that is what we will do at this point and I think everybody, well most of us will go out happy and maybe at another time, we could deal with it differently, but right now, that is where we are with it; so, ya'll accept that? Mr. and Mr. Ross: That's fine.

Mrs. Ross: I guess I need to ask a question, what is the—that leaves us still with the non-conforming property, but B-1 will give us where we can on and. . . Mr. Kirkland: What Mr. Burrell is suggesting on the remand would in fact, if approved by the Planning Commission and ultimately the City Council would give your restaurant legal status of approval and then as he mentioned, there would be a number of things that would be approving you as a right, right now, you are non-conforming on your restaurant and I believe Mr. Burrell is trying to help you in that regard. Does that answer the question, Mr. Burrell?

Councilman Burrell: Yes, sir, I believe so. And if there is any change, you know you come back, if you change your mind between now and then, when it goes back to the MPC you have got to come back before us anyway and the next time, I would definitely have it voted down. So I just want to make it clear, so I am trying to compromise with you as well as the people who are in opposition at this point.

Mr. Ross: Okay

Having passed first reading on January 8, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Burrell to remand the ordinance back to the MPC for a B-1-E, seconded by Councilman Shyne. Motion approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

Mr. Thompson: Mr. Burrell for our records, it would be just to remand to the MPC and your request to them (he motion is just to remand) and your request to them is to consider B-1-E zoning.

Councilman Burrell: B-1-E zoning and let me make a clarification. Will that eliminate the hard alcohol content portion of it or do I have to state that also in the motion? Mr. Kirkland: It has no bearing on it. The Zoning Board of Appeals is the only one that can deal with alcohol. The zoning request has nothing to do with the alcohol although they are related, as we know, but the fact is, the MPC can not approve or deny alcohol. They can deal only with that zoning request. If Mr. Ross and his family want to change the status of the alcohol that is there now, they will have to file an application to be heard by the Zoning Board of Appeals and then any or all parties could appeal that decision to Council regardless of what it would be. So, you would be able to and the Council members and others will be able to deal with that as a separate issue. Mr. Ross has not filed for any change on his alcohol status at this point. He has made it clear that is one of the issues in wanting to be able to change the status so that he could have the right to apply for that, but Mr. Thompson is there any clarification:

Councilman Burrell: I understand where we are. They will be able to make the

changes that they need, but it will not apply to the alcohol status.

Mr. Kirkland: That is correct.

Councilman Burrell: And I guess I need to let Mrs. Ross and them know, if and when they do, if they do, then if it comes before the Council for high alcohol content, it is going to be voted down again anyway, is that correct? Mr. Kirkland: That is what I am hearing you say.

Mr. Thompson: I guess, Mr. Kirkland, the only other thing this is the conversation that we've had, was that if it would be possible for the Commission to give him an B-1-E, with a stipulation that no alcohol could be sold, then that is what he would want. If that is not possible then he understands it.

Mr. Kirkland: I would have to refer that matter back to the City Legal Department. I'm not of the opinion that a stipulation that would limit any person's right to apply for a right would be legal—Mr. Thompson: That answers the issue, then—Mr. Kirkland: Now that a lay opinion, I think the Legal Department would have to answer that question. Certainly, if such a stipulation were added then it could certainly be debated by lawyers, if necessary.

Councilman Stewart: Mrs. Glass do you have any comments as Legal representative? Mrs. Glass: I think that is an issue that we need to look into and what we can do is, Ms. Scott and I, can talk to Mr. Kirkland as it is pending at the MPC and make sure that they looking at the issues that ya'll have mentioned.

Councilman Burrell: And let me make it clear to Mrs. Bradford and Sister Bryant back there, that if it does come back that we can not stipulate it, then if the request is made and even if it get approval, I assume the Zoning Board of Appeals, the one that does that, then given the fact that Mrs. Ross understood my position on the high alcohol content, we will not have that. If it comes back before the Council, then we will vote it down or should, I will request the Council to vote it down, I think that is what you want so that they will understand that because if not, I have to go back to Pastor Jones and then explain to him, all over again but I want that to be clear and I think Ms. Ross understand because they said they agreed, right here in front of us.

Councilman Shyne: I'm glad that Councilman Burrell corrected himself, Ms. Ross because you all could come back when he is not on the Council and he can not make a statement by saying that if you come back, the Council is going to vote this down. He doesn't really and I know he is a prophet and a very wise man who can look into the future, but I don't think he can see that far into the future because he can say that he will request, if you come back while he is on the Council to vote it down, but you might want to come back 14 months from now and you could have a whole new Council up here, none of us could be re-elected. I mean, you could have a different Council all together, so I wouldn't want you leaving here saying, now if I come back up there, they are going to vote me down because Councilman Burrell said so, that's not the truth and I know Councilman Burrell understands what I'm saying; I wanted to make that clear.

4. Ordinance No. 5 of 2002: An ordinance amending the 2002 budget for the Community Development Special Revenue Fund and otherwise providing with respect thereto.

Having passed first reading on January 22, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by

Councilman Spigener adopted by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

5. Ordinance No. 6 of 2002: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on the west side of Ardmore Avenue, Shreveport, Caddo Parish, Louisiana, from SPI-3 (B-1) Commercial Corridor Overlay (Buffer Business) District to SPI-3-E (B-1) Commercial Corridor Overlay/Extended Use (Buffer Business) District “limited to a 971 square foot specialty gift shop and a residence” only, and to otherwise provide with respect thereto.

Having passed first reading on January 22, 2002 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Councilman Burrell for adoption. The Deputy Clerk read the following amendment:

Amend the ordinance as follows:

On page 1, line 12, after “... gift shop”, add a comma and include the following:

“Tarot card readings,”

On line 18, after “...gift shop”, add a comma and include the following:

“Tarot card readings,”

Motion by Councilman Carmody, seconded by Councilman Huckaby to postpone the ordinance.

Councilman Carmody: I received a letter from Mr. and Mrs. Williams asking for some additional time to provide the Council with some more information regarding this matter. I am hoping that by our next Council meeting we will be able to take this off the table and move on it.

Motion to postpone the ordinance until the February 26, 2002 meeting. Motion passed by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

The adopted Ordinances follow:

ORDINANCE NO. 5 OF 2002

AN ORDINANCE AMENDING THE 2002 BUDGET FOR THE COMMUNITY 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 2002 budget for the Community Development Special Revenue Fund, to appropriate funds for Community Development Corporations and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Sections 1 and 2 of Ordinance No. 157 of 2001, the 2002 budget for the Community Development Special Revenue Fund are hereby amended as follows:

In Section 1 (Estimated Receipts), increase HOME Program Income by \$575,000. Increase Prior-Year HOME Entitlement by \$245,000.

In Section 2 (Appropriations), appropriate \$820,000 to Community Development Corporations.

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.

/s/John David Stewart, Chairman

/s/Arthur G. Thompson, Clerk of Council

UNFINISHED BUSINESS:

Discussion and/or Action Relative to the Public Safety Committee (remained tabled).

NEW BUSINESS:

1. Alcohol Retail Permit: Ms. Deborah Hawkins [Employer: 2901 Milam St. [Take-A-Bag Grocery] (G/Burrell) (No action taken on Jan. 22 - Special Meeting scheduled for March 5)

Councilman Shyne: I know that this is a little improper, but I wanted the Chief to come forward and he has to leave and I was wondering if we could suspend the rules just for one minute to let him come forward to make a statement.

Chief, I was told that at the parades, I guess at both of the parades that we had business person in town who gave a tremendous amount of service and that was Balentine Ambulance. And, I would like to say over the years, that I've been a member of this Council, Mr. Balentine has really given a lot of time and energies. Could you kind of respond to that, what did he do?

Chief Cochran: In our planning for the EMS resources for both parades we requested the services of Balentine Ambulance Services owned by Mr. Ralph Balentine. Initially we factored in costs associated with that, but after the first parade he committed actually more resources that we had requested. Five of his medic units staffed with his paramedic personnel, they took care of all the transports for us on that first parade weekend. And when I ran into his daughter and son-in-law who runs his business, they indicated to us that they were not going to charge the City for those services. They were more than happy to provide those resources and they did the same thing the second parade this past weekend, and Mr.

Balentine and Balentine Ambulance is a great partner with the Shreveport Fire Department.

Councilman Shyne: If it is all right with the Council, if not, I'd like to do it as an individual, I would like to ask Mr. Thompson to prepare a letter of thanks expressing our sincere appreciation to Mr. Balentine for being a great American, for being a great Louisianian and for being a very outstanding citizen here in Shreveport. I would hope that each Council member would be willing to sign the letter. Chief, I would hope that you would be willing to sign the letter and Mr. Mayor I would ask you if you would have someone in your office to prepare a letter of appreciation for Mr. Balentine. Mr. Balentine has been one of those citizens who have always gone above and beyond the call of duty, whenever, we have needed his services; am I right or wrong, Chief? Chief Cochran: That is right.

Councilman Shyne: And I would like to invite him down. Mr. Thompson, will you send him letter to see if we can get down at the next Council meeting not the work session but at the next Council meeting and lets present these letters to Mr. Balentine.

Chief, again, thank you and I thank you for your patience and you understood that we did have some important business to take care of.

Councilman Stewart: Chief, I appreciate your comments and your support of Mr. Balentine too. He has been a part of my district for a long time and thank your for interest and your support. Chief Cochran: Thank you, Mr. Chairman.

2. ABO Card: Joe Moya [Residence: (B/Stewart) Employer: Margarita Bar and Grill (C/Carmody)] (Deferred until Feb. 25)
3. BAC-10-02: SPORTS MALL LLC/RANDY'S TRAVEL TOWN, 7288 Greenwood Road, truck stop with gaming and on-premise consumption of alcohol, restaurant with the on-premise consumption of alcohol and a C-store with the sale of packaged beer.

Councilman Burrell: On last Council meeting we denied that request, I believe it was a zoning request at that time. And as I stated to you then, I really appreciated the Council's support on this issue. I thought that made this issue mute, but since we didn't give them zoning and reverse to the truck stop, but it is my understanding from Legal that it doesn't.

You've heard the case with the individuals who are here and I am sure that the others, other people who would have been here but under the circumstances, I am sure they felt like I did, that this would be a mute issue and they would not have to come down and reiterate their concerns about this situation.

I am asking the Council again, to deny this so that if it is brought back up and when it is brought back up, it is my understanding that it will if it does not go to District Court and it may go there just like some of the other truck stop issues that we denied and if it comes back up, it will come back up together. So, I think it is appropriate to ask for a denial, I believe that would be the request.

Councilman Stewart: What is the correct motion, please? Mrs. Glass: I believe that is correct. Mr. Kirkland, it is a reversal of the decision of the Zoning Board of Appeals, which is to deny, resulting in a denial.

Motion by Councilman Burrell to reverse the decision, seconded by Councilman Shyne.

Councilman Serio: The other business there, Cactus Jack's, does this affect their business? Councilman Burrell: No, that is already done.

Councilman Serio: It is a site plan showing the Cactus Jack's restaurant has already been approved by the ZBA. Would disapproving this affect a business that is already in operation? Mrs. Glass: No, it is not part of this application.

Councilman Burrell: No this is the truck stop, this is not Cactus Jack's, we approved that.

Motion approved by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

Councilmen Burrell. I want to thank you on behalf of the citizens of West Shreveport, especially Greenwood Acres. I think we have a subdivision outside of our Parish, Timberline and also Greenwood Acres Baptist Church who have been in the forefront of trying to work to create a better quality of life for those who are out in West Shreveport which feel like that we disown them because they are so far from the city and hope that this would be an indication that they are a part of Shreveport; so, again, I thank you.

Just one other issue and I am going to have to leave too, I apologize. There was a, it came to my attention to and I'm saying this for the public since we are on television and hopefully some of the people who are up in the Lakeview area hear this as well as the Martin Luther King area which happens to be in Councilmen Huckaby's area and the Lakeview people are out in the parish. There was some suggestion that I was trying to split the neighborhoods. I am not sure where they got that from. Kerrie, I am not sure if when you penned the article, whether or not they just took how it was written, but it was never my intent to suggest that the neighborhoods should not work together or can not work together.

If you look at my record, they would see that I formed at least four or five neighborhood associations in this City. I'll put my record against anybody on this Council and in this City in terms of trying to put neighborhood associations together as well as strengthen those neighborhood associations and all of those are not in the black community, they are in the both black and white community.

So, I don't want that type of thing to get out, I would say, *get out*, it is already out but at the same time to suggest that I would divide any community. I think when you have an issue, communities should rally for each other. They shouldn't wait until it is in their back door before they do that. If that was the case, this situation was in Councilmen Huckaby's district, the one that he ad up in his area and I supported that and I think some of the others did also. So, many of these issue, they are many times in each others districts but I think we try to resolve it within the best interest of the district and it has nothing to do with division of people in the district based on the information that is before us. So, with that Mr. Chairman, I just wanted to put that out for the MLK Civic Club and the Lakeview community.

And I also requested through Commissioner McCullough that if there was any question, because she was the first one that called me, I said if there was any questions to be answered, ask them to call me. I never received one call but yet and still I saw an article in the paper and I thought that was very unfair because I opened myself to explaining to them what the situation was.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES. None.

CLERK'S REPORT: None.

THE COMMITTEE RISES AND REPORT.

There was no Committee Report.

ADJOURNMENT.

There being no further business to come before the Council, the meeting at approximately 5:50 p.m.

/s/John David Stewart, Chairman

/s/Arthur G. Thompson, Clerk of Council