

“““““

COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA
OCTOBER 22, 2002

The Regular Meeting of the City Council of the City of Shreveport, State of Louisiana, was called to order by Chairman Roy Burrell, at 3:10 p.m., Tuesday, October 22, 2002, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Spigener.

On Roll Call, the following members were Present: Councilmen Huckaby (3:40), Stewart, Carmody, Shyne, Spigener, Serio (3:30), and Burrell.

Motion by Councilman Shyne, seconded by Councilman Stewart for approval of the Administrative Conference Summary Minutes of October 7, 2002, and the Regular Meeting Minutes of October 8, 2002. Motion approved by the following vote: Councilmen Stewart, Carmody, Spigener, Shyne, and Burrell. 5. Absent: Councilmen Huckaby and Serio. 2.

Awards, Recognition of Distinguished Guests, and Communications of the Mayor Which Are Required By Law. None.

Public Hearing: Annexation: Tag No. 02-01: To enlarge the limits and boundaries of the City – Two tracts of land located along the E Kings Highway and a portion of South Broadmoor Lateral, and a portion of Youree Dr. ROW, and a portion of the Red River.

Councilman Burrell: Okay, does the Administration have a presentation?

Mayor Hightower: Mr. Chairman, I think its pretty self explanatory. Part of what we're wanting to annex is part of the property that we dedicated over to LSU Shreveport for the Wildlife Study Area and the other part is the Haven Residential Development that's going in as we speak.

Chairman Burrell: Okay, is there any person to speak in favor of this annexation? If you would, please come forward. Is there any person to speak in opposition of this annexation? If not, I consider this public hearing closed.

Confirmations and/or Appointments: None.
Adding Legislation to the Agenda. The Council added the following legislation to the agenda.

1. Resolution No. 160 of 2002: A resolution opposing the Jena Choctaw Casino proposed for Logansport, Louisiana.

Motion by Councilman Stewart to add Resolution 160 of 2002 to the agenda, seconded by Councilman Carmody and approved by the following vote: Ayes: Councilman Stewart, Carmody, Shyne, Spigener, and Burrell. 5. Nays: None. Absent: Councilmen Huckaby and Serio. 2.

Mr. Thompson: Mr. Jack Brown recently asked our office whether or not you could take up Resolution 155 out of order so that we can get it signed today and we can start the clock running so that they can go before the State Bond Commission.

Motion by Councilman Shyne to suspend the rules to address Resolution 155 of 2002, seconded by Councilman Carmody and approved by the following vote: Ayes: Councilman Stewart, Carmody, Shyne, Spigener, and Burrell. 5. Nays: None. Absent: Councilmen Huckaby and Serio. 2. (See Council action under Resolutions on Second Reading and Final Passage.

Public Comments.

Mr. Angel: (2608 Crosswood Lane) I want to speak to you today, because I've been a resident of Shreveport for four and a half years. I want to just give you a snap shot of what people think about Louisiana outside of this state, especially on the east coast. First, this state is viewed as a state full of racism. That's what you're viewed as. Also on both sides, whether you're black, white, purple, green, yellow. It is viewed as that. Poorly educated and most of all, full of political corruption. If you had to place this proposed Deja Vu strip club and the sexually oriented business

as a whole here in Shreveport in one of these categories, I'd have to place it in political corruption. In the case of Deja Vu, we asked for leadership, we received a lecture for not being involved earlier.

We asked for leadership, we received a smug condescending interpretation of the law. We asked for leadership, we received a pat on the back and said "nice try". We asked for leadership and we received lip service, but no action. Even though that happened, I will always be in love with Shreveport. It's my home. It's where my daughter was born and Lord willing, my second child will be born here this coming May. Ladies, and gentlemen, in your hands, you have a part of my children's life. The current Shreveport SOB Ordinances are outdated and inadequate. I ask you to rule a favor to these drafted ordinances and allow amendments to weaken their purpose. These new ordinances are here to take our City, our Community and our Families. Today, we are asking for leadership, not just a pat on the back, today, we're asking for leadership, not lip service, but action. We are asking for leadership to strengthen the SOB Ordinances and today, we're asking for leadership to set a clear precedent of what we will not tolerate in this City. I appreciate the time, I appreciate coming down here and be able to voice this and I hope today, you're going to make that ruling that strengthens our cities for our families. Thank you.

Councilman Shyne: Mr. Angel I'm a little confused, I'm trying to understand if you are equating or tying our leadership ability in with whether we agree with you or not. If we agree with you, then we're good leaders? And if we do not agree with you, then that means we're bad leaders?

Mr. Angel: No sir, what I would say to that is this, when it comes to leadership, it's time to stand up and make a decision. Don't hide behind some laws somebody wrote down that per se' to a certain extent, we don't want to make sure that Shreveport is not sued. That's what was said in the Deja Vu case. And it comes to a point where as leadership of this City, you're asked to stand up for the people who've come down and asked and say hey, has a constituent of Shreveport, we want you to help us in this fight and we feel like you have not helped us in this fight.

Councilman Shyne: Mr. Angel, it does not seem like we're communicating, because it seems like I'm not understanding what you're saying, and you're not understanding what I'm saying. I believe there were probably six of us who made a decision. I think we had one Council Member who abstained and I would hope you being a very religious man, that you would have some tolerance for somebody who would maybe disagree with what you might feel like might be the right thing. I would hope that you would not judge me or the Council up here on whether we would agree with you or not. I would hope that you would have enough patience and enough understanding and enough compassion to know that there are people who, and that you would understand if people disagree with you. I understand that people are going to disagree with me. And because people disagree with me, I don't fall out with 'em and I don't call 'em names and I don't say that they are inadequate and I don't say that they are not doing what they need to do. And I would not do that with you. And I would hope that you would not put us in that category, because we did not or we would not agree. And then we might agree with you and I would hope that just because we would agree with you, this would not indicate that we are superb leaders, because we're in a position where we make decisions. And we make decisions all the time. There are a lot of people that we make decisions that they like. There are sometimes that we make decisions that people do not like. I have two boys at home, I make a lot of decisions sometimes that they don't really like, but we don't fall out and they don't say that I'm a bad Dad or that I'm an ugly Dad. They make decision sometimes, Mr. Angel, that I do not like. So I would hope at the end of the day, that you would leave here, that we would all be together. Now we might not agree on the same thing. But I would hope that we would not leave here saying that hey look, we're not getting the kind of leadership or they are poor leaders there on the City Council.

Mr. Angel: Well, Mr. Shyne, I'm in a place of authority also, I make decision each day that not everybody is going to agree with what I do. Now I understand that and I understand that in your position. But as a position representing everyone here in Shreveport, we expect when we stand up here and we're asked and have followed the rules of law and did everything that we supposedly have done is to help you to make that decision. There've been times when we came down here and we spoke to you about different things, and the Council, I've been here for every MPC Hearing, I've been here for every Council Meeting on this and I've heard different folks speak about different things and basically it sounds like people are hiding behind some different things, because in leadership as you know, you have to make the decisions. And when the decisions come, you have to be ready to take the consequences of those decisions as part of leadership. That's what we expect of you and in my view and in my point of view, I feel like as the leadership of this Council, you didn't do that for us. I believe you let us down. I think you sided with some entities that personally have not had a good standing within our community. And we're talking about bringing our kids home and I'm telling you a perspective of someone who lived outside the area. This is what is said about this state. This State is my home now. My kids are here. I'm here to voice something to basically change what's taking place.

Councilman Burrell: Sir, let me do this so I can take control back of this, because a lot of time, I don't mind a lot of deliberation, but that's not what really what we're here for. You've stated your case and the back and forth dialogue, I realize that Councilman Shyne addressed your issues, from there, I'm trying to keep from just cutting you off, because I always like to give anybody who comes forth an opportunity to explain themselves or what have you. But, back and forth dialogue, that's something I may wind up having to cut off at this point.

Mr. Angel: That's fine.

Councilman Burrell: We appreciate you coming down. You understand what I'm saying, you've got to have a certain decorum.

Mr. Angel: Yes sir.

Councilman Burrell: Okay, thank you.

Mr. Welch: (259 Olive) Several months ago, when we first met before the Council, and began to talk about sexually oriented businesses, at the first Councilman and I hope my friend, (John David Stewart) reminded us that we're both a nation and a city under the law and that this Council has a duty to uphold the law. And I could not agree more and I hope that we're all mindful of that fact. And being mindful of that fact, Mr. Arceneaux has helped draft an ordinance that would make our sexually oriented business law a model for other cities to follow. The Supreme says that a city cannot band these sort of businesses, but it also recognizes that with these businesses come many negative secondary effects. And the courts have repeatedly upheld that cities have every right to protect themselves from the effects that come from this industry. I think Councilman Carmody has a list of some of those secondary effects with it. They're not things that we would even want to talk about. But they are there and they are real and the Supreme Court understands that we have to protect ourselves from that industry. This new law, we believe with do exactly that. We believe it will protect Shreveport from the secondary effects that will come from sexually oriented businesses if they are allowed to act as they are presently allowed to operate. Some would argue that we're trying to infringe on certain freedoms by the introduction of this new ordinance. That again, could not be further from the truth. Freedom never comes from an absence of law. Freedom comes from better laws. The better our laws, the more freedom we have. Even in Christianity, Jesus said, I came not to abolish the law, but that the law may be made perfect, the perfect law of Grace. What we hope to talk about today, is a better law and we hope that you'll vote for a better law today. A

law that will give our police and opportunity to better do their jobs. A law that will protect our city. If these laws end up being challenged in the Supreme Court, we want laws that will stick. We want laws that the Supreme Court will say pass constitutional muster. That was a term that was thrown out a lot in our last meetings. We want to be able to pass constitutional muster. That's the right term, isn't Mr. Arceneaux? Constitutional muster? Isn't that the term that we want to.

Councilman Burrell: Please address the Council.

Mr. Welch: Oh, I'm sorry, I apologize. I wanted to be correct on my terminology. We want more freedom, not less. People want the freedom to be able to purchase homes and open businesses without the fear of what might move in next door to 'em. We want freedom to enjoy our city. To be able to go to our downtown and throughout our city and outside of our neighborhoods and know that we're not gonna have to go a place like this or what might be going on inside a place like this. We want freedom and we want protection from people. People are gonna want to come to our city and they're gonna want to profiteer off our gambling industry. They're going want to profiteer off our new entertainment district. They want to make money on that they're not going to have in our city's best interest what the long term negative secondary effects are going to be. They don't care, they're gonna want to make money off this. They're not going to have regard to the long term damage that they're going to cause our city. And I thank Mr. Arceneaux for the legislation that we've drawn up and I hope and I ask that you'll take a long hard look at that today and understand that, that is the model ordinance. And that you'll make a decision today and that you'll pass this ordinance without exception and without amendments. Thank you.

Mr. Templin: (4223 Calderwood Dr) I am here to speak today against the SOBs that are under consideration at the moment. First of all, I would like to apologize for my attire, I have been in business here in Shreveport for a long time, and was called out early this morning to install some telecommunication equipment at one of the local business and didn't have time to go home and dress what I think would be a little more appropriately for this business meeting. But in any case, I'm here to speak and actually to beg the Council to simply use all of its powers and regulatory decision making abilities to make it as hard as possible for sexually oriented businesses to come and establish themselves here in Shreveport. We do entrust a lot of our families and business to your leadership and many people in Shreveport. . . one of the. . . let me back and say this, one of the programs that I have supported that was the *Bring the Children Home*. Once they graduate, it seems like they were all moving away from Shreveport and I just want you to know that I've taken proactive steps to counteract those sorts of activities. A couple of years ago, I founded an Internet business here in Shreveport and when my son graduated from Rhodes, I brought him home to run it. I also hired my son-in-law away from Chase Manhattan Bank and brought him home to help run the business. So I have tried to not only say, yes, we do need to bring the children home, but I have also done it. I have brought my children home to make their lives in Shreveport and to establish good businesses here in Shreveport and we are of the opinion that any regulation, any change in any amendments, any new regulatory statues that make it easier for sexually oriented businesses to come and establish themselves in Shreveport is . . . goes against the program of *Bring the Children Home*. I think *Bring the Children Home* just naturally in it's respects insinuates and promotes family oriented, wholesome, domestic lifestyles. And anything that would take away from those sorts of opinions and attitudes and fundamental beliefs of the community is just simply not what is in our best interest. So, I'm here today just to beg the Council take whatever steps that it can to make it as difficult as possible for sexually oriented businesses to establish themselves in Shreveport.

Chairman Burrell: Okay Mr. Templin. Are there any comments from the council? If not thank you.

Ms. Rueten: (3531 Lannon) I just wrote this down real quickly, so I'm not going to be as professional sounding as the gentleman that spoke, but I'm a mother, I'm a wife, I live here in Shreveport and enjoy it very, very much. I'm here to echo basically what the gentleman before me said. That I'm here to ask you to please make it as hard as possible for those businesses to operate here in Shreveport. I've never been to Las Vegas. I hear from a lot of people that it is a wonderful place to vacation. And that may be true. I'm not arguing about that or say it's not true or it is true. However, there is a difference between a place like that and I raising your children in a place like that than it is visiting it. And I don't believe that all of us here have thought that through as carefully as we might have. Would you like to live there? Would you want those kinds of places here in your town where your children and your grandchildren are being raised? I just would like you to consider that and I'm going to ask you make it hard for these people. Don't just let 'em come on in. And not just do anything. It's up to you and the community is watching you and we're counting on you to say no to them. That's all I have to say.

Mr. McDaniel: (2111 Stagan Cr) I'm here to speak on District 1, United Council. I faxed a letter to Mr. Thompson on the 17th asking for an opportunity like all the other businesses that's operating under what we want to operate. And all we asked for is the opportunity to be able to do the same thing without being put in jeopardy. In other words if anybody does something wrong, we want to be covered. We don't want to be where. . .here somebody brought something into our building and we don't have anything covering us. And that's all we ask for is opportunity. So, if there is any kind of way we could get it on a trial basis, one year or whatever, just to see. And we also ask for you to look at the Masonic organization as a whole. And if you look at the kind of people that we are representing as Masons and Eastern Stars, we are not the trouble making kind. We don't go out and find trouble, but we want to be sure that we are covered if we do run into any kind of trouble makers. And we got the security. In other words, we are set up like I said in the letter that I faxed, we're set up like all the other social businesses in Shreveport and the surrounding areas. And we beg and we ask the Council to give us the opportunity. Because we're trying to give something back to the community. We're trying to make it possible for everybody to be able to do something and have something that wouldn't be too expensive for 'em and to be able to live within their budget. Because we're all on a fixed income and these are the things District 1 United Council of Hope is asking for our building there. We don't ask for anything elaborate, all we're asking for is opportunity to operate as these other aforementioned businesses that I mentioned in my letter and in my fax. If you all could see in your hearts where you all could let us operate, or put us on trial. We'll stand the trial there because we're trying to set up and we're trying to be able to pay for the building. Also, help different ones that need to have function and can't afford the high prices that these other big places offer and I thank you.

Councilman Shyne: Mr. McDaniel, it's really not in my district, but I think all of us will have to vote on it and I would want you to understand that we're not . . .we know that the Masonic organization is full of very fine men and women. We understand that and you all are some of the best and brightest minds that we have in this country. And we're extremely proud of you all, but actually what you're asking for is when you introduce liquor into an organization or into a place that's next to a neighborhood and you're going to have people that are coming there that are not Masonic, Mr. McDaniel, to be truthful with you, if my house was next to it, I wouldn't want it. And I want to be truthful with you and I don't want to look at you and lie to you and tell you something that you want to hear. I just want to be truthful with you. If it was next to my house, I'd be down here fighting day and night, not to have it next to my house. And it doesn't have anything to do with you personally or it doesn't have anything to do with the Masonic Lodge, because some of the best

friends that I have are Masonic, (I almost said Masonic brothers, but I'm not. My dad was one, My mom was an Eastern Star), but I do want you to understand that this is not aimed at the organization. Because, you're going to be renting it out to someone that's not going to be a member of the Masonic. And Mr. McDaniel, I'm going to tell you, from working in the public school system (I'm going to say 30 years, but Roy, I'm really not that old, because I started when I was a kid. I about 35). It's hard to control people's behavior when they're not drinking. Sometimes it's hard to control their behavior in church when you're talking about the word of God. So, you know how hard it is to control behavior when you introduce liquor into it. And I have worked my entire time since I've been on the Council to try to improve and enhance the quality of businesses that we bring into our neighborhoods and I appreciate you all wanting to give something back. But it's pretty hard when you giving back into a neighborhood a place where you can enjoy liquor at. I wouldn't want you to give that back to my neighborhood. I'd want you to give something else back in my neighborhood. You could keep that in your neighborhood. I wouldn't want you to give that back to my neighborhood. So I want you to understand that this does not have anything to do personally toward the Masonics or the Eastern Stars, because some of my best friends are Masonics and Eastern Stars. And I appreciate you coming down. Mr. Chairman, thank you.

Mr. McDaniel: May I make one more comment?

Councilman Burrell: Okay, just make a statement.

Mr. McDaniel: Okay, the statement, I'd like to make is what we're trying to do is just like . . . I don't know how many of you have had family get together at your home, or different things. Well see I do not use alcohol period myself or smoke, but I've had, we've had family dinners at the home and somebody, family members or somebody outside of the family that was invited have brought it there. Even though we don't allow it at the house. But somebody will bring it there. And that's the position we are asking, and (unclear). We know if it's a beer function there, we cannot stop anybody from bringing it there, but we're wanting to cover ourselves. That's all we asking. So I thank you all for your time.

Mr. Dennis Sims: (284 Hidden Hollow) I am here also to speak on behalf of appealing and replacing Chapter 72 of the Code of Ordinances of the City of Shreveport related to sexually oriented businesses and employees. I too want to just very quickly appeal to the City Council and ask that you do what I think is the right thing. And that is to toughen these ordinances and to make it more restrictive. My reasoning is very simple and that is that I think that these types of businesses for the most part are destructive to families and to the very environment that we're trying to promote in our city. I think that we will do ourselves and your constituents a great service by trying to restrict these types of businesses for the very purpose of building family atmospheres in our community. And so I appeal to you on that very basis. Councilman Shyne just a moment ago, talked about how he would want something like what was mentioned a moment ago to come into his community. Well, I don't know how you define community. For me, it is the big. It is the bigger picture. And this is one thing that I don't think that we want in any of our specific neighborhoods, nor do I think we need it in our city. That's all I needed to say to you.

Councilman Shyne: Mr. Sims, I appreciate you quoting me. I feel good behind that. Thank you.

Motion by Councilman Carmody to suspend the rules to move for the ordinance considering the SOB regulations, seconded by Councilman Serio and approved by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Shyne, Serio, Spigener, and Burrell. 7. Nays: None.

Councilman Carmody: Thank you Mr. Chairman. I actually would like to go ahead and move for the ordinance considering the SOB regulations, but before I do that, I must admit that I was

amiss and that I had asked the gentleman to come here today to introduce him to the Council and to the community and I would ask John Lambert if he would come forward. Mr. Lambert is a constituent of mine who is now working as the business manager for AFRAM Corporation, which is actually an international corporation that is now looking to come to Shreveport to do some business. And I understand that their president and CEO is here with us and I would ask the two of them if they would please come to the podium and introduce themselves.

Councilman Burrell: Let me ask Councilman Carmody, is this in conjunction with what you are dealing with on SOB or on recognition?

Councilman Carmody: Just a quick recognition sir, if you all would indulge me. Mr. Lambert, if you would please introduce.

Mr. Lambert: Thank you Councilman Carmody and City Council. We appreciate the opportunity to come here and I would like at this time to introduce Solomon Akinduro. He is the president and CEO of AFRAM Corporation. He is well established, he's been here before on an exploratory mission and he's met with many members of the community, officials, and dignitaries and he's been encouraged to put a presence here in Shreveport. I think he would be a real asset to the community and so, I'll shut up. Mr. Solomon Akinduro.

Mr. Akinduro: Honorable Mayor, the Council Chairman and the members of the City Council and the citizens of Shreveport. I wish to thank Mr. Carmody for inviting me to your Council meeting today. Upon my previous visits to your beautiful and striking city and meeting many officials, and dignitaries, I must say, I was graciously received and encouraged to establish a presence here and that's why I'm here today. And I'm here today with one of our senior associates, Dave Volks. When I was here, I met with his Honorable Mayor Hightower, Mr. Antee the CAO, Mr. Sam Gilliam of Fair Share Office, Arlena Acree of Economic Development, Mike Gibson, the Executive Director of AGC and many others. Our desire is to be a vital part of the City of Shreveport in the areas of Project Management, Community Planning, Engineering Design, Educational Facilities, Aviation Facilities, Market Analysis, Commercial Vitalization and Design. I truly appreciate the opportunity to address this Council and if I may have a moment of privilege, I would like to recognize my local representative that has spoken before who has encouraged me very much to come to the City of Shreveport, John Lambert. We are very proud to associate ourselves with him. We have been very, very encouraged with what we have seen in this city and we are so happy and glad to be with you today and by the grace of God, we're looking forward to be part of the City of Shreveport. Thank you very much.

Councilman Carmody: You will have to forgive me because people mispronounce my name many times and you did a wonderful job of saying it correctly. Mr. Akinduro, I appreciate you taking the time to come today. I'm hoping that you have brought with you the brochures on your company and having read through your experience and expertise, it appears that you've done work all over the world as well as in the United States in larger communities than ours. And I'm glad to see you were here today, I'm excited about the fact that you want to locate an office branch here in Shreveport and would certainly want to welcome you to our community. I offer my help in any way I can in order to facilitate you all's new office here and trying to get your foot in the door to do some business.

Mr. Akinduro: Thank you very much.

Councilman Shyne: I would like to extend to you a warm word of welcome to let you know that we appreciate you coming here and that we appreciate you finding this city to be very beautiful and a very progressive place, and a very positive community, that you would like to locate your business in. We feel the same way. There are other places in America and in the world, but there is

not place like Shreveport. So whatever we can do to facilitate, you and your business and your employees, please feel free to call on us and you will continuously find that Shreveport is a very positive place, a very beautiful place, and a very good place to locate your business. Again, thank you very much for coming.

Councilman Burrell: Let me understand. The business that you have is Engineering?

Mr. Akinduro: Engineering and Program construction Management.

Councilman Burrell: Okay, any specific area of engineering?

Mr. Akinduro: We do full services engineering. Civil, Structural, Mechanical and Electrical.

Councilman Burrell: Okay. Well, alright. Again, we do all appreciate you coming and hopefully you would help fill our job base which we sorely need. Thank you very much.

Councilman Shyne: Mr. Mayor, I guess you see that there are people that do perceive Shreveport as being a very positive place and everybody doesn't have the idea that we are a negative and a very racist place and a very backward place. Thank you.

Councilman Carmody: Mr. Chairman, I'm sorry, under the suspension of rules, I was hoping I could go ahead and bring forward the SOB regulation at this point. I could call Mr. Arceneaux up.

Mr. Arceneaux: I do think it's important for me to clarify any possible misconceptions. This is Mr. Carmody's ordinance.

Councilman Carmody: And I was going to ask if you would mind if I made a few comments before. . .

Mr. Arceneaux: I used to be able to do that kind of thing, but that's not my job anymore and I'm glad that my hero and my councilman does that and my former hero is the Mayor, so, we're in good shape here.

Councilman Carmody: Mr. Arceneaux, I appreciate you coming up, but if you would grant me just a moment, I would like to address the Council.

Mr. Chairman, Council Members, today, we will consider Ordinance 153 of 2002, to provide for the licensing and regulation of Sexually Oriented Businesses in order to promote the health, and safety, and the morals and general welfare of the citizens of our community in the city of Shreveport.

This ordinance is based on evidence of the adverse secondary effects of Sexually Oriented Businesses presented in hearings and in reports made available to the Council, and in findings in cases law. Many of the cases, reports and hearings are specifically cited in the Purpose and Findings sections of the Ordinance.

However, I would like to state for the record a few of the reports and testimony which form the basis for this ordinance is drawn.

Document A (which is in the Council's office) referred to as *Incall Escort Bureaus/Nude Modeling Studios (Private Room Nude Dancing) Factual Record*, contains:

In an appearance before The License Appeal Board of the City of Phoenix, Arizona, November 29, 1995, a dancer (Katheryn Ann Clark Freitas) discussed illegal sex acts ("hand jobs" or "hand releases") in rooms set aside for "Private Room Nude Dancing", and instructions she received to evade getting caught by the police asking in essence "Are you a police officer? Are you affiliated with the police department in any way?)

Document A also contains a report dated 6-13-98 of a dancer in a private room who was arrested for prostitution.

These documents again having looked at these are very sad and in my opinion very distasteful.

Document B - *Adult Cabarets Factual Record*, contains:

An appearance before The License Appeal Board of the City of Phoenix, Arizona, April 24, 1997, by a Phoenix Vice Officer who testified that nude dancers squeezed their breasts together to take dollar bill tips, and that they performed acts in private rooms.

Again, I mean this is not pleasant conversation, but we are here today to discuss what this community will allow as far as the operations of this particular type of business.

Document C - *Police Memorandum dated May 1, 1990, (City of Tucson, Arizona)*, reports:

Illegal sexual activity and unsanitary conditions occurring in many of the adult entertainment bookstores and establishments (i.e. clear evidence that the video viewing booths are used for masturbation or other sex acts that leave semen residue on the floors of the booths).

Again, another distasteful thing.

The memorandum describes the sexual activity and the recommendations to prevent these activities.

Document D - *Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses (June 6, 1989) State of Minnesota* recommended:

Communities should adopt regulations which reduce the likelihood of criminal activity related to sexually oriented businesses, including but not limited to open booth ordinances and ordinances which authorize denial or revocation of licenses when the licensee has committed offenses relevant to the operation of the business.

Again, another part of what we are to consider today.

Document E - *Adult Use Study - Summary, findings and recommendations, prepared for Kansas City, Missouri (April 1998)*, cited the following:

On January 1998 Denver study which found that most adult use businesses in Denver have had their licenses suspended on one or more occasions for criminal activity by patrons or employees... The overwhelming majority of such violations involved public indecency, including fondling and deviant sexual intercourse.

Document E also contains the following recommendations for Kansas City, Missouri:

1) There ought to be a criterion...providing for suspension or revocation of the owner, operator or employee "knowingly permitting any sex act on the premises", including prostitution and otherwise legal sex acts (sex between consenting adults).

2) The City (Kansas City, Missouri) should establish extensive operation and maintenance requirements for video viewing booths in the licensing ordinance, including standards on design, maintenance (including cleaning),

And again, this is not something we want to have to consider, but this is what we're talking about unfortunately.

... and operation. The report states: "*We believe the public health risks are so great and the public benefits are so few that the City can legitimately take a 'zero tolerance' policy toward problems occurring at those facilities.*

3) There ought to be regular, unannounced inspections of establishments that are licensed, particularly those involving on-premises entertainment.

Document F - *Testimony of David Sherman (Former Midwest Manager of Deja Vu) before the Michigan House Committee on Ethics and Constitutional Law.*

If you have not read any of this information, this gentleman was a former Midwest manager of Deja Vu and he appeared before the Michigan House Committee on Ethics and Constitutional Law. The gentleman had 14 years of experience in this type of business. Mr. Sherman was advocating strong laws to regulate Sexually Oriented Businesses. Some of his observations -- and I will try not to be verbatim.

1) Having been involved in the Adult Entertainment Industry for fourteen years, I am very aware of the consequences this business can have on all involved. Over the years I've seen friendships, families and lives destroyed."

2) Much of the activity of the adult entertainment industry is illegal and criminal. In addition there are tremendous negative effects on entertainers, communities, local businesses, as well as families."

3) "Right from the start, drug and alcohol use is rampant. The dancers call it partying. They don't realize that they are medicating themselves in order to do the work they do."

Again, Mr. Sherman:

4) "I have walked into clubs and witnessed 15-year-old girls working — with their parents knowledge."

5) "I've seen girls leave with customers, meet them outside, as well as literally perform sex acts while lap dancing for customers. Again, the bar may pay an employee to watch for this, but the girls pay them more not to see it. If these are 'clean upstanding businesses,' why is it that day after day used condoms were found in the V.I.P. rooms."

Among the regulations Mr. Sherman has recommended are the following:

1) Keep known sex offenders as well as known felons from working, owning, or entertaining in the clubs and adult business, as many owners in these business have a criminal record.

2) Keep the entertainers from soliciting in any way which, as we all know, comes in many forms. In turn, that will help keep adult business as above table as possible. It will also help keep the seasoned entertainer from teaching the new ones the so-called "tricks of the trade" which most of the time are illegal.

3) *Limited the hours of operation to help in curbing many of the illegal activities such as drug dealing, solicitation, and illegal dances due to the fact that the more intoxicated the entertainer is the more the dancer is likely to do. It is a big plus on the safety and welfare of the entertainers, employees, citizens, and communities - - as many of the late night people are truly drunk or intoxicated or other forms of drugs and literally do things they would never do if it were not in such a late night situation.*

Councilman Burrell: How big is that document.

Councilman Carmody: I'm right at the end sir.

Document G - *Strip Clubs According to Strippers: Exposing Workplace Sexual Violence* contains the following paragraph:

Private dances are usually performed in areas shielded from the larger club view. As a rule, the private dance involves one female dancer and one male customer. Private dances are situations where women are often forced into acts of prostitution in order to earn tips.

I'm not going to read the last part of this. You have the gist of what I'm here to discuss.

I would ask at this point for Mr. Arceneaux to come forward. I do think that it's imperative that this council act for the benefit of this community basically to protect our citizens from those secondary effects, which in my opinion are negative as a result of these types of business. Mr. Arceneaux, I appreciate you giving me this time. Thank you sir.

Mr. Thompson: Mr. Carmody, the Police Department had stated to me earlier that they were not ready and they were going to ask for a continuance. Are you going to allow them to speak at this time?

Councilman Carmody: If the Police Department would so wish to come forward, I would ask that they would.

Councilman Burrell: Let me ask this too, because I've been following the development of these ordinances and I'm at this point, I'm really sort of confused as to what is in each one, or what has been changed, because each time that we come there has been some last minute changes to it, so I'm going to ask for a postponement also from the standpoint of the Chair. Okay, we're going to do that. Mr. Arceneaux -- and let me add, if we're going to look at postponing, if that's going to be considered, then I'm not sure how much deliberations we need to go through if we are going to do it anyway.

Councilman Serio: Mr. Burrell, as well as the audience and for the folks listening at home to somewhat clarify what Mr. Burrell just said. As you can see our screens right now, we have a grand total of about . . . we have an original ordinance with several different amendments and half of these amendments have just shown up today. I've been sitting here reading and going through them as we have had this discussion. And quite frankly, I would think that if this was printed out, it would be well over 30 pages of documentation and with amendment 3 and all the different variations of amendment 3 with the ordinance and amendment 1 and 2 and 1,2, and 3. I don't know how we could vote on this without some time outside the chamber to discuss this amongst ourselves as well as talk with the lawyers as well to find out what it all means. I agree with you Mr. Chairman.

Councilman Burrell: Mr. Arceneaux, if you would give us an overview rather than a long deliberation. I'll let you be the judge up to a point, then I'll come in if I need to.

Mr. Arceneaux. Mr. Chairman, there are. . . .

Mr. Thompson: Mr. Chairman, again, if there is going to be a continuance, if the Police

Department is going to ask for one, you've already asked for it. I don't know if the Council wants to go through all this again today.

Councilman Burrell: From what I'm hearing there are those that really want to look more into this since there have been recent changes. So I'm not sure if we would need to go through a full explanation or deliberation.

Mr. Arceneaux: I can give you a summary, Mr. Chairman.

Councilman Burrell: Why don't we do that.

Mr. Arceneaux: It will take very little time. The reason you have new amendments today is not because the text just changed, but to make sure that you have the version of the amendment that you are going to be considering.

Amendment No. 1 is the amendment by the City Attorney's office, the only difference is I did finally find that section that Mrs. Glass had asked me to amend and so I have added that back in with the correct section citation. It actually removes something from the ordinance that was vague and probably unenforceable. That's the only change in Amendment No. 1 from what you had earlier this week and the end of last week.

Amendment No. 2 was the amendment that was provided last week and it has not changed, the reason it has a different file number is we put a date on it so that you would know the only change in Amendment No. 2 is October 22, 2002 has been added to it so you know that's the latest amendment because that's the amendment that's dated today.

Amendment No. 3 is in the same category. No changes have been to Amendment No. 3 from what was before you yesterday and what was provide last week except the addition of the date, October 22, 2002.

Amendment No. 4 is simply the restatement that Mr. Thompson had requested that the City Attorney's office prepare so that after we had gone through the other amendments then there will be one amendment that would pass the ordinance as amended so that it would be easier for the Clerk of Council's office to publish the ordinance and to send it to Code publisher. So Amendment No. 4 makes no changes whatsoever that aren't already in Amendments No. 1, 2, and 3.

Amendment No. 5 and Amendment No 6 are the amendments that Mr. Shyne requested to be prepared and they were prepared overnight. We were requested to make those changes at 5:15 yesterday afternoon and so I don't see how I could have gotten it to you much earlier then I did.

Amendment A, simply starts us from the correct version of the ordinance document because there were some confusion about that and there are no substantive changes in that one. So you do Amendment A, Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4, then the consideration of Amendments No. 5 and 6. And all of those have explanations in them.

With respect to Amendment No. 4, each of you either has or will be given my hand written notes which I believe are legible in the most part that show the changes from the ordinance that will be made to clean up. I told you yesterday that I wanted to take the time to sit down and read through and make sure it worked from section to section. I spent most of the day today doing that and I'm satisfied that those of the changes that need to be made. There are really no substantive changes that but – so that you will be able to see exactly where the changes exist, you will have a copy of my hand written notes on the previous draft that will show you exactly where the changes were made.

Mr. Thompson: Mr. Chairman, I passed out amendments, the latest versions of Amendments 1, 2, and 3 and they are dated so that you won't get them confused with any of the earlier versions. I did not pass out, Mr. Shyne, any of your amendments because you were not sure that you wanted them considered; so, they have not been passed out.

Amendment A, is essentially the same as the ordinance that was introduced with a few minor

changes. But this ordinance is postponed today, you will get a packet with all of the documents in one packet and the document at the end to show how it will look if Amendments 1, 2, and 3 are adopted. So before the next meeting you will have that with enough time to review it.

Councilman Burrell: Mr. Thompson, looking at your package I have been trying to discern what is the police recommendation and what's non-police recommendation – but I can use the term, I see here recommendation from the City Attorney's office under (1); under (2) we have recommendation from Police Department; and then number (3) additional recommendation under Police Department. I guess it would beg to question why isn't 2 and 3 together since they are both from the Police Department?

Mr. Thompson: Mr. Arceneaux can best answer that.

Mr. Arceneaux: Amendment No. 2 was so long and took me so long that if I waited to do Amendment No. 3 I wouldn't have gotten Amendment No. 2 to you on Wednesday and it probably would have been Monday and so I split them up.

Councilman Burrell: Okay, so I assume when we get it, it will not have 2 and 3, that we can combine them.

Mr. Arceneaux: No sir, I think to avoid confusion, I would recommend that we adopt them as they are so that you will know what you have in front of you. But Amendments No. 2 and 3 both result from the 13 pages of amendments that the Police Department gave to me and requested for me to prepare about two weeks ago.

Mr. Thompson: I would make one other comment. There are also some other substantive issues that the police department have with the ordinance and so that if there is another amendment you will know the reason for it, that's the only reason I'm telling you about that now.

Councilman Burrell: So it's fair to say that we haven't seen the end of the amendments to this.

Mr. Thompson: That would be correct.

Councilman Shyne: Mr. Chairman, I would like to extend an invitation for the Chief of Police to come up, not only to hear from him but to see him today. Chief., you look real nice in your brown suit. I haven't seen you that dressed up in a long time. You look very professional.

Chief Roberts: I knew I was coming to talk to you today, Mr. Shyne.

Councilman Shyne: Thank you Chief. I feel flattered.

Councilman Burrell: Chief, you have any comments on this ordinance?

Chief Roberts: Yes, I do. We had made as say 13 pages of recommendations to add into this ordinance. We added a lot of things to it. I have not personally seen the completed document. I would like some time to review this myself. Just sit down with it and read it front to back to make sure that we have included everything that we wanted to include in this ordinance. It is a very important ordinance. Mr. Arceneaux has done a tremendous amount of work on it. And Mr. Carmody has also really been pushing to get this thing through and we appreciate that. I just want to make sure it's complete before we send it to you all for consideration.

Councilman Shyne: One question. Chief, and I hope this will not be perceived as me not being able to make a decision, but in case we do postpone or in case we go forward, let's say if we postpone, will this have any type of – will this do any type of harm to the City if we would postpone this for, let's say another couple of weeks.

Chief Roberts: I don't really think so, Mr. Shyne.

Councilman Shyne: I agree with you but I wanted to hear the professional opinion because I think probably what this is aimed at that the club would not be opening until, what, maybe six weeks from now, eight weeks from now.

Chief Robert: At least.

Councilman Shyne: Okay. So if we would postpone for a couple of weeks it wouldn't do that much damage. But Councilman Arceneaux, I am really to vote though if you persist that we go forward.

Councilman Carmody: Councilman Arceneaux, are you prepared.

Councilman Shyne: Councilman Carmody, Councilman Arceneaux and I worked together for so long.

Councilman Burrell: And I understand Mr. Thompson, that since this was already introduced previously at least the ordinance, then the amendments, we can take those up and have a final vote at the council meeting.

Councilman Shyne: But Mr. Chairman, would ask Councilman Carmody if he – because I think this is kind of his ball game and if he wants to bring it to a vote or if he would – I would like to make my decision at his wishes. If he would like to postpone it, I would be glad to do that. If he would like to bring to a vote since he asked to suspend the rules in order to bring it up early in the meeting. I think we owe him that much.

Councilman Burrell: I think we owe the Council for those who have not gotten as involved in it as you and Councilman Carmody has at this point, that we could have a better understanding of what we are voting on. So I am going to ask as Council Chair with permission of the Council that we do postpone it for two weeks so that we can understand better what's in it.

Mr. Thompson: Is that a motion.

Councilman Burrell: That's a substitute motion.

Mr. Thompson: I don't believe there's a motion on the floor.

Councilman Burrell: Well, that's a motion then.

Motion by Councilman Burrell, seconded by Councilman Huckaby to postpone Ordinance 153 until the next regular meeting.

Councilman Spigener: Mr. Chairman may I make a comment. Concerning the postponement. I too, think it may be wise for us to allow the police chief to review this. There could be additional provisions that he thinks may need to be in there that might even make this more restrictive and I think that, that would be the only reason I would be for a postponement just to be sure that he is satisfied that this is the ordinance that would be appropriate for the City.

Councilman Burrell: Okay, my reason for a postponement is to understand better what was in it as well as if the Chief has any other recommendation, that's fine too. But that could go both ways. It's just based upon what's in the document and what others understand. Because there may be other Council members that may come up with other amendments that we don't have that has nothing to do with the existing amendments that we have here. So at this point I would like to call for the vote.

Councilman Shyne: Mr. Chairman, excuse me, before you call for the vote. Councilman Carmody would you like to respond to this, out of respect.

Councilman Carmody: I appreciate you referring to me, Mr. Shyne, because I have been trying to get the Chairman's attention for a moment. Councilman Burrell, I appreciate the fact that other Council members maybe or not is as comfortable with the documents and the amendments that have been drafted thus far. I would like to reiterate my comment that I made yesterday and that is if any law that this Council passes, should be good enforceable law and if the police chief at this point feels that he needs some additional time in order to make sure that the department is comfortable with what we are going to enact, I'm certainly willing to do that. I would be prepared today to vote but in deference to those of you who have not had a chance to read this information and to try to try

to digest it and also to give the opportunity for the police department to make some further clarification, I would certainly vote to postpone as well.

Councilman Burrell: Again, as I stated, we would like to postpone it, not just for the Chief, but we are the ones who have to vote on it. So I think it is more important for us to understand too, what's there.

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

CONSENT AGENDA LEGISLATION.

TO INTRODUCE RESOLUTIONS AND ORDINANCES ON CONSENT

Read by title and as read motion by Councilman Stewart, seconded by Councilman Spigener for Introduction of the Resolution and Ordinances on the Consent Agenda. Motion passed by the following vote: Ayes: Councilmen Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

RESOLUTION:

2. Resolution 150 of 2002: A resolution authorizing the Mayor to execute a Donation Agreement between the City of Shreveport and Norris Ferry Road, L.L.C., a Louisiana business corporation, for private water and sewerage main extensions serving St. Charles Place Sub'd., Units No. 1 and 2 and to otherwise provide with respect thereto.

ORDINANCES:

1. Ordinance 156 of 2002: An ordinance closing and abandoning a 15 foot-wide retained utility and drainage easement adjacent to Lot 31, North Pierremont Subdivision, Caddo Parish, Louisiana and to otherwise provide with respect thereto.
2. Ordinance 178 of 2002: An ordinance closing and abandoning Ellison Street running between Baxter and Tate Streets, Roosevelt Subdivision located in the SE 1/4 of Section 16 (T17N-R13W), Caddo Parish, Louisiana and to otherwise provide with respect thereto.
3. Ordinance 179 of 2002: An ordinance to supplement and amend Section 2 of Ordinance No. 27 of 1948 parking meter zones to provide for the inclusion of a space on the N. side of the 1500 block of Glen Oak Place beginning 180 feet E. of Linwood Avenue and extending along the N. of Dowdell St. and shall conform with all other sections of Ordinance No. 27 of 1948 and all amendments thereto, and that the maximum time limit for this meter zone shall be two (2) hours and to otherwise provide with respect thereto.

Councilman Serio: Mr. Chairman. Do we have anybody to answer a legal question for me?

Councilman Burrell: Well, we have our City Attorney here.

Councilman Serio: Mr. Thompson can help me with that.

Councilman Burrell: Well, we have our City Attorney sitting next to it. Council

Attorney, let's put it that way.

Councilman Serio: A legislation such as this if this is passed, our does that effect businesses that are currently operating and how do you regulate for businesses that is currently in operation with this new code and –

Ms. Glass: Mr. Serio, I'm sorry, are you talking about the SOB ordinance?

Councilman Serio: Yes, absolutely. How do you institute this with businesses that are currently operating or businesses that are open? The reason for this (inaudible) . . . it's obvious that there are going to be some businesses that are going to be shut down or virtually put out of business, not be able to operate or maybe even over regulated and out of business which I know that could be, possibly the intent of the ordinance itself – the legislation itself. Does that create any problems for the city of Shreveport? Does that create any kind of liability problem with legislation in a somewhat of an after the fact note.

Mrs. Glass: Mr. Serio, I wish you would have asked that question when Mr. Arceneaux was in here. I know that he has researched the ordinance in depth and I have not personally researched it but I don't think he would be recommending this form of the ordinance to you all if he felt that there was any liability to be incurred about it but we probably would do better to get a response from him on that.

Councilman Spigener: Mr. Lafitte, if you would come forward, please we have a question from Councilman Serio.

Councilman Serio: Ramon, I got a question. And reading this, I know that this is going to affect a lot of businesses or some businesses that are in operation currently and it's going to make it more restrictive on them and it might even put some businesses out of business. What type of liability does the city have or what type of – for businesses that already have a license to operate, can they be licensed out of business or over regulated out of business or do they already have a certain permit to operate?

Mr. Lafitte: They probably are already operating under, I guess certain permits and when it comes time to renew their permits, I guess they would have to conform to whatever the ordinance will be changed to. I, myself have not read the proposed ordinance but if the ordinance of course, is totally legal and standing in constitutional challenge then we as a city would be in good shape.

Councilman Serio: So then they would have to have a certain time period for conformity and if they have to have a certain time period for conformity most of our licenses in the end of the year – those retail licenses in the city of Shreveport come up at the end the year, December 3. December 31, then new licenses issued for January through the next year.

Mr. Thompson: Madame Chairman. I don't know if Mr. Shoemake is here but I don't believe anybody has a license in Shreveport.

Councilman Serio: Then that answers the question. But still nobody has a license in the City of Shreveport. Is video places that are already operating, how will they be affected and will they have to have a certain time period to conform or become into conformity?

Mr. Lafitte: I can't really answer that question without looking at the ordinance itself.

Councilman Spigener: I see that Mr. Arceneaux is back, should we ask him to come forth and continue this discussion? Mr. Arceneaux.

Mr. Arceneaux: If I hadn't hurt my calf, I could have run faster.

Councilman Serio: Well, the question is, we have businesses that are operating now that will be affected by the new legislation. The new legislation is going to put some restrictive requirements on them (inaudible) . . . levels and one of these sections in here that

there is going to be 10%, 20%, or 60% into adult sexually oriented videos or whatever. There's got to be a transition period. And I know where it come up on the end of the year, you know if we pass this now you got six weeks to transition. If you pass it in December they got two weeks to transition before their business license actually transfers to the next year when you file for your new business license. How do we – I guess I'm having trouble trying to figure out who would regulate out of business and we don't regulate out of business and if we are regulating people out of business, does the city of Shreveport have any liability in the over regulation or are these people grand-fathered, the ones that are currently operating, would they be grand-fathered in? Because I know in so many instances where have businesses that are currently operational and we set up a new legislation, those businesses are typically grand-fathered until their property is either sold or the business is closed or whatever. Will that occur with this as well? Does this affect just future or does it affect everybody and if it affects everybody does the city have any liability if those people are put out of business?

Mr. Arceneaux: You have asked a series of questions, let me see if I can answer all of them for you Mr. Serio. Number one, with respect to the businesses that have some part of their business it would be what we would term adult oriented and another part that is not adult oriented. That is precisely the particular provision that the police department wants to continue to review so that the impact of that ordinance will be along the lines of what you are expressing so that we are not putting people out of business who are currently have a separate section set aside for their adult materials. So that's where those percentages come in and that's where the police department is not yet ready to make a recommendation and want some additional time to consider that. In terms of the effectiveness, the ordinance will be effective as to all businesses whether they are operating today or not. If they have a business that requires special configuration requirements, which is basically the adult peep shows and adult cabarets. They will have 180 days from the effective day of the ordinance to come into compliance and based on the information that we have from the police department the configuration changes will be very, very minor. So there should not be a significant cost that is involved. Most of the rest of the regulation has to do with activity that goes on inside of the facilities and yes, this ordinance has drafted and as amended in terms of the amendments that are in front of you will apply to all businesses. And no, I don't think the city incurs any liability as a result of enacting that. It is just as though you decided to pass an ordinance that prohibited murder. You wouldn't have to exempt already existing murders from it.

Councilman Serio: Okay, all right. That answers most of the questions but the main thing is the 180 days to have the time period to come into compliance.

Mr. Arceneaux: Yes sir and if they are currently in business under the ordinance with the amendments, if they are currently in business Mr. Serio, they will not be put out business during the license procedure. In other words they have a certain – they have 30 days from effective date to apply for their license. Once they apply until the determination is made on that license they are permitted to continue to operate. In other words, it's like a provisional license so that if they are already in business they will not have to stop until they get their license. So no one who is in business at the time this ordinance goes into effect, in fact, almost all of the – for an example there is no current regulation for adult cabarets in the city of Shreveport except for location requirement. There is a location requirement but there are no regulations about configuration, what can and can't be done inside an adult cabaret right

now.

Councilman Serio: Okay, with the introduction of the new business down the riverfront, will this impact them directly or will that be -- I guess it will-- you answered that awhile ago, it will. It will impact them directly.

Mr. Arceneaux: Yes. This ordinance as drafted will affect that business or any other sexually oriented business that is operating with the city of Shreveport on the effective day of the ordinance. Any other questions before I go?

Councilman Shyne: This is not really question to you and I'm not going to say Councilman Arceneaux, I'm going to say Attorney Arceneaux. Some of the perception I get from the drawing up of this new ordinance and from some of the supporters and this is not Attorney Arceneaux's ordinance, this Councilman Carmody's ordinance. He just happen to be the work-horse in which that was able to put this information together. But from what I can gather, I mean it seems like Councilman Serio the purpose of the whole ordinance is to make sure that you don't have these kinds of businesses in the city of Shreveport. So there is a perception that we don't need sexually oriented businesses, so the way to get rid of them to make the legislation so tough and so restrictive until it's not profitable and you know, this is a capitalistic society and if it's not money making then it will go out of business. So that's, I mean, I keep on hearing restrictive, restrictive, restrictive and that is the thing that will ultimately happen. I mean, that's what I see. Whether it's good, whether that is the American way or not or whether that is un-American or not, we'll have to see. The way you get rid of a business is you make the legislation so restrictive until it's not profitable. So you change the rules.

Councilman Carmody: Very quickly, Councilman Shyne, you ask a kind of rhetorical question as to whether or not we need these businesses. From what I understood through the hours long hearings that we had on the licensing was that federal government, the U. S. Constitutions permits these types of businesses, so what we are talking about is regulations and I think that it is good and proven of this body to consider regulations just as Attorney Arceneaux reiterated, we do have regulations that affect these type of businesses, adult cabarets. So again, what we are talking about is regulation and that is what we are trying to consider. That's what the police department--we now granted them additional time so that they can give us their input and hopefully whatever regulation that we elect to vote on and approve will be an enforceable regulation.

Councilman Shyne: Mr. Chairman, maybe I'm wrong

Councilman Burrell: Excuse me, Councilman Shyne, but since we are going to take this issue up again, we can just go ahead on and plead our statements on these then we will take it up at another date.

Councilman Shyne: Maybe, I'm wrong but Mr. Thompson, you or the City Attorney are the ones who can correct me. I believe we have a SOB ordinance in place now. Do we? And wouldn't that indicate that we would have some type of legislation, we would have some type of restriction, we would have some type of rules and regulations that they would abide by? Now we might not have all of them included in but I believe what this is all about is to revamp and to bring in a new SOB ordinance. I was under the impression Councilman Carmody, that we had one in place already. I did not realize that we didn't have anything in place but I'm hearing that we do have some things place and I'm hearing also that maybe what we want to do is include some other sexually oriented businesses in this ordinance. But we do Councilman Carmody, have one in place already.

Councilman Carmody: Mr. Chairman, very quickly. I know that we are trying to get to the end of this particular issue but would call Attorney Arceneaux back up because as you eluded to Mr. Arceneaux was actually instrumental in the existing law and as I recall it's regarding the spacing and placement of these type of businesses. I don't believe there is a regulation as to the activities inside an adult cabarets.

Councilman Burrell: Well, let me inject here. The ordinance that we have on the book does have to do with location. I don't think Mr. Arceneaux has to come back up and explain that. I have been involved in that one too, so I think you are correct. Now, to the extent that there are regulations in there, I could not tell you but I know that this is putting a lot of additional restrictions on what we already have and I think we will take that up the next time come.

ADOPTION OF RESOLUTIONS AND ORDINANCES ON CONSENT:

Read by title and as read motion by Councilman Shyne, seconded by Councilman Huckaby for adoption of the Resolutions on the Consent Agenda. Motion approved by the following vote: Ayes: Councilman Huckaby, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

RESOLUTIONS:

RESOLUTION NO.151 OF 2002

ON IFB #02-085 BALTIMORE AVENUE & RICHMOND AVENUE 8" AND 10" SEWER CIPP LINING & BOULEVARD STREET 6" SANITARY SEWER REPLACEMENT

WHEREAS, four bids were received as a result of solicitations for the Baltimore Avenue & Richmond Avenue Sanitary Sewer CIPP Lining & Boulevard Street 6" Sanitary Sewer Replacement, IFB-02-085; and

WHEREAS, the City has rejected the bids due to an emergency causing significant changes in the specifications allotted by the Engineering Department;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the bids received on IFB #02-085 be rejected.

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

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

RESOLUTION NO. 152 OF 2002

A RESOLUTION ACCEPTING DEDICATION FOR BACCARAT DRIVE AND CALLIOPE LANE IN THE BRUNSWICK PLACE UNIT NO. 5 SUBDIVISION, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for Baccarat Drive and Calliope Lane in the Brunswick Place

Unit No. 5 Subdivision in Section 33 (T17N-R13W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for Baccarat Drive and Calliope Lane be and recorded in the official records of the District Court for Caddo Parish, Louisiana.

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

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

RESOLUTION NUMBER 153 OF 2002

A RESOLUTION DECLARING THE CITY'S INTEREST IN A CERTAIN ADJUDICATED PROPERTY 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 or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; 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 property described herein and has not received any indication that it is needed for city purposes.

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

Lot 39, Block 2, T & P Subdivision Geographic Number 171416-048-0039
Municipal Address: 3710 Morrow St.
Council District "F"

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof be 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.

RESOLUTION NO. 154 of 2002

A RESOLUTION AUTHORIZING DENNIS M. THOMAS & SUSAN ATKINS THOMAS, LOCATED AT 9051 WOOLWORTH RD., TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Dennis M. Thomas & Susan Atkins Thomas have agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Dennis M. Thomas & Susan Atkins Thomas, be authorized to connect the building located at 9051 Woolworth Rd., to the water system of the City of Shreveport.

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

BE IT FURTHER RESOLVED that resolutions or parts thereof in conflict herewith are

hereby repealed.

ORDINANCES: NONE

REGULAR AGENDA LEGISLATION:

RESOLUTIONS ON SECOND READING

RESOLUTION NO. 144 OF 2002

A RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2003 CONSOLIDATED COMMUNITY PLANNING AND DEVELOPMENT UPDATE (ANNUAL ACTION PLAN) TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Resolution No. 195 of 2000 authorized the submission of a 2001-2003 Consolidated Plan to the United States Department of Housing and Urban Development; and,

WHEREAS, pursuant to regulations of the United States Department of Housing and Urban Development (HUD), the City of Shreveport is required to submit an annual update to the Consolidated Plan.

WHEREAS, this update serves as the planning document for the City's Department of Community Development and as an application for funding under the Community Planning Development formula grant programs; Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Shelter Grants Program (ESG).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport, in due regular and legal session convened, that the Mayor is hereby authorized to submit a 2003 Consolidated Community Planning and Development Update (Annual Action Plan) to HUD substantially in accordance with the attached draft which is filed for public inspection with the original of this resolution in the Office of the Clerk of Council.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and submit any and all documents necessary for the submission of the 2003 Consolidated Community Planning and Development Update (Annual Action Plan).

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

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

Read by title and as read motion by Councilman Carmody, seconded by Councilman Spigener passed by the following vote: Ayes: Councilmen Huckaby, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

RESOLUTION NO. 145 OF 2002

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH PLEASANT HILL BAPTIST CHURCH FOR THE CONSTRUCTION AND OPERATION OF THE LAKESHORE DRIVE 8" SEWER MAIN EXTENSION

WHEREAS, it is recommend that the City of Shreveport enter into a Cooperative Endeavor agreement with Pleasant Hill Baptist church to construct improvements to provide sanitary sewer service to the church.

WHEREAS, Pleasant Hill Baptist Church located at 4670 Lakeshore Drive has no sewer service available at this location. The church has requested the City's assistance in resolving the sanitary sewer problem. The connection of the facilities into the City's sanitary sewer system in lieu of a mechanical sewer treatment system will greatly reduce the risk of pollution in the Cross Lake water shed area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport be allowed to enter a Cooperative Endeavor agreement with Pleasant Hill Baptist Church for a sewer main extension project consisting of 1000 feet of sanitary sewer pipe.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications 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 Shyne, seconded by Councilman Burrell passed by the following vote: Ayes: Councilmen Huckaby, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

RESOLUTION NO. 146 OF 2002

A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE TO THE SETTLEMENT PROPOSAL BETWEEN THE CITY OF SHREVEPORT AND BOOTS AND COOTS/CODE 3/ABASCO AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport, through the Department of Operational Services, has entered into a settlement agreement with Boots and Coats/Code 3/Abasco to accept the amount of \$9,528.84 for the debt owed the City of \$19,057.67 as full and complete payment; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the Mayor's signature for the settlement agreement between the City of Shreveport and Boots and Coats/Code 3/Abasco is hereby ratified.

BE IT FURTHER RESOLVED, that the Mayor of the City of Shreveport is authorized to sign all other documents required to complete the application.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof be 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 Huckaby passed by the following vote: Ayes: Councilmen Huckaby, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

RESOLUTION NO. 147 OF 2002

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF SHREVEPORT AND SC.-PORT DISCOVERY CENTER AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport, (hereinafter referred to as the "City"), and Sc.-Port Discovery Center, (hereinafter referred to as Sc.-Port), entered into an Agreement to Manage and Operate the Sc.-Port Discovery Center dated September 29, 2002, by virtue of Resolution 198 of 1998, and

WHEREAS, the Agreement grants priority use to Sc.-Port over immovable property bounded on the west by Clyde Fanned Parkway, on the south by the extension of the south right-of-way line of Lake Street to the west bank of the Red River, on the east by the Red River, and on the north by the extension of the south right-of-way line of the Illinois Central Railroad bridge (hereinafter referred to as the "Property"), and

WHEREAS, the City has entered into a Cooperative Endeavor Agreement with the Red River Waterway District to implement a comprehensive plan to revitalize the urban river front of the Red River and desires to convey the Property to the Red River Waterway District, and

WHEREAS, Sc.-Port has agreed to relinquish all claims and rights to the Property granted to them under the original agreement, and the proposed amendment to the original agreement accomplishes this.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an amendment to the Agreement to Manage and Operate the Sc.-Port Discovery Center effective October 22, 2002, substantially the same as the document filed in the Office of the Clerk of Council on October 8, 2002.

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 application of this Resolution which can be given affect without the invalid provisions, items or application and to this end the provisions of this Resolution are hereby declared severable.

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

Read by title and as read motion by Councilman Shyne, seconded by Councilman Huckaby passed by the following vote: Ayes: Councilmen Huckaby, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

The Deputy Clerk read the resolution by title: Resolution 148 of 2002: A resolution authorizing the exchange of certain surplus public property.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Shyne to

postpone the resolution until the next regular meeting. Motion passed by the following vote: Ayes: Councilmen Huckaby, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of the Chamber: Councilman Stewart. 1.

RESOLUTION NO. 155 OF 2002

A RESOLUTION MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF THE ISSUANCE BY THE CITY OF SHREVEPORT OF NOT TO EXCEED EIGHTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$18,500,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, IN ONE OR MORE SERIES, FOR THE PURPOSE OF REFUNDING CERTAIN EXISTING INDEBTEDNESS OF THE CITY.

WHEREAS, the City of Shreveport, State of Louisiana (the "City") has previously issued its \$8,200,000 General Obligation Refunding Bonds, Series 1993 and \$19,000,000 General Obligation Bonds, Series 1993B (collectively, the "Prior Bonds") to finance the construction, acquisition and improving works of public improvement of the City including roads, streets, drainage, parks and recreation facilities and public facilities including facilities for the police department and fire department, and other public purposes, and acquiring the necessary land, equipment and furnishings therefore, all as hereinafter provided; and

WHEREAS, in order to realize interest cost savings and in accordance with the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act") and other constitutional and statutory authority, the City of Shreveport, Louisiana (the "Issuer") governed by the City Council (the "Governing Authority") intends to proceed with the issuance of not exceeding \$18,500,000 aggregate principal amount of General Obligation Refunding Bonds of the City (the "Bonds"), to be issued in one or more series to effectuate the refunding of the Prior Bonds,

NOW THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City, acting as the governing authority of the City, that:

SECTION 1. Preliminary Approval of Bonds. For the purpose of providing funds to refund the Prior Bonds in accordance with the provisions of the Act, the City intends to proceed with the issuance of the Bonds. The details of the Bonds shall be established by subsequent ordinance adopted by this governing authority. The proceeds of the Bonds will be used to effectuate the refunding of the Prior Bonds and pay costs of issuance. The Bonds shall be general obligations of the City as issuer of the Bonds, payable from and secured by ad valorem taxes levied and collected in the manner provided by Article VI, Section 33 of the Louisiana Constitution of 1974. The Bonds shall bear interest at a rate of not to exceed six percent (6%) per annum, maturing no later than thirteen (13) years from the date thereof and shall be issued under the authority previously cited in this section.

SECTION 2. State Bond Commission Application. This governing authority hereby authorizes and directs that application be formally made to the State Bond Commission, Baton Rouge, Louisiana for final approval of the issuance of the Bonds by the City within the parameters set forth above.

SECTION 3. Employment of Bond Counsel. This governing authority finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds. Cast & Pearce, A Professional Law Corporation, Shreveport, Louisiana is hereby employed as Bond Counsel to perform comprehensive legal and coordinate professional work as Bond Counsel with respect to the issuance and sale of the Bonds. Said Bond Counsel shall prepare and submit to this governing authority for adoption of all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this governing authority as to the issuance and sale thereof and shall furnish its opinion covering the legality of the

issuance of the Bonds. The fee of said Bond Counsel shall be fixed at a sum not exceeding eighty (80%) percent of the maximum fee allowed by the Attorney General of the State of Louisiana's fee schedule for comprehensive, legal and coordinate professional work in connection with the issuance of general obligation bonds and based on the amount of the Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said Bonds. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Director of Administration is hereby empowered and directed to issue vouchers to said Bond Counsel in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

SECTION 4. Financial Advisor. King, Bossier, Nesokia & Holey of Baton Rouge, Louisiana is hereby appointed and employed as financial adviser in connection with the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon issuance of the Bonds and the Bond Counsel is authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

SECTION 5. Publication. This resolution shall be published in The Shreveport Times, a daily newspaper published in Shreveport, Caddo Parish, Louisiana, and that, as provided by the Act, for a period of thirty (30) days from the date of such publication, any person in interest may contest the legality of this Resolution and the Bonds to be issued pursuant hereto and the provisions securing the Bonds. After the said thirty days, no person may have any right of action to contest the validity of the Bonds or the provisions of this Resolution, and all of the Bonds shall be conclusively presumed to be legal, and no court shall thereafter have authority to inquire into such matters.

Mr. Shyne: Mr. Chairman, I'm in support of it although, I haven't had an opportunity to talk to Mr. Antee about it, but I'm in support of it.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Spigener passed by the following vote: Ayes: Councilman Stewart, Carmody, Shyne, Spigener, and Burrell. 5. Nays: None. Absent: Councilmen Huckaby and Serio. 2.

Ms. Lee: Mr. Chairman, we do have one more that we added that opposes the Jena Choctaw Casino proposed for Logansport, Louisiana .

RESOLUTION NO. 160 OF 2002

A RESOLUTION OPPOSING THE JENA CHOCTAW CASINO PROPOSED FOR LOGANSFORT, LOUISIANA, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the State of Louisiana has licensed casinos to provide tax revenues to State, City and Parish governments; and

WHEREAS, casinos operated by recognized American Indian tribes within the State of Louisiana are prohibited by Federal law from providing tax revenues to any level of State or local government; and

WHEREAS, the introduction of an Indian-operated casino into Logansport, Louisiana, will redirect market share from the State-licensed casinos in Shreveport and Bossier City; and

WHEREAS, this will reduce the casino tax revenue to the State of Louisiana by an estimated

\$25 million annually and will decrease revenue to local governments in Caddo and Bossier Parishes by an estimated \$5.5 million; and

WHEREAS, this revenue reduction will not be offset by any benefit to the State or to local governments; and

WHEREAS, the location of an Indian-operated casino at Logansport, Louisiana, will adversely affect the number of persons employed by the existing Shreveport and Bossier City casinos and is projected to result in no net new jobs to Louisiana residents; and

WHEREAS, introducing an Indian casino into the Shreveport-Bossier City market is an attempt to unfairly exploit the benefits of a clientele and market already developed by the existing casinos and will have an adverse affect on the City of Shreveport.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in legal session convened, CONTINUED - RESOLUTION NO. 160 OF 2002

that it hereby expresses its opposition to the location of a casino sponsored by the Jena Choctaw in Logansport, Louisiana, and that it urges the United States government not to grant approval for the location of said casino.

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

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

Read by title and as read motion by Councilman Carmody, seconded by Councilman Spigener passed by the following vote: Ayes: Councilmen Huckaby, Carmody, Serio, Spigener, Shyne, and Burrell. 6. Nays: None. Out of the Chamber: Councilman Stewart. 1.

INTRODUCTION OF RESOLUTIONS

1. Resolution No. 156 of 2002: A resolution authorizing the Mayor to execute a servitude of passage with the Caddo/Bossier Port Commission for the placement of railroad track and roadbed on city property, and otherwise providing with respect thereto.
2. Resolution No. 157 of 2002: A resolution authorizing the Mayor to execute a professional services agreement between Shreveport Marketing L.L.C. and the City of Shreveport and to otherwise provide with respect thereto.
3. Resolution No. 158 of 2002: A resolution authorizing the employment of special legal counsel to represent the Airport Authority of the City of Shreveport and otherwise providing with respect thereto.
4. Resolution No. 159 of 2002: A resolution authorizing the acceptance of a donation in the amount of Five Thousand Dollars from Centenary College of Louisiana and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Serio, seconded by Councilman Carmody to

Introduce the Resolutions to lay over until the November 12, 2002 meeting. Motion passed by the following vote: Ayes: Councilman Huckaby, Carmody, Serio, Shyne, Spigener, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

INTRODUCTION OF ORDINANCES:

1. Ordinance No.180 of 2002: An ordinance adopting the 2003 Downtown Development District budget, appropriating the funds authorized therein, and to otherwise providing with respect thereto.
2. Ordinance No.181 of 2002: An ordinance amending the 2002 Budget for the Environmental Grants Special Revenue Fund and otherwise providing with respect thereto.
3. Ordinance No.182 of 2002: An ordinance amending Chapter 42 and Chapter 78 of the Code of Ordinances of the City of Shreveport relative to parade vendors and otherwise providing with respect thereto.
4. Ordinance No.183 of 2002: An ordinance to amend Section 106-1127 of the City of Shreveport Code of Ordinances relative to Zoning and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Huckaby, seconded by Councilman Carmody to Introduce the Ordinances to lay over until the November 12, 2002 meeting. Motion passed by the following vote: Ayes: Councilman Huckaby, Carmody, Serio, Shyne, Spigener, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

ORDINANCES ON SECOND READING AND FINAL PASSAGE

1. Ordinance No. 150 of 2002: An ordinance amending Chapter 26 of the Code of Ordinances of the City of Shreveport relative to fees and otherwise providing with respect thereto.

Having passed first reading on October 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 Carmody, seconded by Councilman Serio adopted by the following vote: Ayes: Councilman Huckaby, Carmody, Serio, Shyne Spigener, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

2. Ordinance No. 151 of 2002: An ordinance amending Chapter 106 of the Code of Ordinance, the City of Shreveport Zoning Ordinance, by rezoning property located on the NE corner of Jewella and Huston Street, Shreveport, Caddo Parish, Louisiana, from R-2 , Suburban, Multi-Family Residence District to B-2, Neighborhood Business District and to otherwise provide with respect thereto.

Having passed first reading on September 24, 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 Shyne, seconded by Councilman Huckaby adopted by the following vote: Ayes: Councilman Huckaby, Carmody, Serio,

Shyne Spigener, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

3. Ordinance No. 153 of 2002 by Councilman Carmody: An ordinance repealing and replacing Chapter 72 of the Code of Ordinances of the City of Shreveport; providing for the licensing and regulation of Sexually Oriented Businesses and Employees, and otherwise providing with respect thereto.

Having passed first reading on September 24, 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, seconded by Councilman Huckaby to postpone the ordinance until the next regular meeting. Motion adopted by the following vote: Ayes Councilman Huckaby, Stewart, Carmody, Serio, Shyne Spigener, and Burrell. 7. Nays: None.

4. Ordinance No. 155 of 2002: An ordinance amending Chapter 102-127 of the Code of Ordinances of the City of Shreveport relative to SporTran fares and otherwise providing with respect thereto.

Having passed first reading on October 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 Carmody, seconded by Councilman Spigener adopted by the following vote: Ayes: Councilman Huckaby, Carmody, Serio, Shyne Spigener, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

5. Ordinance No. 157 of 2002: An ordinance to enlarge the limits and boundaries of the City of Shreveport -- Two tracts of land located along the East Kings Highway in Sections 27, 28, 33, 34, and 37 (T17N-R13W), Caddo Parish, Louisiana, and a portion of South Broadmoor Lateral (C-8 Drainage Canal), and a portion of Youree Drive right-of-way (La. Hwy. 1), and a portion of the Red River, and to otherwise provide with respect thereto.

Having passed first reading on October 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 Serio, seconded by Councilman Carmody adopted by the following vote: Ayes: Councilman Huckaby, Carmody, Serio, Shyne Spigener, and Burrell. 6. Nays: None. Out of Chamber: Councilman Stewart. 1.

6. Ordinance No. 158 of 2002: An ordinance authorizing the Purchasing Agent to dispose of surplus real property Lot 21, Mooretown Annex Wing No. 1, and otherwise providing with respect thereto.
7. Ordinance No. 159 of 2002: An ordinance amending the donation of four (4) city owned lots in the University Park Subdivision and to otherwise provide with respect thereto.
8. Ordinance No. 160 of 2002: An ordinance authorizing the Mayor to execute an agreement with Hill Country Kennels for the exchange of properties and to otherwise provide with respect thereto.

Having passed first reading on October 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 Shyne, seconded by

Councilman Spigener to postpone Ordinance Nos. 158 through 160 until the November 12, 2002 meeting. Motion passed by the following vote: Ayes: Councilman Huckaby, Stewart, Carmody, Serio, Shyne Spigener, and Burrell. 7. Nays: None.

The adopted Ordinances as amended follows:

ORDINANCE NO. 150 OF 2002

AN ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT RELATIVE TO FEES AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport is developing procedures to sell and to donate adjudicated property in accordance with R.S. 33:4720.11, R.S. 33:4720.25 and other statutory authority; and

WHEREAS, the statutory procedures require a significant expenditure of resources, including personnel, materials and supplies, postage and other expenses; and

WHEREAS, the program will initially address properties requested by a citizen or organization; and

WHEREAS, an application fee will help defray the expenses of the procedures, and will help insure that applicants are serious about acquiring the property and have the financial ability to acquire it and properly maintain it.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened that Section 26-109 of the Code of Ordinances is hereby amended by adding subsection (22) to read as follows:

Sec. 26-109. Fee schedule for services rendered by the Department of Operational Services

A fee schedule for certain services provided by the Department of Operational Services is hereby established as follows:

* * *

(22) *Application fee for sale or donation of adjudicated property.* One hundred dollars. Said fee shall be non-refundable except in cases where the applicant is not the winning bidder for the property. In such cases, the application fee shall be refunded to the applicant and the winning bidder shall pay the fee to the city.

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.

Roy Burrell, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 151 OF 2002

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NE CORNER OF JEWELLA AND HUSTON STREET, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM, R-2, SUBURBAN, MULTI-FAMILY RESIDENCE DISTRICT, TO B-2, NEIGHBORHOOD BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lot 28, Johnston Subdivision, located on the NE corner of Jewella and Huston Street, Shreveport Caddo Parish, Louisiana, be and the same is hereby changed from R-2, Suburban, Multi-Family Residence District, to B-2, Neighborhood Business District.

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

1. Development of the property shall be in substantial accord with site plan submitted, with any significant changes or additions requiring further review and approval by the Planning Commission.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given CONTINUED - ORDINANCE NO. 151 OF 2002

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

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

Roy Burrell, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 155 OF 2002

AN ORDINANCE AMENDING CHAPTER 102-127 OF THE CODE OF ORDINANCES RELATIVE TO SPORTRAN FARES, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City Council wishes to maintain SporTran service levels and to encourage ridership;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, regular and legal session convened, that Section 102-127 of the Code of Ordinances be amended and reenacted to read as follows:

Section 102-127 Fares

- (i) The fee schedule for SporTran is hereby set at the following rates, effective on and after January 1, 2002:

d
u
l
t

b
a
s
i
c

f
a
r
e

\$
1
.
0
0

*Senior citizen (age 62+ with SporTran ID or Medicare

C
a
r
d

&

p
r
o

o
f

o
f

I
D
)

\$

.
5
0

*Persons with Disabilities (Must be certified with SporTran

I
D

C
a
r
d

o
r

M
e
d
i
c
a

r
e
C
a
r
d
&
p
r
o
o
f
o
f
I
D
)

\$

.
5
0

M
e
d
i
c
a
r
e
C

a
r
d
h
o
l
d
e
r

(
M
u
s
t

f
u
r
n
i
s
h

p
r
o
o
f

o
f

I
D
)

\$

.
5

h
i
l
d

(
U
n
d
e
r

3
7

i
n
c
h
e
s

t
a
l
l

-

a
v
e
r
a
g
e

h
e
i
g
h
t

o
f

3

y
e
a
r

o
l
d
)

F
R
E
E

S
t
u
d
e
n
t

(
A
g
e

1
2

t
h
r

u
1
2
t
h

g
r
a
d
e

w
i
t
h

S
p
o
r
T
r
a
n

I
D
)

\$

.
5
0

Transfer Charge	\$.25
SporTran Daily & Monthly Passes	
DayPass	\$ 2.50

d

u
l
t

F
l
a
s
h
P
a
s
s

\$
3
5
.
0
0

*Discount FlashPass \$17.50
(For senior citizens, persons with disabilities,
medicare cardholders and students. Must
have SporTran ID Card to purchase or to use
Discount FlashPass)

*Senior citizens, persons with disabilities, medicare cardholders and minor students (age 12 through 12th grade) are required to have an ID Card, as prescribed by SporTran. Required ID cards must be presented when boarding and a SporTran ID card must be shown along with a Discount FlashPass. If paying cash fare, senior citizens and medicare cardholders may use their Medicare card to receive the discount fare. Students will not be eligible for discount fare beyond 19 years of age. These special fares are good at all times with a valid ID Card as described above. Otherwise, full fare will be required.

- (b) The fares stipulated in this section shall be exact fares, and the operators of all SporTran equipment shall not carry money for the purpose of making change.

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 provision of this Ordinance are hereby declared severable.

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

Roy Burrell, Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 157 OF 2002

AN ORDINANCE TO ENLARGE THE LIMITS AND BOUNDARIES OF THE CITY OF SHREVEPORT - TWO TRACTS OF LAND LOCATED ALONG THE EAST KINGS HIGHWAY IN SECTIONS 27, 28, 33, 34, AND 37 (T17N-R13W), CADDO PARISH, LOUISIANA, AND A PORTION OF SOUTH BROADMOOR LATERAL (C-8 DRAINAGE CANAL), AND A PORTION OF YOUREE DRIVE RIGHT-OF-WAY (LA. HWY. 1), AND A PORTION OF THE RED RIVER, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

TAG NO. 02-01

WHEREAS, Section 172 of Title 33 of the Louisiana Revised Statues of 1950 provides for annexation by petition; and

WHEREAS, petitions were signed by more than the required percentage in property value of the area described below has been filed with the City Council to annex and bring within the corporate limits of the City of Shreveport, Louisiana, the following described property, to-wit:

CONTINUED - ORDINANCE NO. 157 OF 2002

TRACT 1 : Begin at the point of intersection of the westerly right-of-way line of the East Kings Highway as it existed in 1971 with a west extension of the north line of Lot 14 of the Sandy-Bend Acres Subdivision as per map filed and recorded in Book 150, Page 334, of the Conveyance Records of Caddo Parish in the SW/4 of Section 34 (T17N-R13W), Caddo Parish, Louisiana, and being a point on the present City limits line as established by Annexation Ordinances Nos. 149 of 1999 and 117 of 1971; run thence, from said point of beginning, in a northwesterly direction along the westerly right-of-way line of the East Kings Highway as it existed in 1971, 1972, and 1975, and along the existing City limits line of Annexation Ordinances Nos. 117 of 1971, 2 of 1972, and 30 of 1975 to the intersection with the south line of the William Murray Lands Subdivision as per map in Book 17, Page 475, and to the northeast corner of the Orleans Square Subdivision as per Book 1500, Pages 47 and 49; run thence south $88^{\circ} 11' 59''$ west along the south line of the William Murray Lands and along the north line of Orleans Square Subdivision and along the north line of South Broadmoor, Unit No. 7, Subdivision as per Book 1300, Page 423, and along the existing City limits line of Annexation Ordinances Nos. 30 of 1975 and 181 of 1971 a distance of 2099.44 feet, more or less, to the intersection with the northeast corner of Lot 170 of the Replat of South Broadmoor, Unit No. 2, Subdivision as per Book 900, Page 235, and to a point on the City limits line of Annexation Ordinance No. 72 of 1967; run thence north $00^{\circ} 53' 31''$ east a distance of 341.79 feet across the William Murray Lands and along the existing City limits line of Annexation Ordinance No. 72 of 1967 to the north line thereof of the William Murray Lands Subdivision and to the south line of Kentucky Plantation and to a point on the existing City limits line of Annexation Ordinance No. 164 of 1959; run thence north $88^{\circ} 11' 59''$ east along the north line of the William Murray Lands Subdivision and along the south line of the Kentucky Plantation and along the existing City limits line of Annexation Ordinance No. 164 of 1959 a distance of 2964.33 feet, more or less, to the northeast corner of Lot 3 of the William Murray Lands Subdivision; run thence across the Kentucky Plantation and along the existing City limits line of Annexation Ordinance No. 164 of 1959 north $53^{\circ} 57'$ west a distance of 410.5 feet and north $40^{\circ} 45' 52''$ west a distance of 808.16 feet, more or less, to the intersection with the southernmost corner of Lot 2 of Eagle Bend Plantation as per Book 4, Page 287, of the Conveyance Records; run thence north $40^{\circ} 56' 52''$ west along the south line of Lot 2 of Eagle Bend Plantation and along the existing City limits line of Annexation Ordinance No. 164 of 1959 a distance of 110.61 feet to the intersection with a property line located 10 feet east and parallel with the centerline of the old abandoned 100 foot-wide T. & P. Railway right-of-way crossing Kentucky Plantation and Eagle Bend Plantation (said property line being described in a 2.018 acre tract in an Act of Exchange in Book 3509, Page 599, of the Records); run thence along the boundary of said 2.018 acre tract the following 5 distances: North $07^{\circ} 45' 06''$ west a distance of 58.29 feet to the point of curve of a curve to the right or east having a radius of 50.00 feet and a central angle of $78^{\circ} 08' 35''$; run thence along said curve an arc distance of 68.19 feet; run thence north $70^{\circ} 23' 29''$ east a distance of 283.13 feet to the point of curve of a curve to the right or east having a radius of 52.44 feet and a central angle of $74^{\circ} 40' 01''$; run thence along said curve an arc distance of 68.34 feet; run thence south $34^{\circ} 56' 30''$ east a distance of 211.09 feet to the southeast corner of said 2.018 acre tract and to a point on the south line of Lot 1 of Eagle Bend Plantation and to a point on the boundary line as described in the Boundary Agreement in Book 3493, Page 117 (said point on the south line of Lot 1 is located north $83^{\circ} 27' 23''$ east a distance of 75.00 feet from the south common corner of Lots 1 and 2 of Eagle Bend Plantation); run thence along the said Boundary Agreement Line and along the line between Lot 1 of Eagle Bend Plantation and Kentucky Plantation the following 6 distances: North $83^{\circ} 27' 23''$ east a distance of 793.36 feet; north $61^{\circ} 46' 26''$ east a distance of 637.56 feet; north $45^{\circ} 46' 07''$ east a distance of 330.00 feet; north $33^{\circ} 39' 19''$ east a distance of 594.00 feet; north $40^{\circ} 42' 51''$ east a distance of 282.26 feet; and north $33^{\circ} 54' 56''$ east a distance of 536.56 feet to the end of Boundary Agreement Line; run thence north 89°

42' 48" east to a point that is located due north of a point, herein designated as point "A", that is described as being 1759.14 feet north and 2861.40 feet east of the said common corner of Lots 1 and 2 of Eagle Bend Plantation; run thence due south to said designated point "A" and also being the northwest corner of a new and different 2.018 acre tract as described in said Act of Exchange in Book 3509, Page 599, of the Records (said point being further identified as being located south 89° 26' 37" west a distance of 785.50 feet from a found one half inch iron pipe at the top bank of Red River); run thence south 60° 12' 41" east along the southwesterly line of the 2.018 acre tract a distance of 627.67 feet to the southwest corner thereof of said tract; run thence north 37° 00' 00" east along the southeasterly line of the 2.018 acre tract of Book 3509, Page 599, and along the southeasterly line of a 0.841 acre tract as described in Book 3493, Page 121, a distance of 400.00 feet to the said found one half inch iron pipe at the top bank of the Red River as it exists today; run thence along the said top bank of the Red River as it exists today and along the east end of the Kentucky Plantation the following 6 distances: South 51° 10' 02" east a distance of 109.45 feet; south 65° 56' 07" east a distance of 107.58 feet; south 63° 05' 12" east a distance of 17.20 feet; south 73° 56' 07" east a distance of 80.39 feet; south 49° 44' 35" east a distance of 56.30 feet; and south 51° 11' 03" east a distance of 145.82 feet to the centerline of the old channel for Old River; run thence along the centerline of Old River the following 13 distances to the southeast corner of Lot 24 of the Sandy-Bend Acres Subdivision as per Book 150, Page 334, of the Records: South 32° 00' 00" west a distance of 192.66 feet; south 60° 18' 00" west a distance of 201.60 feet; south 15° 56' 00" west a distance of 364.00 feet; south 20° 15' 00" west a distance of 794.13 feet; south 12° 56' 00" west a distance of 379.60 feet; south 02° 07' 00" west a distance of 270.20 feet; south 20° 41' 00" west a distance of 240.50 feet; south 31° 36' 00" west a distance of 305.30 feet; south 52° 22' 00" west a distance of 303.00 feet; south 70° 18' 00" west a distance of 355.80 feet; south 61° 14' 00" west a distance of 313.20 feet; south 72° 42' 00" west a distance of 638.90 feet; and south 73° 59' 00" west a distance of 481.69 feet to the said southeast corner of Lot 24 of the Sandy-Bend Acres Subdivision, and to the southeast corner of a 20.626 acre tract as described in Book 1653, Page 156, of the Records; run thence along the southerly line of said tract the following 6 distances to an intersection with the easterly right-of-way line of the 65 foot-wide East Kings Highway: South 64° 37' 50" west a distance of 370.00 feet; south 25° 42' 11" west a distance of 90.00 feet; south 17° 51' west a distance of 23.37 feet; south 83° 10' 35" west a distance of 583.40 feet; north 07° 04' 19" west a distance of 168.75 feet; and south 83° 19' 57" west a distance of 391.50 feet to the southwest corner of the 20.626 acre tract and to the said easterly right-of-way line of the 65 foot-wide East Kings Highway; run thence in a southeasterly direction along the easterly right-of-way line of the 65 foot-wide and 50 foot-wide East Kings Highway and along the westerly line of a 100 foot-wide abandoned railroad right-of-way a distance of 2212.46 feet, more or less, to the intersection with the said west extension of the north line of Lot 14 of the Sandy-Bend Acres Subdivision and to a point on the existing City limits line of Annexation Ordinance No. 149 of 1999; run thence south 88° 15' 00" west a distance of 66.34 feet across the East Kings Highway and along the existing City limits line to the said point of intersection of the westerly right-of-way line of the East Kings Highway as it existed in 1971 with a west extension of the north line of Lot 14 of the Sandy-Bend Acres Subdivision in the SW/4 of Section 34 (T17N-R13W), Caddo Parish, Louisiana, the point of beginning, and containing 224.87 acres, more or less. **ALSO AND INCLUDING:** All of the portion of the Red River as it exists today located between its westerly top bank (right side of descending) and its centerline running from the south line of Annexation Ordinance No. 261 of 1984 to an intersection with a north 32° 00' 00" east extension of the centerline of the old channel for Old River, and abutting the east end of a portion of Lot 1 of Eagle Bend Plantation as described in Book 3424, Page 435, and Book 3422, Page 254, of the Records and abutting the east end of a portion of Kentucky Plantation as described in Book 3491, Page 291, and Book 3492, Page 689, of the Records, and containing 16 acres of river water, more or less.

TRACT 2: Begin at the southwest corner of Lot 2 of the Eagle Bend Plantation as per Book 4, Page 287, of the Conveyance Records and being a point on the present City limits line as established by Annexation Ordinance No. 164 of 1959 and being in the SE/4 of Section 28 (T17N-R13W), Caddo Parish, Louisiana; run thence, from said point of beginning, north 76°29' 03" west along the City limits line of Annexation Ordinance No. 164 of 1959 a distance of CONTINUED - ORDINANCE NO. 157 OF 2002

792.92 feet, more or less, to a point in the centerline of East Kings Highway as it existed in 1959; run thence in a northwesterly direction along the centerline of the East Kings Highway as it existed in 1959 and along the existing City limits line of Annexation Ordinance No. 164 of 1959 a distance of 2547.02 feet, more or less, to an intersection with a south extension of the southeasterly line of the 20 foot-wide road right-of-way adjacent to Lot 18 of the Dixie Gardens Subdivision as per Book 150, Page 411, of the Records; run thence north 50° 54' 16" east along said south extension of the southeasterly line of the 20 foot-wide road to a point on the easterly right-of-way line of the East Kings Highway as it exists today; continue thence running north 50° 54' 16" east along the southeasterly line of the 20 foot-wide road a distance of 483.87 feet to the intersection with the Boundary Agreement Line as described in Book 1219, Pages 70 and 126, and being a point on the present City limits line of Annexation Ordinance No. 261 of 1984; run thence along the said Boundary Agreement Line and along the existing City limits line of Annexation Ordinance No. 261 of 1984 the following 6 distances to the intersection with the west line of Lot 2 of the Eagle Bend Plantation: South 32° 13' 06" east a distance of 437.73 feet; south 33° 12' 06" east a distance of 500.00 feet; south 36° 04' 06" east a distance of 500.00 feet; south 49° 26' 06" east a distance of 500.00 feet; south 76° 52' 06" east a distance of 142.00 feet; and south 79° 38' 06" east a distance of 762.00 feet to the intersection with the west line of Lot 2 of Eagle Bend Plantation; continue thence along the Boundary Agreement Line and along the City limits line the following two distances to the northwest corner of a 6.526 acre tract described in Book 3478, Page 598, and Book 3476, Page 62, of the Records: South 79° 38' 06" east a distance of 218.00 feet and north 79° 42' 04" east a distance of 53.30 feet to the said northwest corner of the 6.526 acre tract; run thence along the westerly boundary of said tract and across Lot 2 of the Eagle Bend Plantation the following five distances to a new intersection with the west line of Lot 2 of Eagle Bend Plantation: South 10° 17' 27" east a distance of 79.81 feet; south 35° 31' 08" east a distance of 54.84 feet; south 82° 04' 08" west a distance of 78.99 feet; south 26° 45' 13" east a distance of 312.36 feet; and south 70° 23' 29" west a distance of 397.48 feet to the intersection with the west line of Lot 2 of Eagle Bend Plantation; run thence south 00° 37' 54" west along the west line of Lot 2 a distance of 128.46 feet to the southwest corner thereof of Lot 2 Eagle Bend Plantation, the point of beginning, and containing 41.39 acres, more or less. **ALSO AND INCLUDING:** All of the 200 foot-wide Youree Drive (La. Hwy. 1) right-of-way lying outside of the City limits in Section 34 (T17N-R13W) and in Section 4 (T16N-R13W), Caddo Parish, Louisiana and being more particular described as follows: Begin at the intersection of the northeasterly right-of-way line of Youree Drive (La. Hwy. 1) with the southwest corner of the Replat of South Broadmoor, Unit No. 1, Subdivision as per Book 800, Page 577, of the Records; run thence in a southeasterly direction along the northeasterly line of Youree Drive to the intersection with the centerline of Lateral C-8 Drainage Canal; run thence in a southwest direction across the Youree Drive right-of-way to the point of intersection of the southwesterly right-of-way line of Youree Drive with the west line of Lot 13 of Kay Acres Subdivision as per Book 600, Page 279; run thence in a northwesterly direction along the southwesterly right-of-way line of Youree Drive (La. Hwy. 1) to the intersection with the southeast corner of South Broadmoor, Unit No. 4, Subdivision as per Book 1000, Page 207; run thence east across the Youree Drive right-of-way a distance of 222.80 feet, more or less, to the said southwest corner of the Replat of South Broadmoor, Unit No. 1, Subdivision, the point of beginning, and containing 15.50 acres, more or less. **ALSO AND INCLUDING:** All of the 100 foot-wide C-8 Drainage Canal lying outside of the City limits in

Section 34 (T17N-R13W), Caddo Parish, Louisiana and being more particular described as follows: Begin at the point of intersection of the southeast corner of the Replat of South Broadmoor, Unit No. 1, Subdivision as per Book 800, Pages 575 and 577, with the westerly right-of-way line of the 100 foot-wide C-8 Drainage Canal; run thence in a northerly direction along the westerly line of the 100 foot-wide C-8 Drainage Canal, and along the easterly line of said Replat, and along the easterly line of the Replat of South Broadmoor, Unit No. 2, Subdivision as per Book 900, Page 237, and along the easterly line of Don Coleman's South Broadmoor, Unit No. 3, Subdivision as per Book 1000, Page 119, to the northeast corner of Lot 10 of said Unit No. 3; run thence south 41° 46' east across the drainage canal a distance of 100.00 feet, more or less, to the easterly right-of-way line thereof; run thence in a southerly direction along the easterly line of the C-8 Drainage Canal to an intersection with an east extension of the south line of the said Replat of South Broadmoor, Unit No. 1, Subdivision; run thence west across the drainage canal to the intersection of the southeast corner of the said Replat with the westerly line of the C-8 Drainage Canal, the point of beginning, and containing 4.29 acres, more or less.

TOTALS = 16	Acres of water (Red River)
<u>286.05</u>	Acres of Private Property and the three rights-of-way for East Kings Highway, Youree Drive, and C-8 Drainage Canal.
302.05	Acres, more or less, for Tag. No. 02-01

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the limits and boundaries of the City of Shreveport are hereby changed to include within the limits and boundaries of said City the above-described property.

BE IT FURTHER ORDAINED that the annexed area contained herein be and is hereby assigned to Council District "D".

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to record, within ten(10) days of the final passage of this ordinance, with the Clerk of the District Court for Caddo Parish a description of the entire boundary of the municipality as changed by this ordinance.

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to record a certified copy of this ordinance 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.

Roy Burrell, Chairman

Arthur G. Thompson, Clerk of Council

UNFINISHED BUSINESS:

1. Discussion and/or Action Relative to the Public Safety Committee. (F/Shyne) (*Tabled on Oct. 23*)
2. Alcohol Retail Permit: Mr. Alton Ross (2911 Milam Street - New Nat Café)(G/Burrell)

(Tabled on July 23, 2002)

3. Alcohol Retail Permit: Ms. Deborah Hawkins (Employer: 2901 Milam St. - Take-A-Bag Grocery) (G/Burrell) (Special Meeting Postponed October 10)

Councilman Burrell: I said on yesterday that we would address Mr. Alton Ross but I guess I can postpone it down in New Business.

Mr. Thompson: Yes sir. I think you would want to take care of BAC-82-02 and that might resolve what you are going to do with it up there.

Councilman Burrell: And No.3 has been postponed again and has not be reset at this point.

4. 2003 Budget Appropriation Ordinances (Introduced and Tabled on Oct. 8):

Motion by Councilman Shyne, seconded by Councilman Stewart to postpone the 2003 Budget Appropriation Ordinance Nos. 161 through 177 . Motion passed by the following vote: Ayes: Councilmen Pearl Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None.

- 161 Adopting the 2003 General Fund budget.
- 162 Adopting the 2003 Capital Improvements budget.
- 163 Adopting the 2003 budget for the Water and Sewerage Enterprise Fund.
- 164 Adopting the 2003 budget for the Airports Enterprise Fund.
- 165 Adopting the 2003 budget for the Retained Risk Internal Service Fund budget.
- 166 Adopting the 2003 budget for the Golf Enterprise Fund.
- 167 Adopting the 2003 Metropolitan Planning Commission's Special Revenue fund.
- 168 Adopting the 2003 budget funding contractual services provided to SporTran by the Metro Management Associates, Inc.
- 169 Adopting the 2003 Debt Service fund budget.
- 170 Adopting the 2003 budget for the Community Development Special Revenue fund
- 171 Adopting the 2003 budget for the Riverfront Development Special Revenue fund.
- 172 Adopting the 2003 budget for the Police Grants Special Revenue fund.
- 173 Adopting the 2003 budget for the Fleet Services Internal Service fund.
- 174 Adopting the 2003 budget for S'port Redevelopment Agency Special Revenue Fund.
- 175 Adopting the 2003 budget for Downtown Parking Enterprise Fund.
- 176 Adopting the 2003 budget for the Environmental Grants Special Revenue Fund.
- 177 Adopting the 2003 budget for the Downtown Entertainment Economic Development District Special Revenue Fund.

NEW BUSINESS:

1. ABO Card appeal: Daniel Molloy (Residence: N/A - Employer: Wet Willis - A/Huckaby)

Officer Collins: Good afternoon. I have obtained a police report from the Bossier City Police Department. I spoke with the Chairman earlier. The reason you do not have a

copy of it, it involves a juvenile of 15 years-old and if I gave you a copy it would make it public record. So what I'm going to do is, I'm going to run through it great briefly and give you the facts of it. If I ever say the juvenile, that's referring to the young lady instead of using her name. Basically what happened was a mother found out her young 15 year-old daughter was at the apartment of two males, one 20, one 21 years-old, one being the applicant. She called the police and requested to pursue charges of contributing to the delinquency of a juvenile. The police went over to that apartment and they contacted the owner of the apartment and asked if the young lady or the juvenile was in the apartment. He said yes but he didn't bring her there. They then decided to talk to the applicant who was also at the apartment and I'm going to read this verbatim so I don't leave anything out. It says:

“At this time we went into the apartment to speak with Danny, who's the applicant, when we entered the apartment I could see a lot of beer cans lying around and one vodka bottle on the counter. I then spoke with Danny who stated he talked to the juvenile on the phone last night about 1:00 a.m., she gave him directions to the house she was at in Shreveport and wanted him to come pick her up. He left around 1:15 a.m. to go to Shreveport to get the juvenile and it took him about an hour and thirty minutes to find the house due to the directions given. They got back to the apartment around 03:30 a.m. in the morning. That's with a 15 year-old juvenile. At around 7:00 a.m this morning he took her back to Shreveport and said he thought it was okay for her to go with him last night because the person she was staying with gave the directions to the house in Shreveport where the juvenile was at. At this time myself and Sgt. (unclear) advised both individuals that they were under arrest for contributing to the delinquency of a minor due to alcohol being present in the apartment where the juvenile was brought. “

So in this report the applicant stated that he personally when and picked up the juvenile, arrived back at the apartment at 3:30 in the morning, kept her there until approximately 7:00 in the morning and then took her back to the house where she was staying. That seems a little contrary to what he said yesterday but I will let you make that judgement.

Councilman Carmody: In order for someone to be guilty of contributing to the delinquency of a juvenile, do they have to have served them alcohol?

Officer Collins: As long as the alcohol is present and they are in that situation which – by him pleading guilty to this charge there is not question whether he was guilty of the charge, he pled guilty to it. So he was guilty of contributing to the delinquency of a juvenile. He put her in an environment where alcohol was and she was 15 years-old plus the fact she was out at 3:00 in the morning until 7:00 in the presence of those two adult males.

Councilman Shyne: Mr. Chairman, I am still of the opinion that the young man is in school and I would like to give him an opportunity to be able to make some money so that he could finish his education. I would hope that he has learned from this experience and I would hope that he understands that this is a situation that he should never be involved in again and I would hope that he has repented and has decided to make sure that situations that he is involved in, he would give a little bit more thought to it in the future. And give him an

opportunity to make some money in order to go to school.

Councilman Spigener: Mr. Chairman, I was going to ask a question of Officer Collins. Since we don't have our information in front of us again today, what was the date of that incident?

Officer Collins: 5/18/2001.

Councilman Spigener: Thank you.

Councilman Burrell: Okay, young man you have anything to say on those new charges?

Mr. Molloy: I just wanted to say that, you know, I hope given everything that I said yesterday and today that you do take into consideration this was a mistake. I do not associate with either of them. It was not 7:00 in the morning but that's not relevant due to the police report and everything that's written down and I hope that you guys give me a chance and I appreciate you listening to me yesterday and today.

Councilman Burrell: You are saying that the report was incorrect?

Mr. Molloy: Yes sir, but that's neither here nor there due the fact that it's written down and there's probably nothing I can do about that.

Councilman Burrell: Well, did I understand Officer Collins to say too, that you admitted to – you pled guilty to it.

Mr. Molloy: I just wanted to go ahead and get it over with as soon as possible. I pled not guilty because I had to go to an annual training and then when I came back I talked to the prosecuting D. A. and he told me that because we did tell the police that she had been at the house that I was going to be found guilty anyway and I just went ahead and pled out to pay the fine and get it over with.

Councilman Stewart: When I asked you a couple of questions yesterday, one of them had to do with the consumption of alcohol and my memory is –

Mr. Molloy: I said there was no alcohol when she was there, yes sir. There was no alcohol when she was there. She was not there in fact when police showed up. So they could say, yes there was or no there wasn't. They really wouldn't know because they were not there when she was there.

Councilman Stewart. And what time did we take the 15 year-old home and who took her home or how did she get home?

Mr. Molloy: I took her home because I had not been drinking. It was probably, like 2:00 in the morning and the police showed up around 9:00 or 10:00 in the morning.

Councilman Stewart: And you went to pick her up.

Mr. Molloy: No sir. I took her home.

Councilman Stewart: Who picked her up?

Mr. Molloy: I have no idea sir. She was there when I got there. That was not my apartment. It was just an old friend's apartment.

Councilman Burrell: Officer Collins, come up again please. What verification did you have that this young man pick that young lady up from –

Officer Collins: I have a report in front of me where the interview – that's all I can testify to is the report from Bossier City officer and in it he said the defendant, the applicant made those statements that he picked her up.

Councilman Burrell: That Mr. Molloy made the statements that he picked them up.

Officer Collins: And also the other individual that they interview also said that Mr. Molloy had picked up the girl and brought her to the apartment. I'm just reading off the

report, I was not there.

Councilman Burrell: Mr. Molloy, you are saying that you did not make those statements?

Mr. Molloy: No, I'm saying I told them I took her home. I made that statement.

Councilman Burrell: Not that you picked her up.

Mr. Molloy: No sir.

Councilman Stewart: I would like to officer to come forward for a second and remain here please. My reason for asking questions of the two of you all is not trying to draw anything out but to get clarity here. What I hear is we have a written report you signed and you are saying that the report is false. Is that correct?

Mr. Molloy: I don't remember signing the report. I just remember talking to the police officers and they said that since she was there and we admitted that she was there, that's when they placed up under arrest.

Officer Collins: His signature would not be on the report. It would be the officers – they will sign the report.

Councilman Stewart: I also asked the question yesterday, did you – could either reaffirm or at least give me a response and certified mail my memory is that there are the original and two additional copies that are sent in request for somebody to come and pick up the registered mail and none were picked up.

Officer Collins: Correct.

Councilman Stewart: And they were sent to this gentleman?

Officer Collins: Yes sir, at the address he put on his application, also the address the City Council has on his appeal.

Councilman Shyne: Mr. Chairman. I would like to make a motion that we would give him his ABO Card. We would make it site specific because I believe he got the information we asked him to get on yesterday and I would hope and I think he realize that he made a mistake, he made an error in judgement and I wouldn't like for this to throw your life off track and I know it won't one way or the other but I hope you use this as a learning tool and you will work to make sure that you don't get yourself in this situation again and that we will make this site specific, seconded by Councilwoman Spigener.

Councilman Carmody: Mr. Chairman. Just a quick comment. Mr. Molloy, you said that this was neither here nor there. What is here and there is that you made a mistake. Unfortunately, in life mistakes have consequences. My vote is going to reflect a “no” in that it appears to me that the example that this Council gives is to either, we uphold the law and those persons that jeopardize their opportunities by making mistakes are held to the consequences of those mistakes as oppose to saying, well everybody is entitled to one and we give you a pass and I can't give you a pass today. There are a couple of things that between yesterday and today that disturbed me greatly. I'm not here to judge your character other than to say whether or not you should have an ABO and my vote would be that you should not have one.

Mr. Molloy: Yes sir, I understand.

Motion denied by the following vote: Nays: Councilmen Huckaby, Stewart, Carmody, Serio, and Burrell. 5. Ayes: Councilmen Spigener and Shyne. 2.

2. BAC-57-02, DISTRICT ONE UNITED COUNCIL OF HOPE, 3850 Linwood Avenue,

Special Exception Use and Variance in hour of operation in a B-3 District, Reception Hall with the on-premise consumption of alcohol until 1 a.m. (B/Stewart) (*Postponed on Oct 8th*)

Councilman Stewart: Mr. Thompson, I wish to uphold the ZBA/MPC decision to deny. I would assume with your guidance you will give me direction that I would move for passage, seek a second and then request a “no” vote. Would that be appropriate?

Mr. Thompson: You could just make the motion the way you would like to –

Councilman Stewart: To deny?

Mr. Thompson: To uphold the decision of the board and to deny.

Motion by Councilman Stewart, seconded by Councilman Carmody to uphold the Board’s decision and to deny the applicant.

Councilman Stewart: Mr. Chairman, may I offer a brief comment for the record. I think that it is extremely important when you have a group of people who are well intended to give them credit for their efforts and their desires. However, given the circumstances that we have experienced, many of you may recall the issues associated with the Knights of Columbus near the Querbes Golf Course and several others. It appears that almost all of those, if not all of those, have moved away from renting it because of the difficulties they experienced. That is one critical point. The other point is obviously the denial by the appropriate authority and thirdly the concerns expressed both directly in writing and indirectly by the neighbors, I believe all of that is sufficient to uphold the denial and I would appreciate your vote to deny.

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

3. BAC-81-02, FLOYD ROBINSON, 4708 Mansfield Rd.; Special Exception and variance in the hours of operation in a B-2 District, multi-purpose facility with on-premises consumption of alcohol operating until 2 a.m. (F/Shyne) (*Postponed Oct 8*)

Councilman Shyne: Mr. Chairman, I’m asking the Council to please uphold the decision of the ZBA.

Motion by Councilman Shyne, seconded by Councilman Serio to uphold the decision of the ZBA.

Councilman Serio: I’m sorry, just for clarification. We are asking for this to uphold the ZBA . A yes vote is to deny?

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

4. BAC-82-02, ALTON JAMES ROSS, 2911 Milam Street, Special Exception and variance in the hours of operation in a B-1-E District, tavern (low alcoholic content lounge) operating until 2 a.m. (G/Burrell) (*Postponed Oct 8*)

Motion by Councilman Burrell, seconded by Councilman Stewart to postpone the application until

the November 12, 2002 meeting. Motion approved by the following vote: Ayes: Councilmen Huckaby, Stewart, Carmody, Serio, Spigener, Shyne and Burrell. 7. Nays: None

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES. None.

CLERK'S REPORT: None.

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

ADJOURNMENT. There being no further business to come before the Council, the meeting adjourned at approximately 5:15 p.m.

Roy Burrell, Chairman

Arthur G. Thompson, Clerk of Council