COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA JANUARY 13, 2004

The Regular Meeting of the City Council of the City of Shreveport, State of Louisiana, was called to order by Chairman Thomas Carmody at 3:00 p.m., Tuesday, January 13, 2004, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Green.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson (3:05). 7. Absent: None.

Approve Minutes. Motion by Councilman Green, seconded by Councilman Walford to approve the Administrative Conference Summary Minutes of December 17, 2003 and the Council Meeting Minutes of December 19, 2003. Motion approved by the following vote: Councilmen Lester, Walford, Carmody, Gibson, Hogan, and Green. 6. Nays: None. Absent: Councilman Jackson. 1.

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

Mayor Hightower: There has been some discussion over the past couple of weeks about our bond rating, so what I did was invited our Financial Advisors to come today to make a short presentation on our New York bond rating. So at this time, I am going to ask Pete Holly and Gordon King to come forward and talk to us a little bit about where we stand financially and talk a little bit about the \$300+ million dollars of projects that we have on streets.

Steve Holley: We apologize. We've got an excellent football team behind us, so we will try to make it brief. The State Quarter championship is probably more important than what we are going to be taking about.

What we did. We did a quick analysis. We understood that we were financial advisors to the City on the last debt issue. Moody's Investor Service downgraded the City, something to know them out of some of the correspondence was the other major rating agencies which is Standard and Poor's reaffirmed the City's rating in an A+.

Now, a A+ is the strongest A category that you could have and while Moody's has downgraded the City, we came before the Council today assure the Council that with the split rating, the City did not pay any additional interest and we don't foresee the payment of additional interest. There is like a three or four page letter in front of you that was handed out and I just want to do something real quick and we'll answer any questions or we'll just get out of your way.

On the third page in, this is something that people don't quite understand about rating agencies. What we tried to do was show Shreveport against the other major cities in the state and the two major rating agencies are S & P and Moody's. And something that people don't fully appreciate is a lot of times the rating agencies have different understandings of the same credit.

In S & P's category, Shreveport is rated the highest, which is A+ and a stable outlook. They've never downgraded the City.

Moody's because of their issues, as stated in the report did downgrade the city.

You can go down through and very seldom are the ratings the same. The City of Slidell which we worked with, an excellent city, just the opposite.

The S & P has them at the weakest rating for an A and the strongest for Moody's. The last bond issue that was sold by the City received an excellent rate. I think the interest rate was a 4.12%. We believe that as professionals and as your financial advisors we do a lot of debt financing, that the City did not pay an additional interest cost and we would entertain questions.

Councilman Gibson: It is my understanding that the City pays a premium on an insurance policy for the last issues of bonds; is that correct?

Mr. Holley: The way the bond insurance works on the last bond we do what we call, bidders option. And it is up to the bond bidder to where they pay for insurance or not. The city does not pay for insurance on its side. The bond bidder pays for insurance on its side, and it is taken into consideration

with their interest rate.

Councilman Gibson: So the city is not paying any kind of insurance, any kind of premium?

Mr. Holley: With your interest rate, but it comes through your interest rate.

Councilman Gibson: But we are paying some kind of fee or some kind of insurance policy?

Mr. Holley: Yes, Sir, you are.

Councilman Gibson: And is that insurance policy, in the future, could it go up because of issues like this that we will pay additional monies for insurance policies. And my question ties to the information you provided to us, are the cities that you have listed here with Standard and Poor's, are they just looking at those insurance policies that guarantee us a triple A rating and do they have insurance policies on their monies?

Mr. Holley: All of Louisiana credits do bidders option and 95% of them are sold with insurance and that is because the investor market looks at the AAA when you buy their bond insurance and it gets to be a commodity in the market. So 95% Shreveport, Monroe sells all their bonds insured, Alexandra will. We do Lake Charles, Lafayette does, all their stuff is insured. New Orleans, is definitely all insured; Baton Rouge, they don't do any GOB Bonds, but their sales tax bonds are all insured, all through bidders options.

Councilman Gibson: I understand that, but my question being is that when Moody's downgrade us from an A1 to A2 and now from an A2 to A3, I have to believe that that affects the amount of money that we pay for insurance for those bonds.

Mr. Holley: The rate was competitive.

Councilman Gibson: I understand the competitiveness. It has got to cost the City more money.

Mr. Holley: What we also bring your attention to Sir,, is that S & P lets you do the same .The bond insurance company, when they make a premium look at both ratings just not one.

Councilman Gibson: I understand that, but I am asking a 'yes' or 'no' question. It would cost us more money in terms of insurance?

Mr. Holley: We do not believe so.

Councilman Gibson: You don't believe so.

Mr. Holley: As well, the reason is Sir,, what I am saying is it is a split rating. We understand the issues with Moody's but the bond insurance company when they review a credit, look at the credit both credit rating agencies, that rate you.

Councilman Gibson: So I guess then, the question is why do we even care what any of these ratings say if it is not affecting our cost?

Mr. Holley: Well if you get into the Triple B category, the A category is the minimum investment class for your big mutual bonds. They can not carry anything in their portfolio below an A.

Councilman Gibson: I am saying if, we go from an A3, what is the next step?

Mr. Holley: B AAA.

Councilman Gibson: Okay, so we are in a B category.

Mr. Holley: That will cost you money.

Councilman Gibson: So we are closer to a category than what we were in the past?

Mr. Holley: But again, you are still rated A+ by S & P. It will be A by either investor class, either rating agency.

Councilman Jackson: I'm assuming they may not know, maybe the Mayor or somebody who has been involved in the City leadership for a longer period of time, have we been every at this particular level or any point lower than what we are now?

Mayor Hightower: Liz, do you know, Liz?

Councilman Jackson: Have we ever been at this level before?

Ms. Washington: An A3, no, not that I recall.

Councilman Carmody: And to make sure that this is picked up on the microphone, Ms. Washington, let me just confirm. You had said that and your recollection the City has not ever been this low as an A3 rating by Moody's or anybody, correct? Not that you are aware of.

Councilman Lester: Listening to the discussion, it appears that if there are two rating agencies from the city's standpoint, quite obviously you are concerned if one group downgrades your bond rating but that is apparently, from listening to what you are saying, that is not fatal. We would have a problem if in fact both of the rating agencies downgraded our bond situation, would that before?

Mr. Holley: Yes, Sir,.

Councilman Lester: And that has not happened?

Mr. Holley: That has not happened.

Councilman Lester: So the premium bond rating that we had previously with Standard and Poor's, A+, remains in effect today?

Mr. Holley: Yes, Sir,.

Councilman Lester: And Moody's, for reason or another, for the reasons that they outlined that we heard so much about, downgraded us from A2 to A3?

Mr. Holley: Yes, Sir,.

Councilman Lester: But we are still in the A category?

Mr. Holley: Yes, Sir,.

Councilman Lester: And it is not going to cost us any more money in terms of our ability to borrow money or anything of that nature, right?

Mr. Holley: As long as we stay in the A category, yes, Sir,.

Councilman Lester: And so the A3 is the last category, that is the lowest class in the A category as it relates to Moody's, correct?

Mr. Holley: Yes, Sir,.

Councilman Lester: And in the financial market, people look at both as opposed to one versus the other or is one rating system generally more accepted in the industry standards?

Mr. Holley: They are both accepted the same. They are both major rating agencies and they are world wide. They have ratings all over the world.

Councilman Carmody: Would it be safe to say that Moody's is a more conservative rating company?

Mr. Holley: No.

Councilman Carmody: No, because as I look down the comparisons of the cities between the ratings at Standard & Poor's has given under Moody's it does seem that they are always a little bit, well with the exception of New Orleans.

Mr. Holley: And Slidell.

Councilman Carmody: And Slidell, that is right. I just did not know. And, is there an annual review of municipalities that both of these ratings agencies, do?

Mr. Holley: Some times not annually. Every multiple years traditionally, there is a review by one of the other on about an every other year basis.

Councilman Carmody: And can you tell me when the last time Standard & Poor's gave us a rating?

Mr. Holley: Oh, with the last bond issue. Any time you go to the debt market, we submit paper work to both.

Councilman Jackson: I wanted to be clear on this, because very often people hear things either in the newspaper, read them in the newspaper, hear them from here or through some form of media and it has been said at least over the course of the last year in my discussion and to try to edify myself beyond what I at least consider some degree of ignorance with regards to bonds and the city's bonds rating but capacity. There has been echoing this whole sentiment that we are in a tight because of where we are now, the bonds that we have out. We have a limited capacity with the issue of bonds. But as I appreciate it, one of the things that I think you communicated to us is that bond simple represent a singular avenue of debt of being able to finance projects and those kind of things, but with our credit rating, the credit rating will allow us sufficient opportunities to utilizes other forms of financing outside of just general obligation bonds, is that correct Sir,?

Mr. Holley: The City is basically because of the economic development type projects you have undertaken, especially the convention center, you have reached pretty much your maximum general obligation bonds. The City credit worthiness allows very substantial capacity if the city wanted to borrow money. The State Legislature has expanded the borrowing power of cities and a parishes in the last four or five years. An example of it was the financing of the stadium which was not a general obligation bond issue. It was done through variable rate and basically it has what we call the general city credit behind it but not a full faith of the tax base. The City chose to do variable rate on that and I think insurance rate today on that is 1.5%. It saves a lot of interest cost but yes Sir, the City easily would have probably a \$100 to \$200 million dollars more in debt to pass in any type of an emergency.

Councilman Jackson: I just want to be sure because sometimes, there has been a cloud over this conversation, the water been muddied. Whatever number of metaphors we can use in that regard to suggest that perhaps that we were in some kind of financial dire straits which will not allow us to finance projects which as a municipality, we don't just pay for things, very often we have to finance those things. And, I just wanted to make sure that it was on the record that in fact because it is a good thing--because of the credit rating of the city of Shreveport that we in fact do not have to be less aggressive and we don't have to be saving for a rainy day, kind of planning, that we can in fact continue to do what we need to do within the confines of what makes good fiscal sense still.

But I just wanted to be sure that the air was clear about that because it has been said in different places, our bond capacity, we are in trouble. You know we only have this much more, the convention center hasn't, so on and so forth, but I just wanted it to be clear, publicly that in fact that was not the situation that we were in totally, but that just was an isolated conversation with regards to general obligation bonds.

Mr. Holley: Yes, Sir,. The late 90's and even up to now, a lot of cities and parishes in the state and nationwide are rushing their projects, especially economic development projects to market and the reason is, is interest rates. In the '80s unfortunately, we issued a lot of bonds at 12% tax exempt and when you start looking at your interest cost, this is an excellent market and I think the city has done an admirable job. We don't, as financial advisors determine what projects, but the projects that has been necessary, it looks like and for the economic development standpoint, it is going to provide tax base for the city long term.

Councilman Carmody: I would like to point out to the Council members and I believe that it is on page 6, the bottom of the Standard and Poor's Rating Service, their Evaluation and Summary: There is an Outlook section, at the bottom of the page which reads: *The stable outlook reflects the expectation that the city will take steps during fiscal 2003 to reverse the recent erosion in its financial position balancing expenditures with available revenues. Failure to do so could result in a negative outlook revision or rating action.* So, again, gentlemen, I wanted to point that out to you because I do think that, I do appreciate the Administration today making this presentation to the Council, but I do want us to be aware that the rating systems are looking at us to be fiscally responsible and to make sure that we live within our means without, I guess going to the wall with the amount of debt capacity that the city can take on. I appreciate ya'll being here today.

Councilman Green: When I look at an A, is there a certain A that you would be upset about? Mr. Holley: An 'A' category for a municipality of this size is about, when I say standard, nationwide. There are some cities that have AA which is a category above but a city of Shreveport's economic and demographic profile should be an A category.

Councilman Green: Right, so when you see an A it doesn't upset you?

Mr. Holley: No, Sir,.

Councilman Hogan: Mr. Holley, I had a question for you. You mentioned a few minutes ago that we had a capacity of potentially raising another \$100 to 200 million dollars?

Mr. Holley: Yes Sir,.

Councilman Hogan: And as we have just been handed this information, and it is six pages, I've skimmed over it and I read the part in there where it says, it talks about we have access to numerous other

debt options including bonds, loans, and leases. In the next sentence it says the city could raise \$50 to \$10 million. And whether that figure is \$50 million or \$200 million, what type of vehicle would that be to generate that money?

Mr. Holley: It would probably be a pledge of the general city credit, not the general obligation and you would go through the state authority like we did on the Stadium financing and you would pay for it either through the city General Funds or some dedicated revenue like the stadium where we use, like I think, the hotel/motel tax, that would be the way that it would work.

Mayor Hightower: I just want to say, Steve is it not fair to say, that there is always a capacity? Mr. Holley: Oh, yes.

Mayor Hightower: There is always a capacity and then we have to make a conscious decision as to whether we want to approach our capacity in putting projects on the street or whether we consider ourselves a bank. And, our philosophy is we have a Hibernia and we have Banc One and we have Regions and we have all together great financial institutions out there, that are banks. But we feel that it is our job when we collect taxpayer money to return benefit to the taxpayer via streets, drainage, overlay, parks, whatever it may be to put those monies back on the streets. And we've been aggressive over the past five years, make no mistake about it. We've got over \$330 some million dollars worth of projects on the street, so that is huge. But, again, we are not a bank. We are trying to put those projects back in the taxpayers hand so that they reap the benefit of those.

And historically there has not been a better time to do that. I think that is why you didn't see previous Administrations go out and bond a whole bunch of money at 12% because now we have historical low interest rates, it is the time to buy. It is the time to make those investments and that is what we've done. Unfortunately, the rating has slipped one point but as you've heard the financial advisors say today it has not affected our ability to go borrow money and continue to do the things that we need to do to get this city back on track.

You've heard Mr. Lloyd again yesterday talk about \$8 million dollar shortfall in infrastructure. Well, if we were doing what we were doing, there wouldn't be an \$8 million dollar shortfall there would be an \$18 million dollar shortfall or whatever the number may be; so, I do think that we need to continue to be aggressive. And, what we have to do as Councilman Carmody says, we have to continue to operate within our means and we've got, I think a great set of financial advisors, a great financial office in Liz Washington's group that keep us on track along with the budgeting office in Tom Dark so that we know where we are at all times during the budget so that we can maintain the status that we are at and we can maintain our historical proven track record to pay our debt. And as long as we do that, don't you think it would be safe to say, that we'll continue to be in the same rating categories as we are?

Mr. Holley: We are still maintaining the same category.

Mayor Hightower: And the other thing that Mr. Holley mentioned and I know that you get a report. And keep in mind the stadium has been open 3 years now. Three Independence Bowls it has been open now and when these guys came to town, they are the guys that told us, lets don't use your GO Bonds, lets go bond the hotel/motel money and put that project on and lets do it at a floater instead of a fixed and it saved us roughly \$4 million dollars from the fixed rate interest that was quoted three years ago, I believe that was 6%–6.5% at that time. Today, we are paying 1.5 and again it saved taxpayers over almost \$4 million dollars in a three year period.

I think these guys know what they are talking about and I don't think they lead us down a road that should worry us in any way. Again, I think we timed the market, we are taking advantage of the interest rates and we are returning tax payers dollar to taxpayers in the way of infrastructure projects.

Councilman Carmody: I believe we've actually locked in from a floating rate to that 1.5 for the Independence Stadium Bonds, is that not correct? That is not correct?

Mr. Antee: If we could lock in 1.5, we'd be alright.

Councilman Carmody: I'd say, I'd make a motion to do that.

Mayor Hightower: And Steve it is typically running a couple of points above that, right?

Mr. Holley: The fixed rate?

Mayor Hightower: Yeah.

Mr. Holley: No Sir, it is about 300 basis points above that.

Mr. King: At the end of the day, the City is judged by the market conditions. This downgrade occurred in conjunction with the last GO financing that was done. After that downgrade game we out into the market. You had seven bidders for your bonds. Which is, since we've doing this, the most we've every had and you got a 4.125 fixed rate, which is unbelievable. So, the proof I guess is in the pudding.

Councilman Hogan: I appreciate some of the things that have been said and also, I'm a business man. I understand when low interests are available, that's a time to borrow. I also think that we need to exercise a degree of caution. My wife comes home sometimes and this isn't a bad reflection on her; she's a frugal spender. Some times she'll come home and she'll say, guess how much money I've saved as I was shopping?' It is never, 'how much I spent', it is 'guess how much I saved.' So, I think sort of the same principle might apply here and three words I would like to recommend for us all is, proceed with caution.

Councilman Green: We have Huntington High School Football team here. They went a long ways in the football season this year, and certainly they are to be commended on a good job. We've got the coaches here, the Principals. I would ask the Coaches and the Principals would come, Coach Nunley, and Coach Piazza and I thought I saw the Principal here. Of course I have two parishioners go there, Brother Fobbs and Armon, ya'll stand up. I told them at Church, I was going to call their name.

Distinguished Guest: Resolution 1 of 2004: To congratulate the Huntington High School Raiders for playing in the Quarter Final State Play-Offs of the LA State Football Championship.

Mr. Davis: On behalf of Huntington High School, we accept this award of appreciation from the City Council. Mayor Hightower, we appreciate all of the yard work you've helped us with over the previous years in guiding our City. We are extremely proud of our football team, our coaching staff, west Shreveport has supported us extremely well and we are just excited to be here and we look forward to making it the final game next year.

Coach Piazza: Thank you Council members for allowing us to be here today. One of the things that we are most proud of is, all of players come from west Shreveport and we are a public school.

Councilman Green: And Sharon who is a graduate of Huntington, I know she would like to have a word–she has been so excited about it. Coach, I'll get you my card later.

Councilman Jackson: I just want to say, congratulations to all of the players and to the coach. It is good to see you all here (inaudible). . . course over the last couple of years. One occasion, not to good an occasion but thank goodness these young men keep doing the right thing and stay involved and had a chance to share with them in the banquet last year. It is just good to see that the program look it was doing well and it didn't regress at all, it even got better from last year. So, I just want to tell you to hang in there and keep the faith and I know that if you all need somebody to pray, I know at least one person on that team who I know knows how to pray, Aren and he'll do that. Coach, it is a pleasure again, and to the Principal as well and all of the staff. Thank you for doing what you are doing. It is more than football, thank you for doing what you are doing for these young men.

Councilman Lester: I would just like to congratulate the young men. I think one of the things that sports does for us it brings comradery, it brings team work and the thing that I'm so proud about looking out at these young men is you have a very diverse group of folks and I think they represent what is good in our City. You've got black and you've got white and everyone is working together for a common goal. A lot of time those things don't get acknowledged, but they have done it, they are all public school kids, and they work hard, and they've done a lot; so I think they ought to be congratulated and applauded as the Coach, the Coaching Staff and the Administration. And finally I would like to say to the offense linemen, of which I'm one, guards are the smartest people on the team.

Councilman Carmody: Every year, I realize how much younger high schoolers look to me, so I have to ask, would those of you who are Seniors and graduating this year, raise your hand. Good luck to ya'll, keep working hard, stay in school, make your parents proud, make us all proud, stay in Shreveport. Again, congratulations to you. Go, Raiders.

Mr. Antee: I did want to tell Coach Piazza there was one second left, in the half. He'll know what I'm talking about.

Motion by Councilman Carmody to suspend the Rules to add Resolution No. 8 of 2004 to the agenda, seconded by Councilman Gibson and unanimously approved.

Distinguished Guest: Resolution No. 8 of 2004: A resolution to thank the Louisiana State university football team for winning the first national championship since 1958 and otherwise providing with respect thereto.

Councilman Carmody: I had actually contacted LSU to see if we might have an opportunity to get a member of the Tigers to appear before us today for this accolade, and they seem to be quite booked up as you can well image. But, as the I guess the lone graduate of this particular university, I am quite proud of the Tigers and their accomplishments, as I know all of ya'll are (inaudible) Louisiana and I think it is very appropriate that we recognize this. The gentleman that In spoke with, Herb Vincent, who is head of the Public Relations was very excited about receiving particular information from the City and had asked that I convey the University's appreciation for our actions today.

Councilman Lester: Brief comment, not to rain on LSU the parade, I am going to take this moment to authorize Mr. Thompson, in as much as the Southern University Jacquards won in SWAC and were the Black National Champions, we are going to do this same thing next Council meeting. I would be remiss, if I did not.

Councilman Walford: If I may, since Mr. Lester, who eloquently mentioned national champions, In would just like to add my thanks to LSU for making it, absolutely clear, who the national champion is.

Councilman Carmody: Amen. Thank you. Amen.

Councilman Jackson: In would like to say that, those of us who are Louisiana Tech people, that we are about 40 players away—but we are coming.

Councilman Hogan: I've got two people I would like to recognize here today, my two biggest campaign supporters and contributors—I am proud to say that, my parents are here today, Marvin and Betty Hogan. Thank you for coming. And it looks like that we are going to have a long meeting, I hope that ya'll brought a snack with you.

Mayor Hightower: Is there any way I can get their address.

Councilman Hogan: Sure can. See me after the meeting.

Councilman Lester: You might want to re-think that, they sue people for getting parental help. *Distinguished Guest: Res. 183 of 2003:* To name Evangel Christian Academy's Evangel Eagles as an official Goodwill Ambassador for the city of Shreveport. (G/Jackson) [Deferred on January 13]

Convention Center and Convention Center Hotel Project Report and Property Standards am:

Councilman Carmody: Yesterday the Council had received the Convention Center and Convention Center Hotel reports along with the Property Standards program.

I had handed out a letter, if you will recall, at our December 19 meeting that I had asked the Council to please take a look at the Louisiana Legislature Auditor's report and I've included in my letter to the Council some of the concerns that I have and some of the suggestions that I would like to investigate. If we could be prepared two weeks from now to discuss this matter, I would appreciate it and I know that a number of you had mentioned that you also looked at the report. If there were any other questions or comments that any Council members had at this time, the Chair would be happy to entertain those. Very good then, we will look for that information in two weeks.

Public Hearing: *None*.

<u>Confirmations and/or Appointments, Adding Legislation to the Agenda and Public</u> Comments.

Confirmations and/or Appointments:

Motion by Councilman Walford to suspend the Rules to confirm Mike Campbell as our Police Chief, seconded by Councilman Green and unanimously approved.

Motion by Councilman Walford to confirm Mike Campbell as Shreveport Police Chief, seconded

by Councilman Green.

Councilman Green: Chief, before I vote–are you interested in this position.

Councilman Lester: My grandmother said and it is something that comes from the Bible from time to time that you can't put new cloth on an old garment and new wine in new bottle. You want to put new wine in new bottles as opposed to old bottles.

I think you have an opportunity to change for the better our Police Department. I think it is uncontroverted that things need to change. And I am encouraged that, in this brief tenure of your being Interim Chief, you appear to have been taking that charge from this body and from the citizens to make some constructive changes. So I just want to tell you as we move forward, to please continue to do that and not put the same or new wine in the same old bottles because just like it is going to be bitter, the taste of the bitter wine is going to be very bitter in mouths of the citizens of Shreveport. So, I just want to tell you that and I just encourage you to continue on the path that you are going because I think that is going to say a lot about where we are as a City. In just want to tell you thank you because In know personally there are some things that I'd ask you to do and take a look at and I am just encouraged that your demeanor and your management style of inclusiveness I think is very important for where we want to go as a City, so thank you.

Councilman Jackson: I too spoke informally with Chief earlier, would like to just say first to the Chief, congratulations in my tenure. I think that obviously your move to the Mayor's elevation of you to leadership in an interim position obviously came at what many perceived to be a difficult time for the City. I'm a believer that tough times don't last, but tough people do. And obviously there is always scenarios and always situations that people politicize and that happen publicly. Obviously all of us and there is so many days I have to pray and just keep the faith because we are live under a microscope. And I would encourage you to do the right thing because it is the right thing to do to never to compromise what you know is right for what the popularity of people may be and I think if you stand under that conviction that you know, it is has been said that true measure of man is not found in times of convenience and comfort but in times of controversy and in times of conflict.

I just believe that the nature of the position is one when it is rosey, it rosey and when it is not there is no in between, very often. And I just want to say because you are not just an individual like the last Chief, the Chief that preceded him, the Chief that preceded him, people who happen to be making decisions. Not just you, I noticed your wife was here and your family, that it is a tough job but I just believe that perhaps, you have been here for 30 years and perhaps it is just God's way of saying that you are the person for such a time as this.

So, I would encourage you that, at this time, that as you take the mantles of leadership that you do so understanding that you have citizens who fall all side of the spectrum—some who will be supportive who won't be, but I just want to publicly encourage you to do the right thing and be a man of conviction as you've proven to me to be and do the right thing only because it is the right thing to do.

Councilman Walford: Chief, in the sort time that you've had the position I have to say that I've really been impressed. A position like you are requires you to be both a leader and a manager because you are managing a lot of assets and you are leading people and I commend you on what you've done so far and I really look forward to working with you.

Councilman Green: Chief, I would just like to say I didn't know you until the appointment by the Mayor, but during this short tenure, I appreciate the work that you've done. And certainly you've done a great job and I'd just like to commend you on the work you've done and would just like to say, keep up the good work.

Councilman Carmody: Chief, I've seen nothing but good things from you Sir, and I take it that that is not something that came along with being named interim Chief, that you were held in high esteem by all of the officers that I've spoken with through your experience at the Academy and I wish you all the best. It is certainly not the easiest position within the municipal system to be the Chief of Police, but I will say that you have the support of this Councilman and I believe this entire Council and this Administration and we look forward to working with you Sir and I am enthusiastically voting 'yes' today

and looking forward to Thursday, as well. Confirmation approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Chief Campbell: 1. I want to thank you for your very kind comments. 2. I want to thank you for your support over the past 7-months (nearly) and I look forward to a continued good working relationship that the past 7 months have been very enlightening, but I think also at the same time have been very rewarding. And, I am looking forward to a very fruitful working relationship with the Council, with the Administration, and with the community.

Councilman Hogan: Chief, I also like to say, congratulations. I'm excited about you being in this position. I am pleased so far at your performance. And Mr. Chair, I would just like to ask that we have a prayer over Chief Campbell and I'd like to call on one of our Reverends. Councilman Jackson, could you do that for us if we wouldn't be out of line, if you approve Mr. Chair.

Councilman Carmody: Councilman Jackson, it is the pleasure of the Council, would you lead.

Councilman Green: I think his family is here. Would it be okay if they would come up (Mrs. Campbell and daughter, Stephanie.) While they are coming, his wife will tell you that she is not a public speaker, so don't ask her to say anything. Mrs. Campbell: I am a public school teacher.

Councilman Green: She is a public school teacher, but she don't want to talk.

Councilman Carmody: Chief, I would mention to you that there are some beautiful homes in District C that I wish that ya'll would take a look at because, we would certainly welcome having another fine constituent in District C, as well.

Councilman Jackson: In District G, we have, your mortgage down payment, we'll buy that down for you and help you out if you would like to stay in West Shreveport.

Councilman Lester: But in District A, we got water--two bayous and a lake.

Motion by Councilman Green, seconded by Councilman Walford to confirm to the 1. Library Board: Ascension Smith and Chris Fowler and to the 2. Human Relations Commission: William Livigni and Edwardo Rivera. Confirmation approved by the following vote: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Adding Legislation to the Agenda. Motion by Councilman Lester, seconded by Councilman Walford to add the following to the agenda. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

- 1. Resolution No. 9 of 2004: A resolution amending the Fire Department Pay Schedule for the Municipal Fire Civil Service Personnel and otherwise providing with respect thereto.
- 2. Ordinance No. 5 of 2004: An ordinance to amend Section 26-109 of the Code of Ordinances to authorize a non-refundable \$200.00 administrative fee for services rendered in connection with requests for expropriation to the Shreveport Redevelopment Agency and to otherwise provide with respect thereto.

Public Comments (Agenda Items to be Adopted).

Glen Davis (9355 Kingston Road): I have a statement I would like to read. We are here as a group to ask the Council to overturn the ZBA's decision on the school located at the northwest corner of Francis Drive and Kingston Road. For the past year, we have come before the MPC, ZBA and before this very body city government to request not to have a school located near our home. We have pointed out many times the safety issue along with the location as far as buffer zone for this area. Last year, we turned in over 600 names of voters in this area that were against any school at that time it was proposed across the street. These names should still be a part of the record for the City Council. At this time we do have three schools within the area that have safety set guidelines, a buffer, and proper playground with fencing to secure a child's well being. At this time I would like to ask the people that are here and share in the statement

that I just read, to please stand and be recognized (9 person stood.) We ask that you respect our request and take this statement as our comment on this subject.

Councilman Walford: Mr. Davis, did you attend the Zoning Board of Appeals hearing? Mr. Davis: Yes, Sir.

Dr. Ivory Beavers, Sr. (1521 Austin): I am here today standing with the Church ans the school and I am asking the Council to allow the Shreveport Christian Church and School to do whatever they are called to do. This school is training and preparing students in a high academic excellence. We need more schools to mirror this. Our children need this type of education. You know as well as I do that the education system here in Louisiana are so far behind, lacking the essential qualities that is needed to properly educate our children. Instead of trying to close this school, students should be brought there so that they can really learn and have a solid educational foundation. Thank you. Last, know today Christians schools, tomorrow a church, what are we doing?

Dr. Artis Cash (905 Francais Drive): I come today just to ask this Council to support the ZBA's finding and continue on the good work that you all are doing.

Wanda Collins (3119 Desoto): I greet you in the name of our Lord and Savouir Jesus Christ. The only thing, I would like to give a statement in saying that, Luke 18:16 it said to not hinder the children. The school is not going to be a school, but it is going to be a Christian school where we have positive people coming out like doctors and lawyers. It is not just a school, but a Christian school.

Matthews 19:19 also said, to love their neighbors. We have been there. We were slated that we didn't make ourselves known. Nobody came out and made themselves known to us, as well. We were greeted only with a broken glass out of a building and signs left on the cars.

I would like to say what Martin Luther King said, I wish that we could not be judged by the color of our skin but by our character and I just ask in the name of Jesus that, we be granted what we ask.

Jimmy Johnson (9167 Southwood Drive): I'd like to talk to you about the Riverfront Trade Days. Excuse me, I am not a public speaker. Rhonda Gilmore has done all she could out there to keep that thing going. I have several ask me about the festivals. I told you it is a good thing for the City of Shreveport, but there seems to be some confusion over the licenses for the incoming vendors. We are out of town at the festival, we don't pay a license fee and I don't think that anybody coming down here, should pay a license fee and basically that is it because, these are itinerant people. They pay their fee to get in there (inaudible).

Agnes Roberts (resident of Oil City): I just wanted to say that, we are very opposed to the fee that they are trying to make the vendors pay at the Trade Days. A lot of us out there are senior citizens and as you know, we are retired, we are on social security and social security doesn't pay enough for us to live on and this is a way that we can make a little extra money. But if we've got to pay that \$100 every month, we are not going to be able to do it and I don't think that the vendors are going to be able to do it, the others. Because, a lot of times, you don't make that much. It is growing and I think that it will grow but we need a little help on this to keep them from having to close it down.

Rhonda Gilmore (929 Willow Drive): First of all, I want to say thank you to Jeff Hogan for his tireless effort to try to get this resolution or ordinance re-written to accommodate the Trade Days and other vendors/promoters that have come into the City.

As a couple of my vendors previously told you, they are on social security, they can not afford the extra fees that the City would impose on them and we have just about a little bit of

everything: we have black, white, young, old, Asian, Mexican–everybody comes out there, everybody wants to have a really good time. And, a lot of them 75% of them are from out of town and they will not show up if they impose that big huge fee out there.

We promote a wholesome environment where people can come out and have a good time, spend the weekend not cost them a lot of money and it is something that Shreveport really needs. It is growing and I think it will continue to grow. We are hoping to open up in March, with twice the amount of vendors that we had when we had it at our highest peak and we are working really hard toward that and that could be close to around 600 booths; that's about all I really want to say. I just want to tell him, I really appreciate all your help on this and I appreciate the Mayor being patient with us on this and hope that you will pass this in favor of the Trade Day.

CONSENT AGENDA LEGISLATION.

INTRODUCTION OF RESOLUTIONS: None.

INTRODUCTION OF ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES:

Read by title and as read motion by Councilman <u>Green</u> seconded by Councilman <u>Gibson</u> for adoption of the Resolutions 2, 3, 4 and 5 of 2004. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

RESOLUTIONS:

RESOLUTION NO. 2 OF 2004

A RESOLUTION AUTHORIZING GLADYS MARGARET B. WILSON, LOCATED AT 353 FLOURNOY LUCAS RD., TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Gladys Margaret B. Wilson has 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 Gladys Margaret B. Wilson, be authorized to connect the building located at 353 Flournoy Lucas Road, 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.

RESOLUTION NO. 3 OF 2004

A RESOLUTION ACCEPTING DEDICATION FOR BERKELEY DRIVE IN THE CANNON

SUBDIVISION UNIT 3, 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 Berkeley Drive in the Cannon Subdivision Unit 3 in Section 23 (T17N-R15W), 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 Berkeley Drive 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 NO. 4 OF 2004

A RESOLUTION ACCEPTING DEDICATION FOR ARDENNES COURT AND CATAWBA DRIVE IN THE BRUNSWICK PLACE UNIT NO. 10, 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 Ardennes Court and Catawba Drive in the Brunswick Place Unit No. 10 in Section 32 and 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 Ardennes Court and Catawba Drive 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 NO. 5 OF 2004

A RESOLUTION ACCEPTING DEDICATION FOR MARTINIQUE COURT AND CATAWBA DRIVE IN THE BRUNSWICK PLACE UNIT NO. 9, 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 Martinique Court and Catawba Drive in the Brunswick Place Unit No. 9 in Section 32 and 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 Martinique Court and Catawba Drive 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.

ORDINANCES:

Read by title and as read motion by Councilman <u>Green</u> seconded by Councilman <u>Walford</u> for adoption of Ordinances 204, 205 and 206 of 2003. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green, and Jackson. 7. Nays: None.

ORDINANCE NO. 204 OF 2003

AN ORDINANCE CLOSING AND ABANDONING THE 22 FOOT-WIDE ALLEYWAY RUNNING BETWEEN EAST 70^{TH} AND EAST 71^{ST} STREETS AND BETWEEN SOUTHERN AVENUE AND I-49 LOCATED IN THE CEDAR GROVE ADDITION IN THE NW/4 OF SECTION 25(T17N-R14W) AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the 22 foot- wide alleyway running between East 70th and East 71st Street's and between Southern Avenue and I-49 located in the Cedar Grove Addition in the NW/4 of Section 25 (T17N-R14W), Shreveport, Caddo Parish, Louisiana, and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

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

BE IT FURTHER ORDAINED that if any provision 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.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE 205 OF 2003

AN ORDINANCE CLOSING AND ABANDONING THE 20 AND 15 FOOT WIDE ALLEYWAYS RUNNING BETWEEN TRAVIS AND MILAM STREETS AND COMMON AND DOUGLAS STREETS LOCATED IN THE TAL 3, AND 4, CITY OF SHREVEPORT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the 20 and 15 foot wide alleyways running between Travis and Milam Streets and Common Douglas Streets in the Tal 3, and 4, City of Shreveport located in the NW1/4 of Section 37 (T18N-R14W), Shreveport, Caddo Parish, Louisiana, and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned, and be it ordained that the utility

servitudes be retained throughout the closed and abandoned alleyway.

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

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

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

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE 206 OF 2003

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF DIXIE MEADOWS ROAD LYING ADJACENT TO LOT 1 AND PART OF LOT 2 OF DIXIE MEADOWS SUBDIVISION LOCATED IN SECTIONS 15 AND 16 (T17N-R13W) SHREVEPORT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the portion of Dixie Meadows Road lying adjacent to Lot 1 and part of Lot 2 of Dixie Meadows Subdivision, City of Shreveport located in Sections 15 and 16 (T17N-R13W), Shreveport, Caddo Parish, Louisiana, and as shown and as indicated on the plat attached hereto and made a part hereof, is hereby closed and abandoned.

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

BE IT FURTHER ORDAINED that if any provision 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.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

REGULAR AGENDA LEGISLATION:

RESOLUTION NO. 194 OF 2003

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH THE CITY OF SHREVEPORT, LOUISIANA AND CADDO PARISH FIRE DISTRICT NUMBER NINE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City and Caddo Parish Fire District Number Nine desire to enter into this

intergovernmental agreement concerning annexation.

WHEREAS, LSA-R.S. 33:221.1 applies to this annexation due to the annexation being prior to 2003 and therefore requires a written contract;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened, that the Mayor is authorized to execute a Cooperative Endeavor Agreement with Caddo Fire District Number Nine, substantially in accordance with the draft thereof filed for public inspection with the original of this resolution in the Office of the Clerk of Council on December 9, 2003.

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

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

Read by title and as read motion by Councilman Green, seconded by Councilman Gibson for passage.

Councilman Carmody: Yesterday, we did not have two of our members. Are there any questions by those members regarding 194?

Resolution passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 201 OF 2003

A RESOLUTION ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport (City), through its Department of Community Development, administers the Community Planning and Development formula grant programs: Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and Emergency Shelter Grants (ESG), and any other applicable federally funded programs; and

WHEREAS, pursuant to regulations of the United States Department of Housing and Urban Development (HUD), the City is required to have in effect a residential anti-displacement and relocation assistance plan in connection with any activity assisted with federal funds; and

WHEREAS, the City is required to provide relocation assistance at the levels described in, and in accordance with, 49 CFR part 24, which contains the government-wide regulations implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4601-4655).

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Shreveport, in due regular and legal session convened, that a Residential Anti-Displacement and Relocation Assistance Plan be adopted by the City of Shreveport for the Department of Community Development, 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 on December 19, 2003.

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 <u>Gibson</u>, seconded by Councilman <u>Walford</u> passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 202 OF 2003

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF SHREVEPORT AND RIGHT TO PLAY, INC., RELATIVE TO THE CONSTRUCTION OF A HANDICAPPED ACCESSIBLE PLAYGROUND AT A. C. STEERE PARK AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport ("City") entered into a contract with Right to Play, Inc ("RTP"), on May 16, 2001 relative to the construction of a handicapped accessible playground at A. C. Steere Park; and

WHEREAS, under the terms of the contact, RTP was to provide certain funds, equipment and/or services to City to be used exclusively for the construction, design or maintenance of the playground; and WHEREAS, City and RTP desire to amend the terms of the contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the Mayor is authorized to execute an amendment to the contract between the City of Shreveport and Right to Play, Inc., substantially in accordance with the draft attached hereto and filed for public inspection with the original of this resolution in the Office of the Clerk of Council on December 19, 2003.

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

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

Read by title and as read motion by Councilman <u>Carmody</u>, seconded by Councilman <u>Green</u> passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 1 OF 2004

A RESOLUTION TO CONGRATULATE THE HUNTINGTON HIGH SCHOOL RAIDERS FOR PLAYING IN THE QUARTER FINAL STATE PLAYOFFS OF THE LOUISIANA STATE FOOTBALL CHAMPIONSHIP AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN JAMES GREEN

WHEREAS, the Huntington High School Raiders played in the Quarter Final State Playoffs of the Louisiana State Football Championship; and

WHEREAS, the Huntington Raiders finished the season with a 6 - 4 winning record with no public school in the Shreveport/Bossier City area beating the Raiders in the last two years; and

WHEREAS, the Huntington Raiders were the 31st seed in the playoffs in which they beat the number 2 seed, Sulpher, and the number 16 seed, Ruston; and

WHEREAS, while the Huntington Raiders football team has many outstanding players, all of whom made important contributions to the team's success, the following players, each of whom made the 2003 - 2004 All-District Honors, excelled individually in 2003:

First Team Defense

Desmond Andrus - Defensive Back Marshall Manigo - Defensive Lineman Corrie Ross - Line Backer

Second Team Defense

Eric Baker - Defensive Back Jason Fobbs - Defensive Back Corey Johnson - Defensive Lineman

MVP - Defense Corrie Ross

First Team Offense

Dustin "Bud" Bogan - Quarterback Frederick "B.J." Britton - Tight End Jarmarkus Fobbs - Running Back John L. Williams - Receiver

Second Team Offense

Cody "Ham" Malone

Honorable Mention

Matt Cowden - Center

MVP - Offense

Dustin "Bud" Bogan

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that the City Council congratulates the Huntington High School Raiders along with their coaching staff, John Piazza, Head Coach, Elmer Nunley, Richard Lary, Anthony McClain, John Shoptaugh, Mike Bogan, John Guillory and Al Hortmen, for playing in the Quarter Final State Playoffs of the Louisiana State Football Championship and for the many other successes the team has enjoyed in the recent years.

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

BE IT FURTHER RESOLVED, that this resolution shall be executed in duplicate originals and one original shall be presented to Huntington High School Head Coach John Piazza and an original shall be filed in perpetuity in the Office of the Clerk of Council for the City of Shreveport.

/s/Thomas G. Carmody, Jr., Chairman Council District C

/s/Calvin B. Lester, Jr. Council District A

/s/R. M. "Monty" Walford Council District B

/s/Michael G. Gibson Council District D /s/Jeffery A. Hogan Council District E

/s/James Edward Green Council District F /s/Theron J. Jackson
Council District G

Councilman Green: It seems as though ya'll needed one more play. I don't know ya'll age limit, but I been kind of working out.

Read by title and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Carmody</u> passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7.

RESOLUTION NO. 6 OF 2004

A RESOLUTION REQUESTING LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO RE-AUTHORIZE THE CITY TO RE-ADVERTISE FOR BIDS ON THE SOUTHERN OAKS SUBDIVISION FLOOD CONTROL IMPROVEMENTS (STATE PROJECT NO. 576-09-0019) AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, The City of Shreveport has submitted an application for funding of the Southern Oaks Subdivision Flood Control Improvements Project under the Statewide Flood Control Program; and WHEREAS, the State's share of the project funds has been made available and the City of Shreveport has available it's local matching share of the project funds in an amount of not less than ten (10%) percent; and

WHEREAS, at the request of the City of Shreveport, Atchley & Atchley, Inc. has prepared plans and specifications for said project, which plans and specifications are designated by State Project No. 576-09-0019; and

WHEREAS, the City of Shreveport has reviewed the final plans, specifications, and cost estimate and accepts them as submitted and the Department of Transportation and Development has reviewed the final plans, specifications, and cost estimate and has approved them inasmuch as they comply with the requirements of the Statewide Flood Control Program; and

WHEREAS, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by the City of Shreveport and the titles thereto are valid and indefeasible; and

WHEREAS, the City of Shreveport has obtained all necessary permits required for the construction of this project; and

WHEREAS, the City of Shreveport has agreed to accomplish all necessary utilities, fence and other facilities relocations and alterations made necessary by this project; and

WHEREAS, the Official Journal for the City of Shreveport is the Shreveport Times, whose mailing address is P.O. Box 30222, Shreveport, LA 71130, and whose telephone number is (318) 459-3200; and

WHEREAS, the City of Shreveport desires to advertise for competitive bids in accordance with LRS 38: 2212 et seq for the award of a contract in the name of the City of Shreveport and furnish engineering services during the progress of the work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in regular session assembled on this 13th day of January, 2004, that the Department of Transportation and Development be and hereby is requested to authorize the City of Shreveport to advertise for competitive bids in accordance with LRS 38: 2212 et seq for the award of a contract in the name of the City of Shreveport covering the aforesaid improvements.

BE IT FURTHER RESOLVED that the Department of Transportation and Development be and hereby is assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the

means thereof have been obtained by the City of Shreveport and the titles thereto are valid and indefeasible and the City of Shreveport expressly agrees to defend any action for the failure of any servitudes, right-of-way, right of ingress or egress, and the City of Shreveport does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the project after construction.

BE IT FURTHER RESOLVED that the Department of Transportation and Development

be and hereby is assured that all required permits have been obtained by the City of Shreveport.

BE IT FURTHER RESOLVED that the Department of Transportation and Development be and is hereby assured that the City of Shreveport has available its local matching funds in an amount of not less than ten (10%) percent and which combined with the State's share is sufficient to insure construction of this project.

BE IT FURTHER RESOLVED that the City of Shreveport will and hereby does assume complete responsibility for all utilities, fences, and other facilities relocations and alterations made necessary by this project.

BE IT FURTHER RESOLVED that the City of Shreveport does hereby save and hold harmless the Department of Transportation and Development against any loss or damage of any kind incident to or occasioned by activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the Department of Transportation and Development, and pay any judgement which may result from said suit as it relates to this project.

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 repealed.

Read by title and as read motion by Councilman <u>Green</u>, seconded by Councilman <u>Walford</u> passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 8 OF 2004

A RESOLUTION TO THANK THE LOUISIANA STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE FIRST NATIONAL CHAMPIONSHIP SINCE 1958 AND OTHERWISE PROVIDING WITH RESPECT THERETO

By Councilman Carmody

WHEREAS, in the 2003 preseason the Louisiana State University football team (LSU Tigers) was ranked 14th and was not even picked to win the Southeastern Conference (SEC) Western Division, but the LSU Tigers won the SEC Championship, defeating the University of Georgia 34-13, in the SEC title game at the Georgia Dome in Atlanta, Georgia; and

WHEREAS, the LSU football team was ranked Number 2 in the Bowl Championship Series rankings prior to the Nokia Sugar Bowl game, but beat the Oklahoma Sooners 21-14 to win the Sugar Bowl and the Bowl Championship Series National Championship at the Louisiana Superdome in New Orleans; and

WHEREAS, the LSU football team won 13 games, more than any team in school history; and WHEREAS, the LSU football team won five games over nationally ranked opponents; and WHEREAS, the LSU football team set eight school records; and

WHEREAS, the LSU football team led the nation in total defense, allowing only 252 yards per game, and scoring defense, allowing only one team to score more than 20 points the entire season; and

WHEREAS, LSU head Coach Nick Saban was named the National Coach of the Year by the Associated Press and the Football Writers Association of America; and

WHEREAS, four players - Chad Lavalais, Corey Webster, Skyler Green and Stephen Peterman - were named first-team All-American; and

WHEREAS, offensive tackle Rodney Reed was named a National Scholar - Athlete by the

National Football Foundation and was named first-team Academic All-American; and

WHEREAS, quarterback Matt Mauck set the LSU single season record for most touchdown passes with 28 and was named second-team Academic All-American; and

WHEREAS, running back Justin Vincent was named most valuable player of the SEC Championship Game and the Nokia Sugar Bowl.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the City Council and the Citizens of Shreveport congratulate LSU's head coach Nick Saban, the entire Tiger football team, and the entire coaching staff for bringing the first national championship to Louisiana since 1958, in spite of what appeared to be insurmountable odds.

BE IT FURTHER RESOLVED that the Shreveport City Council and the Citizens of Shreveport thank the LSU Tiger football team for a story book season with a magical finish that has made the citizens of this state walk a little taller, with a little more pride.

BE IT FURTHER RESOLVED that the Shreveport City Council and the Citizens of Shreveport shout with one voice, GEAUX TIGERS.

BE IT FURTHER RESOLVED that this resolution shall be executed in duplicate originals with one original presented to Louisiana State University and the other filed in perpetuity in the office of the Clerk of Council for the City of Shreveport.

Read by title and as read motion by Councilman <u>Carmody</u>, seconded by Councilman <u>Gibson</u> passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

The Deputy Clerk read the resolution by title: Resolution No. 9 of 2004: A resolution amending the Fire Department pay schedule for the Municipal Fire Civil Service Personnel and otherwise providing with respect thereto.

Mr. Antee: That's the one that we added today. We would ask that, that lay over so that we can have two weeks to discuss and let everybody know.

Read by title and as read motion by Councilman <u>Gibson</u>, seconded by Councilman <u>Jackson</u> to postpone the resolution until the January 27, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Councilman Carmody: We will look to the Administration to apprize the Council of this bit of legislation.

INTRODUCTION OF RESOLUTIONS:

1. Resolution No. 7 of 2004: A resolution authorizing the Mayor to execute an agreement between the City of Shreveport and the Red River Revel Arts Festival, Inc., for a Red River Revel Arts Festival, and to otherwise provide with respect thereto.

Read by title and as read motion Councilman <u>Green</u>, seconded by Councilman <u>Carmody</u> for Introduction of the Resolution to lay over until the January 27, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Hogan, Gibson, Green, and Jackson. 7. Nays: None.

INTRODUCTION OF ORDINANCES:

- 1. Ordinance No. 1 of 2004: An ordinance to amend and re-enact Chapter 66, Article II, Section 66-105, of the Code of ordinances relative to the Employee Retirement System Cost of Living increase to change the method for granting increases and to otherwise provide with respect thereto.
- 2. Ordinance No. 2 of 2004: An ordinance amending the 2004 Capital Improvements Budget and otherwise providing with respect thereto.
- 3. Ordinance No. 3 of 2004: An ordinance amending the 2004 budget for the Riverfront Development Special Revenue Fund and otherwise providing with respect thereto.
- 4. Ordinance No. 5 of 2004: An ordinance to amend Section 26-109 of the Code of Ordinances to authorize a non-refundable \$200.00 administrative fee for services rendered in connection with requests for expropriation to the Shreveport Redevelopment Agency and to otherwise provide with respect thereto.

Read by title and as read motion Councilman <u>Green</u>, seconded by Councilman <u>Walford</u> for Introduction of the Ordinances to lay over until the January 27, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Hogan, Gibson, Green, and Jackson. 7. Nays: None.

4. Ordinance No. 4 of 2004: An ordinance authorizing the Purchasing Agent to dispose of surplus real properties and otherwise providing with respect thereto.

Read by title and as read motion Councilman <u>Walford</u>, seconded by Councilman <u>Lester</u> for Introduction of the Ordinance to lay over until the February 10, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Hogan, Gibson, Green, and Jackson. 7. Nays: None.

ORDINANCES ON SECOND READING AND FINAL PASSAGE:

1. Ordinance No. 192 of 2003: An ordinance amending Chapter 42 and Chapter 86 of the Code of Ordinances of the City of Shreveport relative to Itinerant Vendor's Licenses and Occupational License Taxes and otherwise providing with respect thereto.

Having passed first reading on <u>November 11, 2003</u> 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 <u>Gibson</u> for adoption. The Deputy Clerk read the following amendment:

Amend the ordinance as follows:

Delete pages 1 and 2 and substitute in lieu thereof the attached pages 1 and 2.

Motion by Councilman Green, seconded by Councilman Lester for adoption of the amendment.

Councilman Hogan: What brought all this about was, this unique situation of Ms. Gilmore and her Trade Days Program. As I had mentioned yesterday in the work session originally, the Itinerant Vendor License fee was designed for people that was set up on the side of the road to sell their goods or wares. In order to keep that from happening or if they do chose to do that, that we might have, charge them a license that they might have to get the proper licensing to do that.

In the research and Julie Glass had helped me a lot on this, we had researched some other cities and with the help of Ms. Gilmore, we found that instead of requiring—for shows similar to hers, instead of requiring each individual person to have an occupational license and also pay the itinerant vendor license fee that they had set it up for the promoter would pay one fee to cover everything relative to the number of individual vendors.

As Ms. Roberts spoke a few minutes ago, the fee is \$100. The way that is set up, is that there is a \$50 fee for the itinerant vendors license which runs for 30 days. And as the Trade Days go on which they meet, they have been meeting some 10 to 12 times a year, this was requiring each person to have to pay a \$50 fee for the Itinerant Vendors license every 30 days. The other \$50 dollars initially was for the Occupational License which lasts for a year.

However, as our Clerk has just read that is what we had come up with, the idea or the concept is so they won't have to pay this \$50 fee every 30 days but it will be covered by the promoter assuming that the promoter assuming that the promoter has a 1 year lease and they have the proper zoning for the property where they are carrying on businesses.

Madame Clerk, could you read the schedule for the fees, Items a through d: (a) for events having up to fifty individual vendors the license fee shall be \$100.00 for each event of up to ten days, or an annual fee of \$500.00. (b) for events having from 51 to 100 individual vendors the license fee shall be \$200.00 for each event of up to ten days, or an annual fee of \$1000.00. (c) for events having 101 to 200 individual vendors the license fee shall be \$250.00 for each event of up to ten days, or an annual fee of \$1250.00. (d) for events having 201 or more individual vendors the license fee shall be \$250.00 for each event of up to ten days, or an annual fee of \$1500.00.

Councilman Hogan: As you will notice on Items (c) and (d), the license fee is \$250 for both items. The reason for that is that, this is the maximum allowed by state regulation—someone had raised that question, I wanted to clarify that. And I'd also ask the Council for their support on this in light of the fact that there is such potential for this Trade Day Show to grow into some 600 vendors and even though, we will not be collecting the Itinerant Vendor License Fee we will be

collecting the fee from the promoter and the promoter will be responsible for the sales tax. And so, I would in light of the potential here for growth, who knows, this could become another Canton or something like that. I think there is tremendous potential here, so I would highly recommend support on this from the Council.

Amendment adopted by following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Motion by Councilman <u>Green</u>, seconded by Councilman <u>Walford</u> for adoption of the ordinance as amended.

Councilman Lester: In doing this, and I understand that we want to help the actual vendor, will we still be in a situation where the promoter might pass that cost onto those vendors?

Councilman Hogan: Councilman Lester that is correct. There is a rent fee or stall fee or whatever they call it that Ms. Gilmore charges each individual vendor. Ms. Gilmore, if you are still present, would you come forward, please. Would you mind explaining that process to Councilman Lester. Is it \$10 per stall?

Ms. Gilmore: It is \$45 for each event for somebody to come in and rent a booth. Now, if the Trade Days gets into a situation where we may have to get reimbursed for the promoters fee, if you have 100 vendors, \$1 a vendor would cover the \$100 license.

We have never ever been there just to make a ton, in fact we haven't made any money off of the Trade Day Show. We are just getting started. It is going to take a while to show a profit but we wanted to be able to do it where the vendor could come out and not go broke. If he goes broke, he is not coming back and so then we don't have a Trade Day and so, we just try to keep our cost down. If you go to Canton, a booth of this size would probably cost you \$60 to \$70 dollars. So we try to make ends meet and the way we make money is try to get new vendors in, with new vendors.

Councilman Hogan: I don't recall Ms. Gilmore that you mentioned this, but some of the people that—your vendors that come in are from out of town, correct?

Ms. Gilmore: More than half of them.

Councilman Hogan: And it stands to reason that we also gain from people that are coming from out of town, they are going to stay in a motel, they are going to eat at restaurants, they are going to buy gas and so on and so forth.

Ms. Gilmore. Not only that, we have a customer mailing list that we put there for those that want to be on the customer mailing list and we see where more and more of our customers are coming from Natchitoches, Fort Polk, Monroe, from all the surrounding areas because they are getting news of the Trade Days out. We do a lot of our local advertising here because we want Shreveport-Bossier to support it, but still a lot of out of town customers are coming in because they are hearing about the Trade Days.

Councilman Hogan: Ms. Gilmore also, haven't I heard you mention that there are people out there that have been sort of waiting to see what happens on this vote today or this resolution to see indeed if it passes they are going to jump on board with you, right?

Ms. Gilmore. I still have vendors calling me saying, I hear you are going to court with the city of Shreveport. That is how it gets around really quick and things get misquoted and so I have to explain some, but they are holding back because they don't want to pay \$100 or \$50 license every time they come in.

Councilman Lester: I appreciate that information because my concern was if we are adjusting our fees to help the vendors but in exchange, we are passing increase in the cost to the promoter, I would hate for us to help the vendor and then the promoter turn around and penalize them because they would be in the same situation. But, clearly Ms. Gilmore says that that, if

there is an additional cost she would be able to spread it out so that it won't hurt the vendors, so that being the case, that answers my question.

Ordinance as amended adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

2. Ordinance No. 207 of 2003: An ordinance to formally name a portion of the service road of Clyde E. Fant Memorial Parkway to Flyer Drive, and to otherwise provide with respect thereto.

Having passed first reading on <u>December 19, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Walford</u>, seconded by Councilman <u>Green</u> for passage. The Deputy Clerk read the following amendment:

Amend the ordinance as follows:

Amend the title of the ordinance to read as follows:

AN ORDINANCE TO FORMALLY NAME A PORTION OF THE SERVICE ROAD OF THE CLYDE E. FANT MEMORIAL PARKWAY TO FLYER DRIVE, AND TO CHANGE THE NAME OF THE SHREVEPORT BLANCHARD ROAD FROM THE ROY ROAD TO NORTH HEARNE AVENUE TO HILRY HUCKABY III AVENUE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

After the third WHEREAS clause, insert the following:

WHEREAS, Hilry Huckaby III was the lead attorney for the plaintiffs in the law suit *Blacks United for Lasting Leadership (BULL) v. The City of Shreveport*, and

WHEREAS, Hilry Huckaby III's successful prosecution of *BULL v. City of Shreveport* resulted in the City of Shreveport adopting a new charter on May 13, 1978 which changed the form of government from a Commission form of government to a Mayor/Council form of government with seven council members elected from individual council districts; and

WHEREAS, the new Mayor/Council form of government provided more direct and effective representation for all citizens of Shreveport and provided the opportunity for African-Americans and women to serve on the Shreveport City Council and to gain the experience needed to be elected to and to serve effectively in other political offices; and

WHEREAS, Hilry Huckaby III was elected to serve on the first city council under the Mayor/Council form of government representing District A, and he represented District A from November 28, 1978 to November 27, 1990 and again from November 24, 1998 to June 1, 2001; and

WHEREAS, Hilry Huckaby III was elected and served as a Judge, First Judicial District, Caddo Parish, Louisiana; and

WHEREAS, Hilry Huckaby III was a member of the City Council when he died on

June 1, 2001, and wife Pearl Aaron Huckaby was initially appointed and then elected to succeed him on the City Council; and

WHEREAS, because of his unique contributions and long and effective leadership and service to the City of Shreveport and to Caddo Parish it is necessary, fitting and proper that a lasting and significant memorial be established for Hilry Huckaby III; and

WHEREAS, the Shreveport Blanchard Highway as described herein was located within the boundaries of District A when Hilry Huckaby III represented District A.

WHEREAS, in accordance with Section 78-452 of the Code of Ordinances the following historical information is provided about the existing name of the street to be renamed:

Shreveport Blanchard Highway is State Highway 173 that connects Shreveport and Blanchard, Louisiana.

After the NOW THEREFORE BE IT ORDAINED paragraph, insert the following:

BE IT FURTHER ORDAINED that the Shreveport Blanchard Road from the Roy Road to the North Hearne Avenue, in the NW/4 OF Section 35 (T18N-R14W), Caddo Parish, Louisiana, be and the same is hereby renamed and changed to Hilry Huckaby III Avenue, as shown and indicated on the plat attached hereto and made a part hereof.

BE IT FURTHER ORDAINED that the provisions of Section 78-452 of the Code of Ordinances have previously been met through the introduction and advertisement of Ordinance No. 40 of 2003, and the pertinent provisions of said ordinance have been incorporated herein.

Motion by Councilman Green, seconded by Councilman Lester for adoption of the amendment.

Councilman Walford: Did we get the necessary signatures, necessary approval of, is it 2/3rds of the property owners along that?

Mr. Thompson: No, Sir. I don't know if Mike's office is here. But no, Sir we never did get the required number of signatures.

Councilman Hogan: I realize this is an amendment onto 207. My vote is going to be reflected as a 'no' vote in that this is actually the consideration of renaming a service road which is designated as service road and I think that this other matter was piece of legislation that we had considered before and is actually still on the table, so the Chair's vote will be reflected as a 'no'.

Amendment denied by the following vote: Nays: Walford, Carmody, Gibson, and Hogan. 4. Ayes: Councilman Lester, Green and Jackson. 3.

Motion by Councilman Carmody, seconded by Councilman Walford for adoption of the ordinance.

Councilman Jackson: I want to offer a substitute motion that we would postpone this until such time that we have everything that is necessary which would include the 2/3rds of the signatures and all those things that will represent due diligence, prior to making this vote.

Motion by Councilman <u>Jackson</u>, seconded by Councilman <u>Green</u> to postpone the ordinance.

Councilman Walford: Is this a 'naming' or a 're-naming'? Has this street ever been named?

Mr. Thompson: We looked at this and Mike is here and he can come up but we could not find where it had every been officially named by the City Council or any other body. There is a sign that says 'service road' but according to the research that we did, it was put there as an indication of what the road is and there is no formal name that we can find that has ever been done.

Councilman Walford: And am I correct that the ordinance that was passed, was for renaming?

Mr. Thompson: It would not apply if there is, when there is no name.

Councilman Lester: I am going to support Mr. Jackson's amendment and I'll tell you why. For us to name a service road—I think one of the concerns as I appreciate it from the Council in terms of the renaming of 'Shreveport Blanchard Highway' to 'Hilry Huckaby Boulevard' is, whether or not the citizens in and around that area that are property owners have had an opportunity to express their intent and the number of people that have expressed their intent.

I can't see why we would not at least have some form or fashion, the people that own property in and around this service road, have some way to contact those people to determine whether or not we are going to give them a new address given the fact that, we've said that we want to do the same thing with Huckaby. Now, I know that the statute does not require that, but I think it would be doing our due diligence to do so certainly given the fact that there might be someone that does not want that street to be 'Flyer Drive.' I think that the folks that own property need to have at some point, have an opportunity to express themselves and for us not to do that, I think it is in a negative situation.

And certainly I can't see why we could on one had determine that we don't need peoples' consent to name a street but we do need someone's consent to rename a street. I think those two things are mutually exclusive.

Councilman Gibson: In lieu of the discussion today, I would ask for this item to be postponed for two weeks with a written legal counsel from the City Attorney on advise to this Council of what we can and can't do in terms of getting formal approval from residents or businesses there.

Councilman Jackson: I may have been very derelict either in my background of studying this, because I know it has been a while since we talked about it, but it seems to me that one of the things that we talked about was the issue of re-naming. And I guess the rub on re-naming was, obviously if something was named to honor an individual a half a century ago, then it doesn't make that individual's contribution any less significant a half a century later. I think that was the significant concern with regards to renaming streets.

If I interpret the spirit correctly, I think that was what was behind not doing certain things and having committee and getting these votes and so and so forth.

While it may be a semantic issue of official versus unofficial, formal versus informal, service road versus whatever, if I am correct, the amendment that was voted down earlier today suggested that there was a piece of street, I guess you can call it, from Russell Road to Roy Road, that if I am not mistaken now is named 'Shreveport Blanchard Road.'

Councilman Lester: That is correct.

Councilman Jackson: And I am assuming that there is only, geographical significance and I would almost suggest as much as First Street or Second Street and they both have, in my opinion, no significance if not just being totally irrelevant other than to the geography.

So, I guess my concern is about whether or not we have talked about what the real issue is. We feel like and I don't know if Councilman Gibson's request will summarily address this as

well, but do we feel as if there something more significant about a stretch of Shreveport Blanchard Highway than there is with a service road? Because, I don't see any significant changes that are being made and if that is the case then if the issue is it is the wrong name and we would rather another name, then what I'd like to know is I guess, I may be naive or maybe not, but I guess my concern is, I think it is about time and I can't speak for can't speak Councilman Lester, but I think that just as an observing colleague that it is about time to put this thing to resteither we are going to do it or we are not going to do it. I mean, I am not questioning anybody's motive, but I think we ought to be genuine and we ought to authentic in our reason and our rational for making these decisions because it seems me that we arbitrarily go to the law and we don't consistently go to the law and to those ordinances.

So, as to not seem arbitrary in these decisions, I hope that we can have some discussions about the problem with a stretch of road from Russell Road to Roy Road as compared to this never formally named portion of a service road which I assume nobody lives on and there won't be any rush because if somebody lives on it, they get mail from something, right now. And so, I guess that is my concern is if we are going to do this, is there a sense of urgency connected with doing it this week as opposed to postponing it until have due diligence done and all of us can feel comfortable not only with this, but I think the amendment was there not just symbolically but to make the statement that we need to be consistent as we apply what we do legislatively, across the board.

Councilman Carmody: In note that on the Fact Sheet that the sponsor is actually the City Administration and it does read under Purpose: *This ordinance is needed to formally name a portion of a service road that was constructed along the west side of the Clyde E. Fant Memorial Parkway. The portion of the road to be named Flyer Drive is from a point beginning 1,351.00 feet east of Dee Street and running in a southerly direction to the intersection with Knight Street.*

The Background Information reads: As part of the development of the Clyde E. Fant Memorial Parkway, a service road was constructed parallel to the west side of the parkway to provide access to properties that no longer had road frontage due to the new construction. Records in the Office of the City Engineer indicate that this service roadway has never been formally named. I would take the opportunity to ask if the Administration had any comment on this particular legislation at this time?

Mayor Hightower: The particular piece of legislation came from constituents, Loyola High School after the construction of their sports complex out on the service road. They inquired about a formal name. As far as we could determined, it never had a formal name; hence the introduction of the legislation before you.

To answer Councilman Jackson's question, I don't' think there is anything urgent today or tomorrow, six months from now, as far as that's concern.

Councilman Hogan: Mr. Mayor, not that this has anything to do with the price of tea in China, but, do you know how they came up with 'Flyer Drive?'

Mayor Hightower: I think Councilman Carmody can probably answer that better than I can, being an ex-Flyer.

Councilman Hogan: Okay, how did they come up with that?

Councilman Carmody: Well first, Mr. Mayor, I don't think you are ever an ex-Flyer. I think just like any of us that attended—St. Johns originally were, if I remember correctly, were the Cardinals and during the Second World War in recognition (inaudible) at Barksdale Air Force Base, the officially changed their mascot to Flyers and that is where the name derives from.

Councilman Lester: I am going to make this comment and it is going to be reflected in my vote.

The last time a sitting City Council member died while in office, we named a Convention Center that was under construction for him. We have a situation where we had a sitting City Council member that passed away. We have not named a convention center for him. We are not

re-naming a street in terms of that is going to denigrate one particular ethnicity or a family that has been changed. We are talking about renaming a stretch of highway within the confines of the district that this individual represented for over 20 years, a man who quite obviously but for his preservance this body, i. e., the City Council and this particular form of government would not exist and we would not be in a position to have this discussion today and it just seems as if that fact is lost in this discussion with this body.

Historically, our City has been one that has recognized one group versus another that favors one group versus another, that basically we do what we want to do when it serves our purpose even what we deal with up here.

So, I just wanted to state that for the record and leave that where it is and no dis-respect to any Flyers or any Snoopies or anyone like that but quite obviously for us to sit here and say that we can't see the necessity or the logic to do something to honor an individual whose service to this Council, to this body, to this City, is more than just mind-boggling, Mr. Chairman, and I'm finished with that statement.

Councilman Carmody: Personally, I just want to bring back to the attention of the Council, we are actually considering and we have a substitute motion to postpone, the matter of renaming a service road adjacent to Clyde Fant Parkway, Flyer Drive. We still have on our agenda as a tabled item, Ordinance No. 40 of 2003 which is consideration of exactly what the amendment that Mr. Lester had offered that failed toward 207. I don't feel like that it is that big of a deal to postpone. I am not sure if in two weeks, though that this body is going to feel any differently, because if the matter is going to be to consider with to rename a service road then we'll have to vote that up or down. If the matter is to consider renaming the Shreveport Blanchard Road, then that is a matter that already appears on our agenda which certain can be brought off the table by any member that wishes to bring it up for consideration.

My vote is going to be a 'no' regarding the postponement and again, I don't anticipate that the votes will be there to keep it from being postponed, but I do want to go ahead and say that I don't know that in two weeks from now if we are going to still have the same discussion if we can at least keep it on point as to what we are trying to accomplish here. And that is not to be disingenuous to those of you who are talking about Hilry Huckaby. Again, gentlemen I worked with Huck and considered him to be a friend of my but there is Ordinance No. 40 which is on our agenda to do that and it is appropriate for us, if so desired to go ahead and take it up at that time.

Motion to postpone approved by the following vote: Ayes: Councilman Lester, Gibson, Hogan, Green and Jackson. 5. Nays: Councilman Walford and Carmody. 2.

3. Ordinance No. 208 of 2003: An ordinance declaring the city's interest in certain adjudicated properties to be surplus and to authorize the Mayor of the City of Shreveport to sell the City of Shreveport's tax interest in certain surplus adjudicated properties, and to otherwise provide with respect thereto.

Having passed first reading on <u>December 19, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Carmody</u>, seconded by Councilman <u>Green</u> adopted by the following vote: Ayes: Councilman <u>Lester</u>, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

4. Ordinance No. 209 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the north side of Kelsey Street 300 feet west of Russell Road and also on the south side of Martin Luther King Drive 300 feet west of Russell Road, Shreveport, Caddo Parish,

Louisiana, from R-1H, Urban, One-Family Residence District, to R-3, Urban Multiple-Family Residence District, and to otherwise provide with respect thereto.

Having passed first reading on <u>December 19, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Lester</u>, seconded by Councilman <u>Green</u> to postpone until the next regular meeting. Motion adopted by following vote: Ayes: Councilman Lester, Carmody, Gibson, Green and Jackson. 5. Nays: None. Out of Chamber: Councilman Walford and Hogan. 2.

5. Ordinance No. 210 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the east side of Bert Kouns Industrial Loop at its intersection with Business Park Drive & 600 feet east of East Bert Kouns Industrial Loop, Shreveport, Caddo Parish, Louisiana, from B-3, Community Business District to R-3, Urban Multiple-Family Residence District, and to otherwise provide with respect thereto.

Having passed first reading on <u>December 19, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Gibson</u>, seconded by Councilman <u>Green</u> adopted by following vote: Ayes: Councilman Lester, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Walford. 1.

6. Ordinance No. 211 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the southwest corner of Dalton & Hudgens, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District to B-2-A Business Park District and to otherwise provide with respect thereto.

Having passed first reading on <u>December 19, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Gibson</u>, seconded by Councilman <u>Green</u> adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

7. Ordinance No. 212 of 2003: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the east side of Woolworth Road, 1100 feet south of Shirley Francis Road, Shreveport, Caddo Parish, Louisiana, from I-1, Light Industry District, to R-3 Urban, Multiple-Family Residence District, and to otherwise provide with respect thereto.

Having passed first reading on <u>December 19, 2003</u> was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman <u>Jackson</u>, seconded by Councilman <u>Green</u> adopted by following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

8. Ordinance No. 213 of 2003 by Councilman Green: An ordinance amending the 2004 General Fund Budget and otherwise provide with respect thereto.

Councilman Green: I would like to withdraw this item from the agenda, with a statement.

Councilman Carmody: Mr. Thompson, is it appropriate that he make a motion to withdraw?

Mr. Thompson: He obviously can withdraw it.

Councilman Green: I would like to withdraw this. First of all, you received a letter from the Mayor and he has asked that we would give them period of time along with the Personnel Board to put some things in place to address the issues.

Also, the President of the P. A. C. E. Union, Mr. James Robinson, has expressed that he would not be interested in this particular item nor most of the members of the P. A. C. E. Union. So, with that in mind, I would like to withdraw this because it would be null and void to try and push something that there is no interest for.

Councilman Carmody: The Chair would like to thank the Administration. I know that the discussion among Council members after the last time that we voted on the P. A. C. E. Union was the fact that there were complaints and grievances that some City employees felt like that were not being addressed and the report that was provided to the Council members, I read that with interest and I would certainly agree with Councilman Green that it would appears that we are trying to work toward making sure that the complaints and grievances are processed.

Councilman Green: One last statement, I had requested that Mr. Joe Lunt be present today and he is present. Mr. Lunt, I will send the questions that In had for you today in the form of a letter and if you could basically, once you all evaluate them and check them out send me back the answers and thank you for coming on yesterday and again today. And also thank you Mr. Mayor for I guess, just taking the lead and to try to put some things in place.

The adopted Ordinances as amended follow:

ORDINANCE NO. 192 OF 2003

AN ORDINANCE AMENDING CHAPTER 42 AND CHAPTER 86 OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT RELATIVE TO ITINERANT VENDOR'S LICENSES AND OCCUPATIONAL LICENSE TAXES AND OTHERWISE PROVIDING WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened that Section 42-291 of the Code of Ordinances is amended by adding subsection (b)(5) to read as follows:

Sec. 42-291. Required; exceptions.

* * *

(b) The following persons and businesses shall be exempt from the requirement of obtaining a license under this section:

* * *

(5) Persons operating on the premises of a special event held at least six times a year, including but not limited to gun shows, arts and crafts fairs, antique shows, flea markets and vendor markets, for which a sponsor or promoter:

- in) has paid an occupational license tax under section 86-30(b) of the City Code,
- ii) owns the premises or has a lease thereof for at least one year,
- iii) has obtained a certificate of occupancy for the premises, and
- iv) has provided all vendors with applications and notice of the requirement to register with the Caddo-Shreveport Sales and Use Tax Commission and to collect and remit sales tax, and has provided the Commission with the name, permanent address and telephone number of all vendors.

BE IT FURTHER ORDAINED that Section 86-30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 86-30. Circuses, concerts, carnivals and special events.

Notwithstanding the provisions of R.S. 47:359(H), for each person operating a circus, carnival or other traveling show and for each person sponsoring a concert or special event, including, but not limited to gun shows, arts and crafts fairs, antique shows, flea markets and vendor markets, the license fee shall be as follows:

- (a) for events having up to fifty individual vendors the license fee shall be \$100.00 for each event of up to ten days, or an annual fee of \$500.00.
- (b) for events having from 51 to 100 individual vendors the license fee shall be \$200.00 for each event of up to ten days, or an annual fee of \$1000.00.
- (c) for events having 101 to 200 individual vendors the license fee shall be \$250.00 for each event of up to ten days, or an annual fee of \$1250.00.
- (d) for events having 201 or more individual vendors the license fee shall be \$250.00 for each event of up to ten days, or an annual fee of \$1500.00.

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.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

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

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

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

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

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

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

Property No. 1: Legal Description - Lot 89 of Pine-Croft Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 150, Page 406, of the Conveyance Records of Caddo Parish, Louisiana, less and except the West 50 Feet of the South 150 feet, together with all buildings and improvements located thereon.

(GEO#1714340-0102-2800) Municipal Address - 2300 Amelia Avenue

AMOUNT OFFERED: \$1,100.00 APPRAISED VALUE: \$6,800.00 DISTRICT E

Property No. 2: Legal Description - Lot 167, Roosevelt Subdivision Unit No. 2, a subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in Book 2384, Page 330 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1714160-0501-6700) Municipal Address - 5210 Ellison Street

AMOUNT OFFERED: \$250.00 APPRAISED VALUE: \$1,000.00 DISTRICT F

<u>Property No. 3:</u> Legal Description - Lot 78, Greenwood Manor Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 650, Page 489 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1715210-0500-7800) Municipal Address - 6787 Greenway

Avenue

AMOUNT OFFERED: \$700.00 APPRAISED VALUE: \$3,500.00 DISTRICT G

Property No. 4: Legal Description - Lot 134, Pinehurst Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 50, Page 13 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1713061-3701-3400) Municipal Address - 2216 Highland

Avenue

AMOUNT OFFERED: \$200.00 APPRAISED VALUE: \$500.00 DISTRICT B

Property No. 5: Legal Description - Lot 11, Block A, Hollywood Subdivision, a subdivision of the City

of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 250, Page 118 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1714220-0100-1100) Municipal Address - 3205 Hollywood

Ave.

AMOUNT OFFERED: \$1,300.00 APPRAISED VALUE: \$7,000.00 DISTRICT F

Property No. 6: Legal Description - Lot 16, Less W. 15 feet of E. 20 Feet, Germain Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 250, Page 110 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1714160-5300-2600) Municipal Address - 2724 Jewella

Avenue

AMOUNT OFFERED: \$700.00 APPRAISED VALUE: \$2,200.00 DISTRICT G

Property No. 7: Legal Description - Lot 85, North Cedar Grove Addition, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 50, Page 476 of the Conveyance Records of Caddo Parish, Louisiana together with all buildings and improvements located thereon., (GEO#1714240-5300-8500)

Municipal Address - 6206 Southern Avenue

AMOUNT OFFERED: \$1,500.00 APPRAISED VALUE: \$2,300.00

DISTRICT C

<u>Property No. 8:</u> Legal Description - Lot 198, Caddo Heights Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 50, Page 35 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1714131-0801-9800) Municipal Address - 1435 State Street

AMOUNT OFFERED: \$400.00 APPRAISED VALUE: \$1,700.00 DISTRICT B

Property No. 9: Legal Description - Lot 10, Block K, South Side Park Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 50, Page 503 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1714240-9300-1000) Municipal Address - 6118 Tulsa

AMOUNT OFFERED: \$450.00 APPRAISED VALUE: \$2,200.00 DISTRICT C

Property No. 10: Legal Description - Lots 46 & 47, Municipal Park Subdivision of Cedar Grove, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat

recorded in Book 150, Page 155 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1714240-4500-4600) Municipal Address - 301 West 68th Street

AMOUNT OFFERED: \$2,500.00 APPRAISED VALUE: \$7,000.00 DISTRICT F

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

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

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

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 210 OF 2003

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE EAST SIDE OF BERT KOUNS INDUSTRIAL LOOP AT ITS INTERSECTION WITH BUSINESS PARK DRIVE & 600 FEET EAST OF EAST BERT KOUNS INDUSTRIAL LOOP SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-3, COMMUNITY BUSINESS DISTRICT TO R-3, URBAN, MULTIPLE-FAMILY RESIDENCE DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the east side of Bert Kouns Industrial Park Drive and 600 feet east of East Bert Kouns Industrial Loop, Shreveport, Caddo Parish, Louisiana, legally described below, be and the same is hereby changed from B-3, Community Business District, to R-3, Urban, Multiple-Family Residence District:

A 19.264 acre (M/L) tract of land in Section 37, T17N-R13W, Shreveport, Caddo Parish, Louisiana and more particularly described as follows: begin at the NE corner of Lot 15, Sugarland Subdivision, Unit No 11, which is monumented with a 3/4" iron pipe; thence proceed N71°04'40"W for a distance of 356.35 feet to the E'ly R-O-W line of Mercedes-Benz Drive No. 2, and a 3/4" iron pipe; thence proceed N18°55'20"E along the E'ly line of said Mercedes-Benz Drive No. 2 for a distance of 70.00 feet to a 3/4" iron rod; thence proceed S71°04'40"E for a distance of 506.38 feet to a 3/4"iron rod; thence proceed S18°56'51"W for a distance of 70.00 feet to a 3/4" iron rod; thence proceed S71°04'40"E for a distance of 605.91 feet to the centerline of Sand Beach Bayou; thence proceed S17°07'36"E along said centerline for a distance of 346.80 feet; thence proceed S24°18'42"E along said centerline for a distance of thence 293.74 feet; thence proceed N89°38'05"W for a distance of 291.65 feet to a 3/4" iron rod; thence proceed S00°21'55"W for a distance of 167.40 feet to a 3/4" iron rod: thence proceed N89°48'15"W for a distance of 938.10 feet to a 3/4" iron rod, thence proceed N18°56'51"E for a distance of 1047.09 feet to a 3/4" iron rod; thence proceed N71°04'40"W for a distance of 50.00 feet to the P-O-B.

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

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

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

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 211 OF 2003

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTHWEST CORNER OF DALTON & HUDGENS, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT TO B-2-A, BUSINESS PARK DISTRICT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Forbing Annex, Lots 7 & 8, Less S 70 feet of E 150 feet, Block 2, Unit 1 and S 70 feet of E 150 feet of Lot 8 Block 2 Forbing Annex Homesites Unit 1 located on the southwest corner of Dalton & Hudgens, Shreveport, Caddo Parish, Louisiana, be and the same is hereby changed from R-1D, Urban, One-Family Residence District, to B-2-A, Business Park District.

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

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

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

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

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

ORDINANCE NO. 212 OF 2003

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED

ON THE EAST SIDE OF WOOLWORTH ROAD, 1100 FEET SOUTH OF SHIRLEY FRANCIS ROAD, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM In-1, LIGHT INDUSTRY DISTRICT, TO R-3 URBAN, MULTIPLE-FAMILY RESIDENCE DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the East side of Woolworth Road, 1100 feet South of Shirley Francis Road legally described below, be and the same is hereby changed from In-1, Light Industry District, to R-3, Urban, Multiple-Family Residence District:

Beginning at a point at the NW corner of Section 3, T16N-R15W, Shreveport, Caddo Parish, Louisiana, run thence N89°35'56"E a distance of 40 feet thence S00°38'07"E a distance of 884.44 feet, thence E 1069.25 feet to a P-O-B, thence N89°53'28"E a distance of 208.71 feet S0°38'7"E a distance of 208.71, thence S89°53'28"W, thence 208.71 N0°38'07"W a distance of 208.71 feet to the P-O-B.

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

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

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

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council

UNFINISHED BUSINESS:

- 1. Resolution No. 88 of 2003: Amending Sections 1.8 and 1.11 of the Rules of Procedure of the City Council (Public Comments). (A/Lester) (*Tabled on June 24*)
- 2. Ordinance No. 40 of 2003: Changing the names of the Shreveport Blanchard Road from the Roy Road to North Hearne Avenue, and of Ford Street from North Hearne Avenue to

Pete Harris Drive, and of Caddo Street from Pete Harris Drive to the Clyde Fant Parkway to Hilry Huckaby III Avenue. (A/Lester) [*Tabled *As Amended on July 8 - **Changing the name of the Shreveport Blanchard Road from the Roy Road to North Hearne to Hilry Huckaby III Avenue.]

3. Ordinance No. 152 of 2003: Amending Chapter 26 of the Code of Ordinances of the City of Shreveport by adding Article VIII., Division 1 and Division 2 relative to disposal of public property and disposal of adjudicated property. (A/Lester) (*Tabled on Nov. 11*)

NEW BUSINESS:

- 1. Liquor Permit appeal: In Sun Strickland (deferred until 1-26)
- 2. ABO Card appeal. Regina Bolden (card granted)
- 3. BAC 112-03. Shreveport Christian Church, 900 Francis Dr., Special Exception Use in an R-1D District, School

Motion by Councilman <u>Green</u> to accept the ruling of the ZBA, seconded by Councilman Jackson.

Councilman Hogan: I would just like to point out, first of all, I have a copy of the petition that was signed by the residents. I would also like to make a point that when this church first went in, there was no opposition. The opposition when the school was brought in. A lot of people had asked me about the reasons why and I've talked to the people out here. There are many different reasons why some of those of the hundreds that have signed on the petition, there is a lot of different reasons why, I am not going to get into that today but historically on this Council, the Council has respected the opinion of the people as well as the Council member from that district. I would appreciate your consideration today in hearing the voice of the people, the people elected me to represent them and that, I'm doing my best to do that and I am going to ask for your consideration in granting the wishes of the people of this neighborhood who have to live there in this area.

Councilman Green: I would like to pass this down so that every Council member will have one, that I'll come to in just a minute. Onto what Councilman Hogan has just said about respecting the Councilman, the representative of that particular district as being historic and that is not historically true because less than 5 minutes ago, City Councilman asked that a part of a street be named for a Councilman, a sitting Councilman who expired and that request was turned down. It didn't matter about what that representative said.

When I look at what was handed to me in a folder that somebody, for what reason when back and took the Dr.'s Report out of a Shreveport Sun, newspaper that is called the Dr.'s report and did research as to what has been in all of the report, and all of that is well good and fine to read and to study and to know, but when you talk about Dr. Cash, we hadn't always been on the same page. The last time that this school came up just for the record, I knew that Dr. Cash along with some other folk had a petition to oust me as City Councilman. I could not vote against the school because of that because this Oath of

Office that I took and that all of us up here took, it says: I (name) do solemnly swear or affirm that I will support the Constitution and Laws of the Unites States and Constitution of the State and that I will faithfully and impartially discharge and perform all the duties incumbent upon me and I just encircled integrity. Because when I look at this and I have a few questions, Mr. Chairman, if somebody need to answer, whoever is the spokesperson for the group and I just gave that as a history.

I can't up here, vote against a person because I don't like them, I can't do that; because they made me mad, I can't do that; because they said bad things about me, I can't vote against something that is right because I am upset with them because I swore to uphold and to be impartial as to what I do. So, my first question would be, 1. how do you vote against a church? And how do you vote against a church wanting to have a Christian School not a drug school or not a liquor school? But how do you vote against a church that want to have a Christian School?

2. How do you vote against education and we've talked about how bad it is to take prayer out of the school and you can't pray in school any more. The don't even want 'under God'. We got all upset. But God is not in heaven saying and Jesus saying, and talking about, well you know they want us off the Pledge because he is not upset about that. But how do you say that you don't want education when even the Bible says, teaching them to observe all things. He say, study to show yourself approved. And you say, well, we don't want a Christian School in our neighborhood.

And my next question would be, is it a moral issue, is it a sin issue. How do you say 'yes' to a school. How do you say, yes we want the school, you can have the school but you can't have it here because this is where we live? So, I need somebody to answer these questions. Whoever is the spokesperson. I'll go over the questions one by one. 1. How do you vote against the church? Because if anybody in here that is a member of a church, you know and I know, at our churches we do whatever we want. We teach Sunday School, we teach Bible School, whatever we decide, that is what we do. So, how do you tell one church in this City that you can have church here, but we don't want you teaching children here. We don't want a Christian School here. So, how do you tell them that, we are against education? How do you tell them that, listen we are moral people and we are against sin and this school is a, it is not a moral, it is not a bad school. It is not like some of the other things that we voted on here. They are not over there, it is not a sin school, it is a Christian School. And, how do you say, listen, ya'll can have this school, but in will tell you what you do, why don't you find another piece of property. We will help you find it. We just don't want to pass by here, day afer day, and see you here. How do you tell a church that? How do you say, that this church can have whatever they want, but another church you can have, worship here. We will gone and tolerate that, since ya'll here. But, the rest of ths we just can't deal with it.

We have a church now. In fact Councilman Hogan is a member of it, he's a Deacon. They are moving in the mall. How do I say to them, listen ya'll can worship there, but you can't have a theater, you can have a lunch deal, you can't have your school there, you can't have none of that, but ya'll could worship. They gone to have some of everything that they want to there and there is nobody in America big enough to say to them, you can't have it.

Just because you don't like Dr. Cash. Probably the reason you don't like him, is just because you just don't know him. And I don't think that a church ought to be

penalized because of how we feel because if you go to the Bible, there is nothing in the Bible about feeling. It is not in there. It is not something that always make you feel good but I just think that it is time for us up here to really stop saying games. We say, well you know whatever that Councilman in that district say, that we are going to go along with that.

If Mr. Kirkland is here, I would like for him to come forward; that is not true. We proved that less than 10 minutes ago with the Hilry Huckaby Street, so that ain't true. That is not true about following the lead of the Council. It all depends on, who in our district say that we don't want it if in fact we want know opposition when we run again. And this is what people will tell us. Now, if you vote with me on this. When you get ready to run again, we will support you. We'll even raise you some money.

But, when I look at my oath of office. My oath of office is totally different. I will be impartial. I will discharge and perform all duties incumbent upon me and I inserted 'integrity.' You can kill me, you can destroy me, you can talk about me, you can take my papers out of the newspapers, you can publicize them through the community, but one thing I am not going at let you do is take my integrity. That happened to Job. Job lost everything—his wife, his children, his friends came to his house and they just sat and looked at him for a week. And after looking at him, then they opened they mouth and they said, 'Job you know what, those bad children you got, they got what they deserved, and you been jiving us. You are talking about God is with you and God is this. There is something wrong in your life.' But Job held to his integrity. He cussed the day he was born but he didn't curse God and he says to God: "Though you slay me, yet will I trust him. He says, I know my Redeemer lives. He lives in me.' He held onto his integrity and God blessed him.

So, all I'm saying is, there come a time in life when we got to stop playing games. There come a time in life that even if it cost me an election, you can take whatever you want. You can take this seat, but there is one thing I am not going to stoop and I am not going to lose my integrity because when I go to bed at night, there is somebody upstairs who is taking the record and he is bigger than anybody in here. As long as I please God, that is all that matters to me.

I don't care anymore whether or not these records, this is what I am saying today. It is going on public record. When I get ready to run again, if there is somebody who desires to take what I say today and call their friends in my district, so be it. You could take this seat, you can take my car, you can take my home, you can take my life, but I am going to make sure that my integrity, there is some lines that I am not going to cross.

And I made a promise---I've had problems with Councilman Lester, I've had problems with everybody up here, but I am not so big that I can't come to Councilman Lester and say, look man, I am sorry. I had problems with Councilman Gibson on this Council, but I am not so big that I can't say, Councilman lets go to lunch and lets talk about it, lets talk about our differences.

And I think there ought to come a time that we ought to stop playing games because we up here, we got to be the ones that make the difference and we got to set some standards and I think we ought to start 2004 offsetting some standards. I think we ought to start off with a clear record and a clear conscious.

This ought not be about my election. This ought to

be about right and wrong.

How do you say to a church that you can not do this inside of your building? Because before we had an old building that say, well the windows are too little, it is not enough air and it is not this and it is not that, so <u>now</u> you've got a whole church. So, now you are going to say, you can't put the same thing on this same building. You could. That was cool over there. You said, well you know if it wasn't for the windows being this size, then they would be okay. But the windows are that size, so therefore, because of that, we just can't do it.

But here again, all I'm saying is this. We've got to decide if today, we're going to hold up to what we swore to do. If not, then what we need to do is do this to this and put it in here and just say, whatever comes, that's how we're going to operate. Mr. Kirkland - - - what were your findings? Your board.

Mr. Kirkland: The Zoning Board of Appeals approved this request unanimously. Councilman Green: Why?

Mr. Kirkland: Well, they saw it as a low impact use- - -at a church, for some of the reasons that you've stated. A school and particularly like the one Dr. Cash is proposing, I think he said no more than 14 students and the board did tie him to that maximum number, I think he has five students now.

Its not infrequence in a church has a lot of activities going on. Many of them have day cares. Now Dr. Cash doesn't have that, but sometimes a day care is more intense than the school that Dr. Cash was proposing. I know of very few churches in this city that don't offer a day care service, as an example of intensity of use. So, succinctly said, the board saw it as a low impact use and therefore unanimously approved it and recommended it.

Councilman Green: In my closing Mr. Chair, and to this body, basically every church that has the love of Jesus in their heart has some type of tutorial program if you care about children. So, it doesn't matter. You're going to be tutoring somebody on Math, English, whatever. It doesn't matter. But to say 'no' to some Christian folk that's gonna take in not only the body, but as well as the soul, as bad as this City and this Country needs some help.

Councilman Lester: Want to hit a few points and coming behind Councilman Green, I can't do anything more than just say Amen and pass the collection basket.

But, I do want to make a few points. 1. I want to beg to differ with my colleague, Councilman Hogan in terms of following protocol and supporting a Councilman of a District when they are asking for this Body to vote in a certain way in terms of zoning cases. I say it because I can distinctly remember at least one occasion last year that I made that same plea to this Body to vote with me dealing with a zoning issue in an area where there were no residents around and my 'right honorable friend', to use the British expression, voted against me and after I had made the same plea in terms of supporting a Councilman for a District, so---. And after that, I made the comment that, we've got to be fair, we've got to be equitable, and at the end of the day, and I remember it like it was yesterday. I said that if we don't have a certain amount of respect and deference for each other as Councilmen representing a particular area, then what do we have? We're going to have a situation where I'm trying to be the Councilman for Districts A, and F, and B when I don't live in those areas, and I can't speak for anybody else, but its all I can do to represent the four corners of District A, and at a certain point, we have to get to a point

where Gentlemen, we trust each other's judgement as it relates to issues that are going on in our back door.

- 2. I'm concerned when the votes on property issues and zoning issues don't fall along issues but they fall along personalities. I think that's a negative situation and for what I've gathered in reading the record and reading the minutes, we're in a situation, where we're being asked to make a policy determination, overturning ZBA and I don't have a problem overturning ZBA if I don't believe that policy reasons were correct or if I believe there were some superseding factors that they did not consider. But I don't believe that to be the case in this particular instance.
- 3. And finally, to echo what Councilman Green said, I think the word is "statesmanship". The citizens of this City look to us to be statesmen. And it's not a scenario where I'm trying to engage and get back. I'm not- - a situation where we get into this repetitive cycle where we just find ways to kill other people's measures. You don't support my thing, because I'm going to kill yours and things of that nature; that sets a bad precedent. But at the same time, at that end of the day, when you look at why we make certain decisions, and you cannot articulate a reason other than a personality, I think that's a negative situation, and I think that's where we are on this particular scenario.

And then given the fact that you have an entity, a church entity that has a facility, that's asking for an exception for a school not a high volume school, for 16, or I think it's less than 16, Mr. Kirkland. I think they amended it to 14 students. Not a high number of people, not a high traffic area. I mean, if we can't as a Council be in favor of a school, where you take young people out of the street or off the street, or riding around in the neighborhood or in the community getting into who knows what and put them in a situation where they can learn and be educated and get some values, I don't know what you can be for.

And then given the fact that we have and just recently as yesterday and the last couple of days in the news, we have a situation where one of the largest churches in the City of Shreveport has themselves, purchased a property that they are going to operate, then I think it gets us to a point where we're treating people differently based on some other things that I as the Councilman for District A, am not willing to support.

And so I'm going to be voting and I hope the Council will vote to uphold the ZBA's decision because I think to do otherwise would be to support something where we're in a negative situation as it relates to residents saying "well, we just don't like this", without being able to say, "well, it's not safe".

And for the record, when a similar issue by this same entity, Shreveport Christian Church came before this Body. I voted with Councilman Hogan to support him. Even though, I believe and the Clerk will reflect, maybe even at that meeting, I asked the Council to support me on an issue and they did not, because I thought that was important. But in this particular case, I think we can't be voting on personalities as opposed to and I don't think that makes good policy. There is a saying that they have in law school that says, 'bad facts make for bad law'. And we're in a situation where if we vote to overturn this, bad facts are going to make a bad law. So, thank you Mr. Chairman.

Councilman Walford: You don't want to come behind a Pastor? What about me coming behind a Pastor and a Lawyer—both of you said things very eloquently. I certainly have not been on the same page as Dr. Cash as you said Rev. Green. I

experienced much the same thing that did and it was very, very easy to do as Mr. Lester says and let personalities rule here and I could get even, I guess is a good way to put it. But I don't think that's what we're up here for.

I'm borrowing from everybody, Mr. Jackson. I'm slightly altering what you said on another matter is 'you can't compromise what's right', and I'm gonna say it for what's politically popular. I've put a lot of faith in the Zoning Board of Appeals. Mr. Kirkland can smile, because he knows I was there for seven years, that was my training to be here. And I've put an awful lot of faith in what they do and the decisions they make. As, I said last month on another matter, they take a bus tour, they go to the site, they see the neighborhood, they frequently will go around the surrounding blocks to see what impact something is going to have. And Mr. Kirkland said, the Board viewed it as a very, very low impact use of the property.

They put one other stipulation in, and Mr. Kirkland, correct me if I'm wrong, but didn't they make this a one-year approval only and the applicant will come back prior to the expiration of the one-year without fee, which would give the residents the opportunity to come forward if there have been problems, and state those problems to the board, document them, whatever as opposed to what ifs. And I think what I've seen is what ifs.

So, I will say that the only that's contacted me about this is Councilman Hogan and I like Mr. Lester, I'm going to have to vote to uphold the decision of the Zoning Board of Appeals. I think it's the right thing to do. I want to look at myself in the morning in the mirror and know that I did the right thing for the City of Shreveport and that I was consistent with my oath of office, Reverend Green; so, thank you.

Councilman Gibson: Obviously, this issue was a very difficult issue the last time it was brought before us, there was some not withstanding the vulgar language that was used in this Council Chamber some months ago when someone didn't get their way, I, too, don't have any personal issues. But on my vote, my vote is gonna reflect based on the Councilman in that district and his request for support.

I also will reflect back that just about a month and a half ago, I believe we had a ZBA approval on a truck stop, of which one of my colleagues in that district asked to overturn that issue and he received my vote on that issue. Even though the due diligence was done by Charles Kirkland and the ZBA.

I recall another time that one of my colleagues had a housing project brought before his district, it too was approved by Charles Kirkland and the ZBA and they did their due diligence on it, but that particular City Councilman felt that, that was not in the best interest of the neighborhood, even though I do recall that, that was one of those things, that - - - and since then, I think we've had an opportunity to add some additional revitalization to that particular district.

But based on some of those issues and I know that there's been some issues cited by some our other colleagues of where we haven't gone along with the Councilman in that particular district and I can't speak on why or what or if, but I was asked by Councilman Hogan to support his issue. I have agreed to do so based on what I've done, just as I did with two previous Councilmen and Councilman Jackson was one and Councilman Lester was another in previous months. I too feel like they're tough issues, there is no doubt about it. It ends and begins with the taxpayers. I think we all agree that we have constituents that we have to be responsible to. And I don't have any vested

interest in this issue other than- - - -that's why when the call came to me and that's the only call that I received was from Councilman Hogan, that I said I would give him my support and that's how my vote will be reflected in this particular issue.

Councilman Jackson: I want to thank Councilman Hogan, because he was thoughtful enough to call. I appreciate that, although in many cases for me, it's not necessary because at the end of the day, I think we have to look at the merit. And if the Councilman who represents that district has presented the merits of the case, I don't want to ever say, that because they called me, I decided to vote that way, because if they call me and they were wrong, then I've at least become complicit. But if that Councilman and I think Councilman Hogan can attest to this calls me, I have questions. And he answered some of my questions on yesterday. Although he would agree, not necessarily satisfactorily. So, I asked him would there be representatives from the neighborhood and representatives from the opposition would be here today, because I would like to have asked them questions. They are the persons that Councilman Gibson referred to as where things start and stop and I think its fair, because I've asked Councilman Hogan a few questions. He's the only person who ever called me about this case on either side.

Many of you know that the first time as I told Councilman Hogan before I voted with him the last time, not only because he was the Councilman in that district, but when they brought up the building and it's size and those things, it merited some consideration. Not just because of what people say in the neighborhood, because ultimately, the people who are in the neighborhood are or some neighborhoods, I don't have to tell you, would like them to stay the way they have looked for years and things happen in the name of progress and otherwise, things happen that we don't like necessarily.

And so, I don't make my decisions based on what I think a group of people like. The worst decision I made on this City Council was not in anybody else's district, but my own. When I listened to the voice of the majority of the people, but I felt when it was over, my conviction should have been with that lone individual who stood by themselves in a zoning case. It was gut wrenching and I made the decision for political reasons. I since apologized to that individual because I think that individual was right. I don't want that to be my mode of operation for governing and being elected doesn't mean that much to me.

I want to say though that when we make decisions, we have to make decisions based on a conviction and I ask Councilman Hogan yesterday, we talked at length and I was out of town and I asked him a few questions. You remember the last time this came up. Councilman Hogan asked me for my support, I voted with Councilman Hogan. Dr. Cash stood right there to my left and called me and five other people racists and said we were going to burn in hell. I didn't like that. I know a) I'm not a racist and b) I'm not going to burn in hell.

But again, as a citizen of the City of Shreveport, I don't have the luxury as an elected official of basing my judgement on what I feel about an individual's personality. Much of what I've heard in opposition to this case has been centered around an individual's personality. That aside, I don't know who if anybody answered the question. I read the minutes from the ZBA meeting, nobody has said to me whether or not it was, I remember the last time, 'it just didn't look like a school', 'it wasn't really a school', it wasn't what a school ought to be like'. And the truth is, I send my children to the school that I want them to go to and I make those decisions for my children. I don't know, I

don't agree necessarily with certain kinds of school. There are all types of schools from parochial to home school, Montessori school- - - all kinds of adjectives that proceed the word 'school'.

I would suggest to you that parents have a right to send their children wherever they want to go to school. None necessarily better than the other. Nobody has said anything. I heard people the last time, I came to the MPC meeting when they talked about it. And I kept hearing people come to the microphone and talk about their personal feelings and 'this is our neighborhood', and that 'it just doesn't look like a school', and 'I live close to the school', and - - - is it that they don't want to see children outside? Is there a covenant in place that parents who have young children can't move into that neighborhood? What is the case?

Because it seems to me that there has never been more than six or seven children at question anytime this issue has come up.

The first time we voted on it, nobody answered those questions. We went with it simply because there were some things that we weren't sure about. The Fire Marshal and those things, that's why I voted that way. I don't understand. Is the community going to have a problem if the Church has a revival that last 365 days and people come every day? Then when we step into say, that they have church too much, that too many cars over there? Is it okay if they have church, just not okay if they have school? And then, who becomes the person who suggests and who declares whether or not these people's motives, these people's intention to have a school, it's okay? The neighborhood, the integrity of the neighborhood are in question. We deal with matters of zoning. We have to talk about land use, compatibility, and all those other issues.

If the school is inside this property, I'm assuming those individuals who sit on the Zoning Board of Appeals have looked at what the requirements are. They say, we'll give you one year and in one year, you come back. And I think they've given prudent thought to what they've said. 14 students. That's not a lot of students, if they all go outside at the same time. That's less than what's there on Sunday morning. Is it okay, because the people who live around there go to church too, so they're not there when the others are there for church, so they don't have to see them and so, it's okay.

I can't fully understand the logic and I hope that somebody who is in opposition will be here today and I'm perfectly willing, if the Chairman and this Body is willing, to listen to somebody answer these questions. Because absent of that, I've got to make a decision, not based on what people think and what people feel, but based on our responsibility to talk about land use, to talk about compatibility, to talk about whether or not it disrupts anything materially or principally. We've got to make those decisions not based on whether or not we like people.

I'm not a racist and I'm not going to burn in hell. I didn't like the fact that Dr. Cash said he came back several weeks later and apologized to us, but that happened. We don't have the luxury of making our decisions based on who we like and who we don't like. If it were in our neighborhoods, I'd be the same way. I'm not sure whether or not I'd like it, but I can't stop certain things from happening if in fact they are things that are legal, they are things that have not infringement upon my particular property. And everybody- - - I read the minutes and somebody said something that was very interesting. And many of you who are homeowners know all of us who own a home have said this before. "Well, I have rights and people violate my rights". I can remember it when I was

in the 7th grade. They taught us about rights and they said that my rights end where the next person's begin.

And so, I would just suggest to you- - - you're absolutely right. Everybody in that neighborhood has rights including the people at that Church. And so we have to understand how we work together. Anything that's not going away, we got to figure out how to manage. And I would suggest that the relationship problems or whatever it is, those are not things you bring to the Council. You need to deal with - - - those are heart matters, those are not zoning matters. You need to deal with those. Those who call themselves Christians and call themselves neighbors deal with that in the neighborhood and in your heart. But when it comes to these matters of zoning, we have to ask ourselves about land use, about compatibility, about what's legal under the guidance of the law. And I thank you for that Mr. Chairman. I assume nobody is here, nobody stepped forward.

Mr. Hogan, do you want to identify somebody who can answer those questions? Because when I talked to Councilman Hogan, he did what he could, but Councilman Hogan is obviously not the leader of the charge. He's following the leadership of his constituents which all of us do and so, I was just wondering if somebody was here who had been actively petitioning or whatever the case may be.

Councilman Hogan: If I may respond to that. Mr. Davis was the person that was chosen by the Homeowner's Association to be the voice of the people. At this time, I'd like to recognize you. If you feel led to Mr. Davis or if there's anyone else, I'd like to ask the Council for permission if there is anyone else who feels impressed to speak or wants to speak---

Councilman Green: Just to answer questions.

Councilman Hogan: Would you like to come and speak?

Councilman Jackson: I just want to ask questions.

Councilman Green: Yeah, cause nobody ever answered mine.

Councilman Hogan: Mr. Davis, would you like to come and speak or respond to these questions?

Mr. Davis: I will try to respond to them cause I can't answer all the questions ya'll have come up with.

Councilman Jackson: Well, let me ask you one at a time. My first question is - - I heard someone in the minutes talk about when they moved into that neighborhood, why they moved into the neighborhood and it was because the neighborhood was a certain way. And I'm assuming what they are talking about when you're talking about adding a school, is that they didn't want to lose the integrity of the neighborhood and the reason why they moved into the neighborhood.

So, I guess my question is how long have you lived in the neighborhood?

Mr. Davis: Well see, I can't answer that question cause I've been there 47 years.

Councilman Jackson: Okay, 47 years. Now in 47 years, has the neighborhood changed very much?

Mr. Davis: Not too much.

Councilman Jackson: Are there new things over the course of the last five to ten years that are in the neighborhood that were not there five or ten years ago, i.e. retail, stores, gas stations, convenience stores - - - anything?

Mr. Davis: Not in that area particularly. Say down at Bert Kouns and Kingston

Road, you know they have some stores down there.

Councilman Jackson: Y'all consider that still your neighborhood?

Mr. Davis: That's Southern Hills.

Councilman Jackson: So, the concern is about Southern Hills, right?

Mr. Davis: Yeah.

Councilman Jackson: And so, there have been some things that have been added since people, even yourself, who have lived there for 47 years, there have been some things that have been added, I guess in the name of progress and economic development and otherwise. Is that correct?

Mr. Davis: That's correct. The only thing I ever fought in that neighborhood was when Gordon Lambert tried to put a service station up across the street.

Councilman Jackson: Now, the opposition to the school, in your opinion as the spokesman for the group, is principally what?

Mr. Davis: I'm just a neighbor. A concerned citizen that lives there. Have no - - y'all keep bringing up the church, we have never said anything about the church.

Councilman Jackson: Yeah, we're talking about the school.

Mr. Davis: Well, that's right but y'all keep bringing up the church. We have no opposition to that church. We've never had a church there for - - -I can't- - - way back—the 70's, 60's probably. I don't know how far back that church goes.

Councilman Jackson: Well, let me ask you this specifically. The church aside. The only reason I've been bringing up the church is because the school is housed in the church. And the church is the sponsor of the school.

You remember before, it wasn't in the school and it was in that building and we voted against that.

Mr. Davis: Right.

Councilman Jackson: They now, I thought answered the oppositions concerns. Because when you came the last time, I'm specifically remembering, there was an issue of individuals who were neighbors who were concerned about the health and welfare of those children in that small building. Is that correct?

Mr. Davis: That's correct. We also have neighbors, that's right on that property line there that is just a few feet difference between where they had the church, I mean the school, and where they live.

Councilman Jackson: Which one was there first, the church or the residents that you're talking about?

Mr. Davis: I believe the church was there.

Councilman Jackson: Okay.

Mr. Davis: Not the insurance building across the street.

Councilman Jackson: Right, but the church was there.

Mr. Davis: The church was there before the apartments, I believe.

Councilman Jackson: Now, I'm still trying to search for the most fundamental reason why the neighbors who are collectively gathered are in opposition.

Mr. Davis: I would say, just the - - - we have such a high traffic volume right there at the corner of Kingston and Francais Drive on account of Forest Hills School down one way. Southern Hills School is north of there and every morning, you see just a - - - they have a policeman out there quite regular now that governs the traffic or tries to, but they'll back up a block trying to get out on Kingston Road—someone is gonna get

hurt.

Councilman Jackson: Let me ask you this.

Mr. Davis: We've seen the kids run out in the street after a ball, they don't - - - it's usually one of the larger kids.

Councilman Jackson: So, what time of day is this that you have this long - - - this traffic jam?

Mr. Davis: In the mornings when they bring the kids to school or in the afternoon, when they are picking up. Because school buses will ride in with all the other traffic you know taking kids to school and then picking them up in the afternoon.

Councilman Jackson: Now, do you have any idea, I guess, since you've seen the church kinda operate, where is the playground?

Mr. Davis: I can't - - - it's on the other side of the church from me. I live facing the church on Kingston Road, so I do see 'em come around in the afternoon, running you know, exercising.

Councilman Jackson: Is the playground close to Kingston Road?

Mr. Davis: It's on the other side as far as I know of.

Councilman Jackson: Like opposite side? The church being in the middle?

Mr. Davis: Yes.

Councilman Jackson: And so, if the children were playing, then they really would not be in the way of traffic if they were on the other side and not near Kingston Road?

Mr. Davis: Well, if they didn't kick the ball out in the streets. There is no protection there for 'em.

Councilman Jackson: So, y'all would be okay if there was a fence erected and then the ball wouldn't get out in the streets?

Mr. Davis: It would help I'm sure.

Councilman Jackson: So, would that make the group happier and would it lessen the opposition?

Mr. Davis: I'm not here to speak for the whole group, I'm just speaking for what I know. I said I can just give you my interest not for everybody in there. I know some of 'em's problem is the noise. Cause there's such a close resemblance to their homes. They get out in the evening and they're kids.

Councilman Jackson: Right.

Mr. Davis: They're going to exercise themselves.

Councilman Jackson: Do small children live in your neighborhood?

Mr. Davis: Well, they used to.

Councilman Jackson: Not much anymore?

Mr. Davis: No.

Councilman Jackson: So, the neighborhood is aging as it relates to children?

Mr. Davis: Yeah, I would say.

Councilman Jackson: And so, would you suggest then, that because the neighborhood is aging and there are fewer children, that everybody is happy that their children are grown and gone and don't want to hear children anymore?

Mr. Davis: Oh no. I wished I had every one of mine home.

Councilman Jackson: Okay. Now, I'm assuming that means grandchildren sometimes frequent the neighborhood.

Mr. Davis: I'm sure.

Councilman Jackson: Now, I guess my concern is if you got six students and I think they talked about a maximum of 14. I was thinking that the traffic problem would be parents dropping kids off and coming in off the street and that was really the bottle neck. But obviously just six students, that wouldn't cause much traffic problem. And then I thought about the noise. Because I think it's fair to have that complaint. But when I think about the six children making noise, then I guess maybe they can make so much noise that's its intolerable. I don't know. But I just want to be fair to everybody involved and try to hear what people's convictions are because to me, just as an individual, it seems difficult for me to imagine that the noise or the ruckus of six children from the ages of 6-13, according to the minutes, could keep up or would create, certainly couldn't disturb materially the on-goings of that neighborhood. That's just my impression.

Mr. Davis: Well see when it first started, there were about 11 or 12 children at least in that little building across the street over there and the noise factor was quite a bit in the afternoon, you know when they were out doing their exercises.

Councilman Jackson: One other question and I know you're just one of the people. But I wondered how, if it was the noise, the consistency of the noise for example, the fact that I could take noise one day, but I can't take it five days. Do you think the consistency of the noise being five days was a problem? And if so, what happens when the church has revival. I've went to that church for a funeral one time and they were making all kind of noise even in the funeral. And what happens when - - - do you ever get calls, I mean do neighbors ever stir up about that? And certainly on Sunday morning, I haven't been to that church. But I believe when I saw, they had a lot of instruments and things in there and I know they gotta keep up some noise in that church at least on Sunday mornings or whenever they worship. Is that a problem to the neighborhood?

Mr. Davis: Not to me, it's not. I haven't had that problem.

Councilman Jackson: Okay.

Councilman Green: Yes sir, I had just a few questions that I wanted answers to. What church do you attend?

Mr. Davis: Summer Grove Baptist.

Councilman Green: Summer Grove? Okay.

Mr. Davis: The one moving into that big place out there.

Councilman Green: Y'all just gonna have church over in the mall right?

Mr. Davis: No, it's gonna be a lot of activity there. They got about 80 acres to.

Councilman Green: The church that was there before, are you aware of some of the things that went on inside of that church? Do you know if they had any teaching class, training classes or anything?

Mr. Davis: I sure don't.

Councilman Green: It didn't matter?

Mr. Davis: No, I'd never been in there.

Councilman Green: If in fact six students were in school, say they were going everyday, how would you know they were having school?

Mr. Davis: I wouldn't. I'm on the other side of the church.

Councilman Green: Okay.

Mr. Davis: They bring 'em in where- - - on - - - opposite from me in the morning,

you know, and in the evening- - - so.

Councilman Green: So, you're saying that if in fact, they got up to the volume of 14, you're saying 14 more cars in your neighborhood is too many?

Mr. Davis: It's a traffic problem right there at the corner of Kingston and I think eventually they're gonna have to put a red light there.

Councilman Green: Right, but I'm saying, if y'all get 14 more cars there a day, then that would be too many cars?

Mr. Davis: I just don't know whether it would be or not.

Councilman Green: Right and my question was how many cars come through there now? We wouldn't know. But basically, we're saying if we got six more cars coming to that church, then that's too many. Or if we got 14 cars at the max, that would be too many. My next question is - - -

Mr. Davis: I didn't say that, you know if it's too many or not.

Councilman Green: No, I'm just throwing that out parenthetically. My question that I want to ask is, how bad is it to have a Christian school in your neighborhood?

Mr. Davis: I don't know.

Councilman Green: My next question is do you look at the Christian school as being a moral issue or a sin issue?

Mr. Davis: No.

Councilman Green: Sir?

Mr. Davis: No. Has nothing to do with that.

Councilman Green: How do you say yes, you can have worship but you can't do teaching.

Mr. Davis: I can't answer that either except, I keep telling you we had a church there for years. We've had no problem. School is a different situation that's brought on traffic problems out there. Parts of the neighbors that live out there at the school when it was across the street, it was a problem for the noise and the hollering when they were trying to take a nap in the afternoon, whatever they do.

Councilman Green: Okay, and then when we talked about the ball going in the street?

Mr. Davis: Um hmm.

Councilman Green: What if they didn't play ball?

Mr. Davis: Well, we don't want the kids to get hurt.

Councilman Green: No, what I'm saying- - - what if they don't even play ball?

Mr. Davis: Well, what's that got to do with it?

Councilman Green: No, you were saying that the ball would go in the street.

Mr. Davis: Well, then the kid would run after the ball.

Councilman Green: But I'm saying, what if in fact, this school is a school that's a no-ball school?

Mr. Davis: Makes no difference whether they had a ball or not, if they'd just keep it out of the street and don't get hurt.

Councilman Green: Yes sir. No, I'm saying, what if they decide they're not even going to play ball?

Mr. Davis: That's fine.

Councilman Green: So, would that be still an issue?

Mr. Davis: It's a safety issue. It's not the ball.

Councilman Green: So, my question is again, 1. How do you vote against a church? 2. How do you vote against a Christian School? And how do you say to one church - - - in your church, this is all you can have? But now, you all just built a church and I'm not picking. I think it's a blessing and if I had the money, I'd buy y'all old church. But I don't have it. So, if y'all can find it in your heart before we build our church and donate it to us, then I'd feel wonderful.

But how do you say that you're going to buy a mall and in this mall you're going to have a theater, you're going to have a place to eat, you're going to have a school, and you're probably going to expand the school. You're going to have office space, you're going to have stores, you're going to have barber shops, you're going to have everything in your church but in my church, because it's on the wrong street, I can come here and worship, but I can't have nothing else. How do we do that? And I'm asking because I just wonder. You can have church here, but you can't bring your children here, I just don't understand and if you can just help me to understand.

Mr. Davis: (Inaudible) because the only thing I can tell you is how I feel personally. I'm sot in my ways. I've been there a long time. The safety of the kids is a big factor in my mind, because I've seen so many wrecks on that corner, even up through the church yard. In fact, I think there's tracks out there right now where somebody turn a little too quick and - - -I guess, I'm sot in my ways. I'm the only one I can speak for, but I'm not really the spokesman for all these people.

Councilman Green: Yes sir, you just answered my question and I'm like that too. It's either my way or the highway sometimes. But up here, as I get older, I don't want to become bitter, I want to become better.

Mr. Davis: That's a good philosophy.

Councilman Green: And I've experienced some lemons in life and I used to cry about them. But now, I get me some sugar and some water and I get me a spoon and I make lemonade and I just think that all we do, we've got to do it as a whole to make our City what God would have it to be. Thank you. You answered my question. Thank you so much.

Councilman Hogan: Mr. Chairman, Several things I'd like to address related to what's just been said. I don't understand the comparisons. You know every church--I don't know of a church in this country whether its of the Christian faith, Jewish faith, Muslim faith that does not have teaching. The difference here is that we're talking about a church that wants to start up a private school to teach things other than religion, spiritual issues and so forth. They're wanting to teach math, science, history of which - - and by the way, I did try to contact someone with the State. There are requirements for a private school that you have to be accredited. I was unable to get in touch with a lady that's with the State who is going to get me some information. I was just curious to know myself if indeed Dr. Cash had applied with the State and he has been accredited and approved to teach these children. Not just tutor them, but teach them in a formal classroom setting. Monday through Friday. Not Sunday mornings or Wednesday nights, but all during the week; that remains to be seen. Obviously it's not going to affect the vote here today, but it's just something I wanted for my information.

I'd like to address a couple of other issues too as well. Regarding the Oath of Office, the Constitution that's spoken of in here are the Laws of the United States and the Constitution of this State is of a representative form of government. By the People, Of

the People and For the People. And I was elected by the people of this District to represent them, to be their representative and I've tried my best to do that, to listen to them, to hear their concerns. I've spent hours and hours listening to both sides on this.

I tried to contact Dr. Cash about this, but was unable to reach him.

But back to what we were talking about a few minutes ago, I think that anyone will find that examines the record in the year that we've been on and the previous record will find that the majority of the time, people have voted on this Council in favor of recommendations of the Councilman from that District. I see Mr. Kirkland even nodding his head agreeing with me on that; so, I think that holds true.

There have been cases where this was not followed of which someone made recommendation to Councilman Lester where there was apartments that were going to be re-zoned in your district. I did in fact vote against that. I believe that's probably one of the few times, it's the only time I can remember that I voted against the Councilman's recommendation from that district. The reason why I voted against it was because there was such an outcry from the people and there were people speaking on both sides. The people that spoke in favor of it, were not the people that were in the immediate area, were not business owners. And indeed as I recall, there was a much greater majority of people against this, than there were in favor of it.

I'd like to cite a couple more examples. Also, Walmart tried to put in a store in my district behind our new library on Baird Road. There was an outcry of the people Mr. Kirkland, would be an understatement. Do you agree? There was an overwhelming majority of people that came from miles in that area in my district, that were opposed to this. The voice of the people was heard. It was voted down.

Recently, we saw a truck stop try to go in, in an affluent area in Councilman Gibson's district. It's very interesting what happened in this situation. The gentleman who applied for the zoning got word of all this. e heard the voice of the people and he withdrew his application. I'd like to make a point here of yesterday, there was a gentleman here named Mr. Bradley and he was here representing the next item on our agenda, BAC-113-03. As I spoke to him after the meeting, I was talking to him about some of the things in our district that are important to people, about how historically people have not wanted that type of thing in our district. He listened to me. He called me this morning from Calhoun and he said because of what you've told me Councilman Hogan, he said, I'm going to withdraw this application. We want to be a good neighbor. And I told him how much I appreciated that, that he would respect the wishes of the people in that district. And I told him, I'm going to make a comment about that at the end of our meeting today also Mr. Chairman.

There was another issue, I'm going to mention this. It's the last issue I'm going to mention, that a few weeks ago, Councilman Carmody had an issue come up about a lady that wanted a beauty shop in his district. I didn't see any reason to deny that. I followed Councilman Carmody's recommendation that we did deny it; that's just another example of I kept my word and I told him we'd talk about that, that I would vote against that in favor of his recommendation.

I'd like to also just mention a couple of more things and I'll be done. As Councilman Green had alluded to, that we a few minutes ago, had voted on the issue of the street renaming for Councilman Lester's district. I'd like to point out that this was not a zoning issue. This was an ordinance that was proposed of which I voted down and

one of the main reasons I voted it down---Mr. Thompson, you might give me some guidance on this. As I recall, there was about a 2/3rds vote against the renaming? You can just nod your head. Is that right?

Mr. Thompson: I'm sorry, I was talking to Mr. Kirkland and I did not hear the statement before then.

Councilman Hogan: That's alright, on the issue of the renaming of the Shreveport-Blanchard Highway to Hilry Huckaby Avenue, the survey that was done, the response that you got, was that not a message from the people that said that 2/3rds did not want to rename it?

Mr. Thompson: I don't recall exactly what the number or the percentage was, but the ordinance says that--- Councilman Hogan: Excuse me, I can't hear you, could you speak up please?

Mr. Thompson: I don't know what the number was. You still can't hear me? Councilman Carmody: Go ahead sir, we can hear you now.

Mr. Thompson: I don't know what the number was but the ordinance says that a certain number of residents or owners should approve it and that number was not reached. I don't have it in front of me now.

Councilman Hogan: Thank you, that's all I need to hear. Thank you. Again, my point is that we were hearing the voice of the people. I think that's what this type of government was designed for and so, that's the reason I voted against that. So, I just want to make that clear.

In closing, I'd just like to say again to ask the support of the Council Members in this issue and I would like to ask you to support me in overturning the ruling of the Zoning Board. Mr. Chair, you might clarify, I believe Councilman Green had made a motion already in the beginning?

Councilman Carmody: That is my understanding. Yes sir.

Councilman Hogan: If you wouldn't mind clarifying the vote for the Council.

Councilman Carmody: Mr. Hogan, just for the benefit of the Council Members, I believe that I actually had a motion from Councilman Green, a second from Councilman Jackson to support the approval of the church for school with the stipulations including that it be, the approval be limited to a one year period in which the applicant would have to come back. I believe that is correct.

Councilman Jackson: Mr. Chairman, I just want to express clearly again, as we said before, that I believed that what happened the first time, because I thought they presented some merits with regards to safety for students. And then when this came up again, I didn't even know it was going to be on the agenda and Councilman Hogan called me. And I asked him some questions, did they resolve the issue? And I guess the issue that really is at hand is one that can have no resolution without having it somewhere else.

I've asked Councilman Hogan, I've asked the people who Councilman Hogan represents and those folks who have talked obviously to him to come today and speak to us to answer those questions. None of which have been in my opinion sufficiently answered. Most of the questions have to do with, my question have to do with the material disruption that the school would cause to that particular neighborhood and its integrity. Nobody's been able to answer those kinds of questions. I hear a lot of people's opinion, but nobody's been able to answer those questions. Councilman Green and

Councilman Hogan both spoke to the laws. You know there, and I think we do have the responsibility and we have a sworn oath to uphold the laws of the Constitution of the United States of America, but in its Preamble, the Constitution suggests to us that there are some laws that are neither conferred by nor derived from the State and in order to know where they come from, you've got to step back behind the demist of eternity and know that God given rights. They include the right to life, liberty and the pursuit of happiness.

In America, much of that is tied to our ability to receive an education. I think in fact, this is what this is. For folks who don't like it just because of who it is, just because they don't want the Church to have a school there, I understand, but things happen like that and things happen for reasons.

I've asked- - - I wanted to support Councilman Hogan. I told him on yesterday, that I pledge my support to him, but I said it's contingent on having spoken to the people who are in those neighborhoods, because he doesn't live next to the church. I wanted to hear from the people who live close to the church. Those concerned citizens who are not here today and those who were, who could not sufficiently answer those questions.

I think the ZBA has done what they were supposed to do. Councilman Hogan talked about how our constitution establishes a representative form of government, in this government form we have established a group of individuals that we call the Zoning Board of Appeals who receive these appeals who look at it, give due diligence to 'em and then who make decisions.

I think based on the three contingencies that they've placed in their approval, that it would be prudent for us, except that the citizens who live there could come up with some opposition other than we don't want it. Then, I think it's right for us to move forward Mr. Chairman, and I'd like to call for the question. [Motion by Councilman Jackson, seconded by Councilman Hogan to call for the question. Motion passed by the following vote: Councilman Lester, Carmody, Gibson, Hogan, Green and Jackson. 6. Nays: Councilman Walford. 1.]

Councilman Carmody: Again, to reiterate to the Council, an affirmative vote would be to reaffirm the decision granting the approval of the school. A negative vote would be to overturn that approval. Gentlemen, I would ask all those in favor to please vote yes.

Mr. Thompson: Mr. Chairman, I don't believe that a negative vote is a vote to overturn, you would need another motion.

Chairman Carmody: I'm sorry, you're correct. Thank you. If you could please clear the board Madam Clerk. Thank you for that clarification Mr. Thompson.

Councilman Gibson: So, Mr. Chair, Point of Order. Just I'm a little slow up here, a 'yes' vote is to overturn?

Mr. Thompson: To uphold the decision of the ZBA.

Councilman Gibson: And a 'no' vote?

Mr. Thompson: Not to uphold the decision. For instance, there could be a motion to amend what the ZBA did.

Councilman Lester: You can't approve something by a negative, (inaudible) Councilman Carmody: Well, and that's why the form of our motions are in the positive and that's why we normally ask for clarification. Correct.

Councilman Gibson: I'm gonna ask again, because maybe I'm thinking too many

things here. Mr. Thompson, so I can look at you in the face. Tell me again in terms of the 'yes' vote is what?

Mr. Thompson: The vote is to approve the decision of the ZBA.

Councilman Gibson: Okay, and a 'no' vote?

Mr. Thompson: Is not to approve the decision of the ZBA.

Mr. Antee: Mr. Thompson, would it be safe to say, is a 'yes' vote if you want the school, a 'no' vote if you don't want the school, based on the ZBA's approving of the school?

Mr. Thompson: Well, we have talked to Ms. Glass about this and we think that a separate motion is needed if this one failed.

Mr. Antee: But to clarify on what they're voting on, now.

Mr. Thompson: They are voting on now to approve the decision of the ZBA to allow the school with stipulations.

Mr. Antee: So, if you want, in just simple layman's terms, if you want the school, vote 'yes', if you don't want the school, vote 'no'.

Mr. Thompson: Right and then we'll get to the second question after that.

Mr. Antee: Just trying to help.

Councilman Gibson: Thank you Mr. Antee.

Councilman Carmody: Thank you Mr. Gibson. Is everyone clear on the Council at this point? If I could ask Madam Clerk, could you clear the machine so that we can call for the vote one more time.

Motion to uphold the ruling by the ZBA passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Green and Jackson. 5. Nays: Councilman Gibson and Hogan. 2.

3. BAC 113-03. *B R A Investments Inc.*, 2882 Southland Park Dr., Special Exception Use and a variance in the hours of operation in a B-2 District, Lounge.

Motion by Councilman Walford, seconded by Chairman Carmody to postpone the application.

Councilman Walford: As Mr. Hogan alluded to, we've had a request by the original applicant to withdraw, but I don't believe that's possible because the approval has already been granted. And to make sure we take the right steps on this, I would ask for a two week postponement and let Ms. Glass and the MPC tell us the right course of action. Perhaps the appellant would like to withdraw; I don't know. That was the one we're gonna have to - - - Councilman Lester: I'm looking at the letter, it says that - - - was he not the original applicant?

Councilman Carmody: He was.

Councilman Walford: He was, but he did not He didn't do the appeal.

Councilman Lester: Yeah, but he's withdrawing his application.

Councilman Carmody: But it's already been approved. And that's why we want to make sure that we're correct. If there are any other questions regarding the motion to postpone and the second? I think that two weeks from now, we'll have the clarification as to the way we would handle this. At this point gentlemen, could I ask for those in support of postponing, please vote yes and those against vote no.

Councilman Hogan: Mr. Chair, I'd like to get some clarification. Mr. Thompson

or Mr. Kirkland, what would be the case here. If the applicant chooses to withdraw? Councilman Carmody: Mr. Kirkland, thank you sir for joining us. I think that we all could stand a good lesson.

Mr. Kirkland: Well, the Zoning Board of Appeals is the final decision authority unless their decision is appealed. Therefore if you allow a withdrawal of a ZBA decision, that's in the positive, which this one was, then that decision would stand. So, as Mr. Thompson and Ms. Glass, we talked briefly a few minutes ago, the postponement appears to be in order to try to determine how best to deal with a decision that's been approved. And I'm afraid that that only answer maybe that you'll have to vote in essence to deny it. After your subsequent meeting but certainly the applicant needs to know what's happening in this regard and I think that's what Mr. Thompson indicated and we certainly ought to talk with the applicant and let them know why certain actions may have to occur in order to in essence defeat this (inaudible) approval.

Councilman Hogan: Okay, so we're going to have to draw up a resolution that says that we are denying?

Mr. Thompson: Mr. Chairman, what I intend to do is to call the applicant and tell him that the Council will probably make a motion to overturn the decision of the ZBA and that, if that is approved by the Council, then there will be one year, before he can't make an application again. I just want him to know what the consequences will be.

Councilman Hogan: That's fine. Thank you.

Motion to postpone approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES. None.

CLERK'S REPORT. None.

<u>THE COMMITTEE RISES AND REPORTS</u> (reconvenes Regular Council Meeting).

Councilman Hogan: Excuse me Mr. Chairman, before we - - - if I'm not too late, as you recall, just before the meeting, I had mentioned to you that we wanted to - - -.

Councilman Carmody: Yes sir and as a matter of fact, I would ask at this point for clarification. I believe, Mr. Thompson, that Councilman Hogan had wanted to include a presentation into the minutes of the meeting as opposed to being not recorded under Committee of the Whole. Wound a suspension of the rules be appropriate at this point. Because we just voted as I - - - Oh, resolve ourselves back into - - -

Mr. Thompson: I think you would have to go back and you would also have to suspend the rules, but you want everything that's in this presentation to be typed and put in the paper?

Councilman Hogan: Yes. It's three 60 minute presentations?

Ms. Lee: Excuse me?

Councilman Hogan: It's three 60 second presentations. Seconds, not minutes.

Councilman Carmody: At this point the Chair will entertain a motion to resolve itself from the Committee of the Whole back into the Council itself.

Councilman Gibson: Mr. Chair, are we going to take verbatim all the verbiage in this tape?

Councilman Walford: Point of Order Mr. Chairman. We've got discussion without a motion.

Councilman Carmody: You are correct sir. Thank you for that clarification.

Motion by Councilman <u>Carmody</u>, seconded by Councilman <u>Gibson</u> to resolve itself from the Committee of the Whole back into the Council itself (motion unanimously approved.)

Councilman Gibson: Mr. Chair, I need a point of clarification. We're going to enter into the record everything that's on these three 60 second tape.

Mr. Thompson: I think that's the request and that's what we will attempt to do.

Councilman Gibson: Well, I know that we've shared other tapes. I know that the Mayor had a great video that was done here some months ago, in terms of showcasing Shreveport and we did not do that. I think that if we could enter into the record my interest to say that we have three tapes on economic development but to go into detail on what's on every one of those to me, that's going over and above the call of duty, but that's how my vote will reflect on this.

Councilman Walford: I think Councilman Gibson may have gone where I was going. I'm curios about what's on and do they need to be on the minutes with the amount of money that we spend to publish minutes or could they be as effective in the committee?

Councilman Hogan: Mr. Chair, it's not absolutely necessary that the verbiage of the spot to go into the record. I just - - - I would be fine with - - -as Councilman Gibson had mentioned, saying that we have three spots that are related to our Shreveport Campaign that we are about to play and the actual words do not need to go into the record. I would be fine with that.

Mr. Antee: Mr. Chair, I received an e-mail from a viewer out in the audience, Ms. Liz Swaine who says that she has 30 second PSA transcribed and can e-mail them to Bea if that helps.

Councilman Carmody: Mr. Hogan, the transcripts that are on the PSAs can actually be e-mailed to the Council Office and then they can be - - - -

Councilman Hogan: That's fine, I'd just like for the people watching the television to be able to see them.

Councilman Gibson: Mr. Chair, I think we're still saying--entering it into the record if we're talking about the e-mail of the spots, again, I think it would be appropriate to say again, we've got three economic development tape spots and again, the viewing public is going to be able to see that. I think this Council is re-broadcast so interested parties to do that or they can come down to City Hall and see those for themselves, but to regurgitate all that, I think is going over the call of duty of what we're doing here. And, I applaud what the Councilman has done with the Administration's support on economic development but that's going a little too far, in my opinion.

Councilman Carmody: Mr. Gibson, I appreciate your comments and Mr. Hogan, if it (inaudible) Mr. Lester and if you were to go ahead and take care of your business during Miscellaneous Matters, then at that point, then the public that's viewing will have the opportunity to see what you want to present.

Councilman Hogan: That'd be fine. Just one question. Mr. Thompson, you could probably answer this, at the point we reach Miscellaneous Matters on our agenda, are we still on the record as far as television?

Mr. Thompson: It's still being televised.

Councilman Hogan: Okay, I just wanted to clarify that. That's fine. Thank you.

Councilman Carmody: Thank you sir.

ADJOURNMENT. There being no further business to come before the Council, the meeting adjourned at approximately 6:35 p.m.

Thomas G. Carmody, Jr., Chairman

Arthur G. Thompson, Clerk of Council