

COUNCIL PROCEEDINGS OF THE CITY OF SHREVEPORT, LOUISIANA
MARCH 9, 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, March 9, 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 (3:05), Hogan, Green and Jackson (3:06). 7. Absent: None.

Approve Minutes. Motion by Councilman Green, seconded by Councilman Walford to approve the Administrative Conference Summary Minutes of February 23, 2004 and the Council Meeting Minutes of February 24, 2004. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Hogan, and Green. 5. Nays: None. Absent: Councilman Gibson and Jackson. 2.

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

Mr. Antee acknowledged the presence of former Councilman Joe Shyne.

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) [See Resolutions on Second Reading and Final Passage]

Distinguished Guest: Res. 42 of 2004: To recognize Dr. Vincent J. Marsala for his distinguished business career and public service to the City of Shreveport and this community. (F/Green) [See Resolutions on Second Reading and Final Passage]

Distinguished Guest: Res. 51 of 2004: A resolution to commend the Norwela Council, Inc., Boy Scouts of America, Scoutreach Program. (G/Jackson) [See Resolutions on Second Reading and Final Passage].

Distinguished Guest Southern University of Shreveport, Louisiana Mens Basketball Team.

Councilman Jackson: One last group that I want to recognize, would like to ask if Coach David Francis and his staff would come now as well as the members of the Southern University of Shreveport, Louisiana Mens Basketball Team who are present, if you would come now.

Councilman Carmody: This looks like a very formidable squad.

Councilman Jackson: To me colleagues and to those who are here, I wanted to simple recognize this group of young men as I recognize Mr. Washington as he said about the Scoutreach Program and these opportunities that we create for young boys. Very often, we don't recognize those who are still doing well even beyond scouting and I think these young men represent a lot of good that is happening, not only at Southern University but in our community in general.

I wanted to especially recognize them on last week, they made a historic mark if you will for their program. These young men have represented not only Southern University, but Shreveport very well as members of the Mississippi-Louisiana Conference which is part of the National Junior College Athletic Association. These young men have, for the 2nd year in a row, won the regular season conference championship in the Mississippi-Louisiana Conference and also were the winners of the Mississippi-Louisiana Conference Tournament, as well. And also, winners of that Conference Tournament they advanced to the 23rd Region of the National Junior College Athletic Association Tournament in Clinton, Mississippi on last week. Successful in the first round and won the first round and then went on to win the Semi-final round. I might add, the only the team from Louisiana who qualified as well and played in the championship game and I think a 89-82 loss in that championship game to a team that was much deeper, I might add, and much older, was not a bad showing. Certainly it was our goal to be victorious but I think in a lot of ways we went a great distance in advancing that program and do well, so I want to say on behalf of the citizens of Shreveport and on behalf of this City Council, that as you go to Clinton, Mississippi and other places that you represented, that you represented Shreveport well.

So I want to recognize you all as not only as ambassadors for this City but champions in your own right. So, I just wanted to recognize them, say *thank you* and to not only Coach Francis but his entire staff and his team, to keep up the good work. We had two young men who made the All Tournament Team: Tramaine Rice is here and our big man is not here today, Corey Holder who also made the Alternative Team. So, not only congratulations to them, but congratulations to this entire team for the effort that they have given this year. The final record this year was 27-6 was the final record and so did a good job and so we look forward to bigger, better, and even greater things on next year; so, we just want to commend you and say congratulations to you.

Councilman Green: I would like to say, congratulations to all of you and certainly, it is a privilege and a blessing. I'd like to just basically single out one person that I would like to say, Joe Adger is my hero.

Joe is one who represents success. He was at A T & T and going to school, and took care of his business and he is a model. People like, different stars, you pay them to come and they will come and work with you and that kind of stuff. But Joe Adger is one who goes the distance and goes out of his way to help young men. He's done whatever, but there was a line and during that era you had what is called a value system and as long as you've got values then there is some things that, some lines that you won't cross and once you get to that line you will know not to cross it.

Joe, I'd just like to congratulate you as my hero and also this whole entire team and if you are looking for a model and I know that there are a lot of models at Southern and I know your coach is a model, but I just have to say this from my heart Joe that when, I look at you, I see success and I thank God for you. He is a Deacon at the church. He is doing a great job in working with young folk and doing a great job. I'd like to, again, congratulate. I can't say enough about the team and I can't say enough about Joe, so just keep up the good work and the best is yet to come.

Man, I can't think of your name, Craig Davis. Craig was in one of my motivational classes at Fair Park and certainly he was a star on Fair Park's team and he is a star on Southern's team and Joe is my hero and you are my star.

Coach Francis: There is one thing I want to say is, I know Mr. Jackson said a lot of things about what the kids did on the court, but these guys recommend us as student athletics. We had a 3.2 as a team GPA-out of 12 guys, we had nine guys had a 3. or better so they are doing the work in the classroom as well.

Councilman Lester: Coach Francis it does my heart proud always to see the Columbia Blue and Gold. As a double-Southern alumnus it always does me well to see my university doing well. You guys represent us tremendously. You've worked hard. I'm really proud of the work that you've done with this team, with this entire program. A lot of times people think that nothing good is happening at Southern in Shreveport and once again you guys are a testament that there are a lot of positive things happening on Southern University Shreveport's campus.

And much like Councilman Carmody said, while I might have graduated from the Baton Rouge campus many of us took a lot of classes at Southern in Shreveport and it makes a tremendous difference.

I am really proud that your team and the scholar athletics and I think it is important that you stress not only the athletics, but the academics because something could happen to anyone of these young men and if they don't have any academics behind them, then where are they? So I am just really proud to see what you guys have done. Say, thank you for everything that you are doing, representing yourselves, our university, the facility, the staff, the entire Jacquar nation. I'm really proud of you guys and continue to do well.

Councilman Jackson: I was just going to say, Coach, it doesn't hurt to have a great athletic director too.

Mr. Antee: Councilman Jackson, is it true you were working with their center?

Councilman Jackson: Yes, that is why he is not here.

Councilman Carmody: Let me go ahead and welcome Councilman Gibson and say that it is quite a pleasure to drive in a city that was laid out as a proper 90° angle grid having been in Washington and

gotten completely befuddled by the way that a Frenchman had designed that particular community in order for it not to be attacked by an army, very easily.

I can attest to the fact that 200 years later, it is still functioning very well and get you confused as to how the streets run and where you are trying to go, but welcome Councilman Gibson, I'm glad to see you are back with us.

Councilman Gibson: Thank you Mr. Chair and by the way, Mr. Chair you and I didn't have to put up with anything. It was your wife who had to put up with two males that wouldn't stop to ask for directions and she didn't let us hear the end of it while that was going on but it was nice to be able to visit other parts of Washington D. C. that I hadn't seen in a while.

Councilman Carmody: We got to see it all, I think.

Convention Center and Convention Center Hotel Project Report:

Councilman Carmody: Mr. Antee, that was given yesterday?

Mr. Antee: Yeah, we presented that yesterday and if anybody has got any questions. I would note that Mr. Eddie Boatner with HRI was here. We had a Convention Center Hotel Trust meeting prior to this meeting. He just left because he's got to catch a plane, but be glad to answer any questions.

Councilman Carmody: In that I was not here yesterday, have received any change orders yet, Mr. Antee on the Convention Center yet?

Mr. Antee: No. We received a request. I say, we have received. There has been a request for a change order presented to the architects and the architects are evaluating it and we'll have a meeting coming up to discuss whether or not it is one that we will agree to or not agree to.

Property Standards Program.

Councilman Carmody: I see the property standards report was given yesterday.

Public Hearing: None.

Confirmations and/or Appointments, Adding Legislation to the Agenda and Public

Comments.

Confirmations and/or Appointments: Motion by Councilman Lester, seconded by Councilman Green for confirmation to the SPAR Council: Joseph Walker (re-appointment). Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Adding Legislation to the Agenda. Motion by Councilman Green, seconded by Councilman Walford to add the following to the agenda:

1. Resolution No. 52 of 2004: A resolution making application to the State Bond Commission for consent and authority to issue, sell and deliver not exceeding \$40,000,000, of Water and Sewer Revenue Refunding Bonds, Series 2003 and Series 2004, of the City of Shreveport, State of Louisiana, all in the manner provided for by Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto and providing for other matters in connection therewith.
2. Resolution No. 53 of 2004: A resolution authorizing the Mayor to accept a grant on behalf of U.S. Support Company and to otherwise provide with respect thereto .
3. Resolution No. 54 of 2004: A resolution authorizing the Mayor to execute documents necessary to purchase immovable property pursuant to the Louisiana Economic Development Grant Program award to U. S. Support Company and to otherwise provide with respect thereto.

4. Resolution No. 55 of 2004: A resolution authorizing the Mayor to execute a lease agreement with U.S. Support Company and to otherwise provide with respect thereto.
5. Ordinance No. 26 of 2004: An ordinance amending the 2004 General Fund Budget and otherwise providing with respect thereto
6. Ordinance No. 27 of 2004: An ordinance authorizing a servitude and an encroachment on portion of C. Bickham Dickson Park to AEP SWEPCO; authorizing the Mayor to execute all documents relative thereto; and to otherwise provide with respect thereto.

Mr. Thompson: Do these resolutions or ordinances exist?

Mayor Hightower: Arlena, don't we have those in writing?

Ms. Acree's response inaudible.

Mr. Thompson: Can we get a copy of those because when we get ready to introduce them, we'll need them.

Mr. Antee: Ed Jones is on his way up to get the hard copy.

Councilman Gibson: If I could ask just so we have the information on the regarding the one that is dealing with the servitude for SWEPCO, can I ask some questions on that.

Councilman Carmody: Yes, sir I believe that would be appropriate at this point if you need some information before we vote to introduce it.

Councilman Gibson: I just to be clear in my mind, is this for a development that is taking place in and around that area and also how much if anything is this going to cost the City? Is there any cost. . .? Zero. Is there a development taking place that I am not aware of?

Mayor Hightower: There is a home being built, that they are trying to run the electricity to. I know that Gary Norman can really talk more to this than I can, but I know there is still negotiating going on with SWEPCO to get it there, but it won't be any cost to the City, but it will come across C. Bickham Dickson Park and our continuing discussion is on above ground or underground.

Councilman Gibson: So in terms of, there is no cost to--this is SWEPCO taking on their penny and then charging the homeowner?

Mayor Hightower: That is up to the two parties.

Councilman Gibson: But we are out of that loop?

Mayor Hightower: Correct.

Mr. Norman: What we are trying to do is to grant the use to the property to be able to do it. There is also two other approvals that will have to come here, subsequent to that, which will be approval from the Corp of Engineers because of the wetlands and also for the state parks.

Councilman Gibson: That is what got my attention because I do believe it is a wetland that was there. If we are involved in that, I don't want to see us get drug into that situation.

Mr. Norman: No, it would be our portion of it and then the other would be responsible for and the cost of that will be between the owner and. . .

Councilman Gibson: SWEPCO signs off and the invocation, hold harmless the City of Shreveport, in this process?

Mr. Norman: Oh, yes, Sir.

Councilman Carmody: Mr. Norman, you recognize two other entities would have to sign off on this but I did not hear, would LSU-S have to sign off in that isn't this now there Biological Research Center, as well?

Mr. Norman: In (inaudible) agreement the don't have to sign off on it. We have made them aware of it and discussed at our last meeting which is where we, the things that really came out of it are addressed in this which we were concerned about maintenance of the property. We want to be notified if we have any maintenance to make sure that they are not going to do something that is going to be detrimental to the area as well as aesthetically, we wanted it to be underground.

Councilman Carmody: I would support the underground as well just from the aesthetics in that it is suppose to be a natural setting.

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

Neighborhood Investment Program Report.

Councilman Lester: We have Mrs. Moore here that can give us an update on the Neighborhood Investment Program, I'm sure that is a subject of interest to many of us.

Motion by Councilman Lester, seconded by Councilman Gibson to suspend the rules at this point to receive this report. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Mrs. Moore: As you know, we took applications over the last month. We received 45 applications out of the 100 that we gave out. They range from various activities such as gateways, to clean-ups, to after school tutorial programs, to working in the schools. We received \$254,000 dollars in requests. Most of the applicants came from District B and District G. We are starting our threshold review, in fact we've completed the threshold review. We have developed a review committee and a criteria for that committee. They will received the applications on tomorrow and they have until next Wednesday to review them and get them back to us. We have a deadline date of March 15 to make a recommendations. It is our intent to start the program April 1. Through (inaudible) will start a training in the month of April. We should consummate all contracts by April 15 and then we will proceed with the program.

Councilman Gibson: I'll defer to Councilman Lester on this, what is the dollar amount we have right now in that?

Councilman Lester: The dollar amount we have is \$126,000.

Councilman Gibson: And you said, Mrs. Moore, \$254 in applications?

Mrs. Moore: Two hundred and Fifty-four dollars in applications.

Councilman Gibson: B and G, refresh my memory on what you said.

Mrs. Moore: B and G had the most applications.

Councilman Jackson: Means the most work.

Councilman Carmody: If you don't mind me asking, did you receive applications from all districts?

Mrs. Moore: From all districts.

Councilman Hogan: You said something a moment again about contracts would be consummated April 15.

Mrs. Moore: On or before April 15.

Councilman Hogan: Are you saying they will be decided at that point or they will awarded and decided upon?

Mrs. Moore: Awarded and signed.

Councilman Lester: I just want to, again, thank Mrs. Moore and the Staff at Community Development. I think this is a great program and the fact that we have had such overwhelming response from all segments of the City, from District A to District F and all points in between, neighborhood organizations, community groups, faith-based groups, I think should say to this Council that there is some interest in our citizens with re-investing in their neighborhoods and doing some positive things.

So, I again want to thank the Council for their support for the Neighborhood Investment Program and I look forward to great things from Mrs. Moore and her staff. And I know they have to answer a number of questions. The fact that they had such an overwhelming response, I think it sends a positive message that the citizens and the neighborhood groups are looking for us to do some good things and they are willing to work to build their own neighborhoods and I think that is a good thing.

Mrs. Moore: I also want to add, there will be no losers in this. All applicants will have an opportunity to receive the technical assistance and training.

Councilman Green: Mrs. Moore, thank you and your staff for doing a great job, not just for this particular program but all that you all are bringing to the table and I just like to say, keep up the good work.

Mrs. Moore: I can't take all of the credit for it. I have a wonderful staff that worked under some tremendous time constraints and I think that they receive the accolades.

Councilman Gibson: Mrs. Moore, are you going to 1. communicate back to each of us in terms of what applications, just so we can do a check and balance with the neighborhood groups that we know of, at least I know of in my district to make sure that everything got into you that was suppose to—obviously there was a deadline and not trying to circumvent that. And 2. you've got a quick turn-around on this. In evaluations of thumbs up or down, obviously based on monies, I hate to see anybody turned away in this process, but how is that going to be communicated to the different organizations that submitted applications if for some reason they aren't approved?

Mrs. Moore: We will send out acceptance letters and rejection letters. Like I said, there will be no losers in this. They can take advantage of the training as well.

Councilman Gibson: Are you going to cc the City Councilmen on those letters?

Mrs. Moore: We certainly will. In fact we developed a very comprehensive report for you and if you don't get it today, you'll get it tomorrow.

Councilman Gibson: Mrs. Moore, I see you've provided the Council with CDs on the Consolidated Plan. Thank you very much. Gentlemen, take the time please and review this information because I will attest they worked very hard to put it all together.

Councilman Jackson: I don't know if in the incorporation of this program or even in its creation, if we took into consideration obviously in Community Development Block Grant happens on an annual basis and I don't know how in fact one could support the other. Obviously they Community Development Block Grant awards are consistent with our Consolidated Plan. And, I just wanted to maybe as we go through this if we could continue to educate those who are either recipients or even those who are simply applicants as they go through that training process, that the non-profit organization group will do for them and the technical assistance that they receive, that they are also educated about that because while it won't necessarily be seem less, this program and CDBG Program they could in fact be complimentary and not redundant, as well. So it may be a way to leverage the Community Development Block Grant dollars, for

lack of a better term, to make sure that we get the maximum impact in as wide an area throughout the City as possible.

Mrs. Moore: You are absolutely correct. In fact, we did put some Community Development Block Grant dollars into this to make it a very viable effort. As you can see \$126,000 is not going to do a whole lot. We put about an additional \$36,000 in Community Development Block Grant monies into this effort.

Councilman Jackson: Good. Thank you.

Public Comments (Agenda Items to be Adopted). The Chairman recognized the request of Thelma White.

Councilman Green: She left. Just to clarify, Ms. Thelma White was here to speak about the Plant, but she is going to do it at another date.

Councilman Carmody: Oh, about the Calumet Plant?

Councilman Green: Yes, but she will do it at another date.

CONSENT AGENDA LEGISLATION.

INTRODUCTION OF RESOLUTIONS: None.

INTRODUCTION OF ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES:

Motion by Councilman Gibson, seconded by Councilman Gibson to adopt Resolution Nos. 43 through 46 of 2004. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTIONS:

RESOLUTION NO. 43 OF 2004

A RESOLUTION ACCEPTING DEDICATION FOR STRASBOURG CIRCLE AND CATAWBA DRIVE IN THE BRUNSWICK PLACE UNIT NO. 11, 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 Strasbourg Circle and Catawba Drive in the Brunswick Place Unit No. 11 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 Strasbourg Circle 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. 44 OF 2004

A RESOLUTION ACCEPTING DEDICATION FOR MORAY DRIVE, WESTRAY DRIVE, AND SHANNON DRIVE IN THE NEW CASTLE UNIT NO. 13, 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 Moray Drive, Westray Drive, and Shannon Drive in the New Castle Unit No. 13 in Section 1 (T16N-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 Moray Drive, Westray Drive and Shannon 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. 45 OF 2004

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTIES WITHIN THE CITY OF SHREVEPORT IN CONNECTION WITH THE NORTH REGIONAL WASTE WATER TREATMENT PLANT EFFLUENT FORCE MAIN, PROJECT NO: 00-F001, FOR THE ACQUISITION OF NECESSARY RIGHT OF WAY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the North Regional Waste Water Treatment Plant Effluent Force Main, Project No: 00-F001; and

WHEREAS, the properties shown on the attached plats, are situated in said development; and

WHEREAS, all attempts to amicably acquire permanent utility servitudes to the property comprising Parcel Nos: U-1, U-2, U-3, U-4, U-5, & U-6 have failed; and

WHEREAS, all attempts to amicably acquire temporary construction servitudes to the property comprising Parcel Nos: T-1, T-2, T-3, T-4, T-5, T-6, & T-7 have failed; and

WHEREAS, public necessity dictates that this property be owned by and subject to the use by the City of Shreveport;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the expropriation of these properties is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcels of property as Parcel Nos: U-1, U-2, U-3, U-4, U-5, & U-6 to be acquired as permanent utility servitudes for the laying of a force main. He shall also hereby be authorized to institute such proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcels of property as Parcel Nos: T-1, T-2, T-3, T-4, T-5, T-6, & T-7 to be acquired as temporary construction servitudes for the construction of said 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.

RESOLUTION NO. 46 OF 2004

A RESOLUTION AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS AGAINST CERTAIN DESCRIBED PROPERTIES WITHIN THE CITY OF SHREVEPORT IN CONNECTION WITH THE SOUTHERN OAKS SUBDIVISION FLOOD CONTROL IMPROVEMENTS, PROJECT NO: 00-D003, FOR THE ACQUISITION OF NECESSARY RIGHT OF WAY, AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, the City of Shreveport has developed the Southern Oaks Subdivision Flood Control Improvements, Project No: 00-D003; and

WHEREAS, the properties shown on the attached plats, are situated in said development; and

WHEREAS, all attempts to amicably acquire a permanent drainage servitude to the property comprising Parcel No: D-1 have failed; and

WHEREAS, all attempts to amicably acquire a temporary construction servitude to the property comprising Parcel No: T-1 have failed; and

WHEREAS, public necessity dictates that this property be owned by and subject to the use by the City of Shreveport;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that the expropriation of these properties is necessary for the public interest; therefore, the City Attorney be and he is hereby authorized to institute expropriation proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcel of property as Parcel No: D-1 to be acquired as a permanent drainage servitude for drainage improvements. He shall also hereby be authorized to institute such proceedings against the owners of record, as they might appear at the time of filing suit, of the attached described parcel of property as Parcel No: T-1 to be acquired as a temporary construction servitude for the construction of said 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.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

RESOLUTIONS:

Councilman Jackson: On yesterday, I informed the Council that on last Thursday, I was at the school at Evangel Christian Academy and made the presentation to the school body at the school itself so they won't be coming here for the presentation but I have in fact recognized them formally.

RESOLUTION NO. 183 OF 2003

A RESOLUTION TO NAME EVANGEL CHRISTIAN ACADEMY'S EVANGEL EAGLES AS AN OFFICIAL GOODWILL AMBASSADOR FOR THE CITY OF SHREVEPORT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN JACKSON

WHEREAS, the Evangel Christian Academy has one of the best football programs in this state and nation, having won the Louisiana State Championship for eight out of the last ten years; and

WHEREAS, the Evangel Eagles have played some of the best high school teams in the nation, including Hoover High School in Hoover Alabama and Rockhurst High School in Kansas City, Missouri; and

WHEREAS, on October 24, 2003, the Evangel Eagles played the Nations's No. 1 ranked team - the team which then owned a record 144-game winning streak - the De La Salle Spartans, in Concord, California; and

WHEREAS, this game between the Evangel Eagles and the De La Salle Spartans is believed to be the first regular season high school football game to be nationally televised; and

WHEREAS, the Evangel Eagles, because of its string of championships, its reputation for excellence, its personal appearances throughout this state and nation, and its appearance on national television, is an effective marketing agent bringing positive attention to the City of Shreveport.

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 thanks Evangel Christian Academy and the Evangel Eagles for a championship football team, for bringing positive attention to the City of Shreveport by winning state championships, by being invited to play some of the best teams in the nation and by playing in the first regular season high school football game to be nationally televised.

BE IT FURTHER RESOLVED that because of its successful program, and because it has been and continues to be an effective marketing agent for the City of Shreveport, the Shreveport City Council names Evangel Christian Academy's Evangel Eagles an Official Goodwill Ambassador for the City of Shreveport. Read by title and as read motion by Councilman Jackson, seconded by Councilman Walford passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 25 OF 2004

A RESOLUTION EXPRESSING SUPPORT FOR PROPOSED STATE LEGISLATION WHICH WOULD FACILITATE THE CONVERSION OF THE MCNEILL STREET PUMPING STATION INTO A MUSEUM OPERATED UNDER THE STATE MUSEUM SYSTEM, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City of Shreveport's McNeill Street Pumping Station was the site of the City's first water treatment plant and is an important and unique historic property;

WHEREAS, the station is a National Historic Landmark, a National Civil Engineering Landmark, and an American Waterworks Association Landmark, and is listed on the National Register of Historic Places;

WHEREAS, the station was the last known active steam-powered water works in the nation when it was retired in 1980, and still houses several intact, rare pieces of steam pumping equipment;

WHEREAS, in 1999, a group of area citizens formed a 501c(3) nonprofit corporation, the McNeill Street Pumping Station Preservation Society, with the goal of restoring the pumping station and converting it into a museum that will be open to the public; and

WHEREAS, it is expected that legislation will be introduced this year in the state legislature for the purpose of converting the station into a museum to be operated under the state museum system:

NOW, THEREFORE, BE IT RESOLVED by the City Council of Shreveport, in due, regular and legal session convened, that the Council's support for and endorsement of the proposed legislation described above is hereby expressed.

BE IT FURTHER RESOLVED that if any provisions or items 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 resolutions or parts thereof in conflict herewith are hereby repealed.

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

RESOLUTION NO. 39 OF 2004

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF SPECIAL LEGAL COUNSEL TO REPRESENT THE CITY OF SHREVEPORT, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, it is the desire of the City of Shreveport to retain the services of outside legal counsel to represent the City's interests in collections matters involving loans which originate in City's Department of Community Development, Bureau of Business Development; and

WHEREAS, pursuant to Section 8.03 of the City Charter, the City Attorney recommends that William D. Hall, Attorney at Law, be retained for the purpose of said representation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the Mayor be and he is hereby authorized to execute, for and on behalf of the City of Shreveport, a retainer agreement with William D. Hall, attorney at law, substantially in accordance with the terms and conditions of the draft thereof which was filed for public inspection, together with the original copy of this resolution in the office of the Clerk of Council on February 24, 2004.

BE IT FURTHER RESOLVED that this agreement shall be paid out of the Department of Community Development's indirect cost expense fund.

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 Walford, seconded by Councilman Green for passage.

Councilman Walford: Quick question, what this is pertaining to?

Mayor Hightower: Collections.

Councilman Hogan: I don't know who can answer this question, but I have read the ordinance that it is for the purpose of collecting loans, people that have defaulted on loan through the Department of Community Development for the City. Will Mr. Hall, how will he be set up to be paid? Is he going to be paid a percentage of what he collects, I would assume that would be true in normal collection circumstances or paid by the hour? Mr. Mayor do you know the answer to that?

Mayor Hightower: A percentage.

Councilman Hogan: A percentage. Do you know what that percentage is?

Mayor Hightower: I think it is--Ramon, is that 25%, a percentage. . . .(inaudible).

Mr. Antee: For a bankruptcy filing or proof of claim it is \$50. Foreclosure proceedings are 25% of principle and judiciary interest and it is--there is several different items in there that breaks it out and any additional services not listed, it is \$115 an hour. File review to determine collectability is \$100 a file.

Councilman Hogan: Thank you.

Resolution 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. 41 of 2004**: A resolution authorizing the execution of an agreement with Shreveport Redevelopment Agency and Shreveport Urban Renaissance Corporation, Inc., and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Lester, seconded by Councilman Walford to postpone the resolution.

Mr. Thompson: I thought Mrs. Moore indicated the Administration wanted it withdrawn.

Councilman Lester: Okay, I knew they want it pulled so. What procedurally would be the motion. A substitute motion to withdraw it?

Mr. Thompson: To withdraw it.

Councilman Lester: So that is my substitute motion.

Motion by Councilman Lester to withdraw the resolution, seconded by Councilman Walford. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

RESOLUTION NO. 42 OF 2004

A RESOLUTION TO RECOGNIZE DR. VINCENT J. MARSALA FOR HIS DISTINGUISHED LEADERSHIP AND SERVICE TO LOUISIANA STATE UNIVERSITY IN SHREVEPORT; HIS PUBLIC SERVICE TO THE CITIZENS OF THE CITY OF SHREVEPORT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

By: Councilman Green

WHEREAS, Dr. Vincent J. Marsala, a native of Monroe, Louisiana, received his M.A. in Government in 1962, and his Ph.D. in Latin American Studies from Louisiana State University in 1967; and

WHEREAS, Dr. Vincent J. Marsala joined the faculty at Louisiana State University - Shreveport in 1967 where he has taught Louisiana History, Louisiana Government, and Latin American History; and

WHEREAS, while at LSUS Dr. Marsala has held the following positions: Chairman, Department of Social Science; Coordinator of the LSU Graduate Resident Program; Dean of the College of General Studies; Dean of the Division of Continuing Education and Public Service; Professor of History; Interim Chancellor, and Chancellor; and

WHEREAS, Dr. Marsala has done extensive research in his areas of expertise including several publications on the late U.S. Senator Joseph E. Ransdell of Lake Providence, Louisiana, and he has edited with Dr. Bill Pederson a book entitled, Abraham Lincoln: Sources and Style of Leadership; and

WHEREAS, Dr. Marsala served as an elected Caddo Parish Commissioner from 1987 to 1991, and he was unopposed for his 1991 to 1995 second term; and

WHEREAS, Dr. Vincent J. Marsala has used his considerable organizational and other skills to help develop and maintain strong education, business, philanthropic, and social organizations in Shreveport by serving on the boards of directors of these organizations including: Shreveport Chamber of Commerce, Boy Scouts of America, Shreveport-Bossier Committee of 100, KDAQ Public Radio, Alliance for Education, University Club, Inner City Entrepreneurial Institute, and National Conference of Community and Justice; and

WHEREAS, Dr. Marsala has received many awards which recognize his leadership and service including: Fulbright Award in 1984; Administrator of the Year in 1995; Pilot of the Year in 1999 by the LSUS Alumni Association; and Laureate of the North Louisiana Business Hall of Fame in 2003 by the Junior Achievement of North Louisiana.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport and all its citizens publicly recognize and thank Dr. Vincent J. Marsala for his dedication to Louisiana State University in Shreveport and to higher education in this state; his many contributions to local government and his many other contributions to education, business, philanthropic, and social organizations in this City and this community.

BE IT FURTHER RESOLVED, that this resolution shall be executed in duplicate originals with one original presented to Dr. Vincent J. Marsala 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 Green, seconded by Councilman Carmody passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Dr. Marsala: This is indeed a personal honor for me and for the University, LSU in Shreveport. In 1967 or rather '66, my wife and I made a concerted decision to move to Shreveport, Louisiana. We were very familiar with this community, having lived in Monroe and visited Shreveport many times. And, I'll never forget in '67 I was due either to go to Auburn University to teach or Washington State and the President of LSU called me over at that time, John Hunter and said, we are opening a new campus at Shreveport and we need you to go there. And without a moment's hesitation--but, I did consult with wife, we made a decision to turn down other offers and come to Shreveport to start a new venture.

I must say after those many years since '67 we have never regretted that decision. We know Shreveport has problems like all communities, but this indeed is a great community and there are great people serving this community and trying to make it a better place to live.

And, personally, I want to thank each of you for serving in public service. I know how difficult it is at time for you to make a decision to stand for public office and many time citizens, do not appreciate that ut I am here to tell you it is important service that you do. The Mayor, I thank you for your service and Ken and all of you and thank you for this (inaudible) honor that you've given me today.

Councilman Green: Doc, when you left the Commission and went to LSU, I wondered what was going on but, after you've been there, I discovered that God always has a reason and a season. An, I would just like to say, congratulations and keep up the good work.

Dr. Marsala: Thank you.

Councilman Gibson: Dr. Marsala it is an honor and a privilege to always be here to recognize those leaders and you are truly a leader in the community. I'm pleased to have LSU-S right in the

middle of my district. Obviously we are hoping that through your growing pains that you are going through out there, that we can do some additional things to help you on some street lights out in front of LSU-S in terms of Youree Drive, we are getting to that. But I do appreciate your leadership not only in the educational community but obviously you are very active in a lot of different civic groups providing expertise and it has been a pleasure to work side-by-side with you on a number of endeavors and look forward to a lot more future endeavors with you.

Councilman Carmody: Dr. Marsala, very quickly Sir, thank you for your public service. And if you don't mind me saying so, having gotten my diploma from Baton Rouge, but having gotten some credits through LSU, it is certainly my opinion that ya'll are the flagship of the LSU system in that my experience was is that when you attend classes in Shreveport, it is a very serious matter. And that if you don't take it that way it will certainly be reflected in your grade.

But I want to again, to thank you Sir because I think all of us understand the commitment one makes when they undertake public service but the significant impact that you made on this community is certainly appreciated. Thank you, Sir.

Councilman Walford: Dr. Marsala, I didn't attend LSU-S, but as you know, I have some pretty close ties with my wife being a professor there, but I want to congratulate you as well because I know what the institution is like and your leadership and I thank you for it.

Councilman Green: Mr. Strong had a comment/statement he wanted to make. I don't know if he want to make it at this time or not.

Dr. Marsala: I think not.

RESOLUTION NO. 47 OF 2004

A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES AND CHAPTER 106 RELATIVE TO ZONING FOR PROPERTY LOCATED AT 6425 YOUREE DRIVE FOR MAY 6, 2004 AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN THOMAS CARMODY

WHEREAS, United Title of Louisiana intends to host its 4th Annual Crawfish Boil on May 6, 2004; and

WHEREAS, this business desires to dispense, and allow the consumption of beer at this event in the circular driveway and the green area around the lake at Bellemead Centre, 6425 Youree Drive, between the hours of 5:00 p.m. - 8:00 p.m.; and

WHEREAS, Section 10-80(a) makes it unlawful for any person to dispense of alcoholic beverages, except within those sections of the city wherein such sale is permitted by the applicable zoning ordinance; and

WHEREAS, Section 10-190(a) profits consumption of alcoholic beverages on the parking lot of a business or on other property of a business where said property is open to the public; and

WHEREAS, Section 106-130(6) provides that unless otherwise excepted, all uses shall be operated entirely within a completely enclosed structure.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened Section 10-80(a), 10-190(a) and 106-130(6) are hereby suspended on May 6, 2004 from 5:00 p.m. to 8:00 p.m. to the extent necessary to allow the dispensing and consumption of beer at the Untied Title of Louisiana's 4th Annual Crawfish Boil, in the circular driveway and the green area around the lake at Bellemead Centre, 6425 Youree.

Lot 11, University Place, 6th Filing
Municipal Address: 140 East Boulevard Street
Council District "B"

Geographic Number 171306-084-001100

Lot 15, Oaklane Subdivision
Municipal Address: 5704 Prentiss Street
Council District "F"

Geographic Number 171415-066-001500

Lot 1036, Cedar Grove Addition
Municipal Address: 240 East 74th Street
Council District "C"

Geographic Number 171425-083-103600

Lot 633, Jones-Mabry Subdivision
Municipal Address: 20351 None
Council District "A"

Geographic Number 181417-029-063300

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

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

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

RESOLUTION NO. 51 OF 2004

A RESOLUTION TO COMMEND THE NORWELA COUNCIL, INC., BOY SCOUTS OF AMERICA, SCOUTREACH PROGRAM AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY: COUNCILMAN JACKSON

WHEREAS, the Norwela Council, Inc., Boy Scouts of America, Scoutreach Program's mission is to recruit strong adult leaders and to develop solid relationships with chartered organizations in urban and rural communities to ensure that culturally diverse youth have the opportunity to join the scouting program; and

WHEREAS, the Norwela Council, Inc., Boy Scouts of America, Scoutreach Program consist of the following: planned meetings that help youth with character education, building self-esteem, and making positive ethics choices; performing community service hours; child abuse awareness, and providing outdoor and camping opportunities for youth to gain self-reliance, a can-do attitude, and to experience the outdoors; and

WHEREAS, in 2002 the Norwela Council, Inc., Boy Scouts of America, Scoutreach Program served 1,338 at risk youth that would not have been able to participate in the Scout Program, with over 1,300 scouts accumulating 3,000 community service hours; and

WHEREAS, the Norwela Council, Inc., Boy Scouts of America, Scoutreach Program goal is to provide new skills gained through avocation and participation, enhanced outdoor activity, improved physical fitness, increased community pride, and positive team building.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport in due, regular and legal session convened, that the City of Shreveport and all its citizens publicly commend the Norwela Council, Inc., Boy Scouts of America, Scoutreach Program for recruiting strong adult leaders to ensure that culturally diverse youth have the opportunity to join the scouting program, and to receive the many benefits that the scouting program provides.

BE IT FURTHER RESOLVED, that this resolution shall be executed in duplicate originals with one original presented to the Norwela Council, Inc. Boy Scouts of America 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 Jackson, seconded by Councilman Gibson passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

Councilman Jackson: Today present, I know we have Mr. Darryl Morgan who is with the Norwela Council Boy Scouts, Mr. John Washington, Dr. Holt, Mr. Roy Griggs and Ms. Nelva Griggs. I see Dr. Voohries as well who is part of the Scoutreach effort (and am I forgetting anybody). Would you all come forward please. I would like to ask if you would, you all come forward that we might present this resolution to them for the work that they are doing.

Mr. Chairman, I think that it is a considerable work. I've had the privilege and I would also add, the pleasure, some years ago of being involved, Mr. Washington and others. A lot of the faces have changed, but fortunately, they've been some great positive additions to what we've began doing some years ago and certainly proud to see what is not only happening, but is continued to happen to sustain urban scouting in Shreveport.

Just on last week, a think a week ago today, we recognized individuals at the Whitney Young Awards Banquet and so just as a commendation for the continued efforts of all of you and others who are at this point, nameless, but certainly not forgotten, people who are doing the work to make the community better by the investment you are making in the boys of our community who otherwise would not be served.

You have, not only my commendation but with the vote of 7-0, the commendation of this entire Council. So, please allow me to say *thank you* for what you are doing and keep up the good work.

Mr. John Washington: I'm please to accept this recognition on behalf of the Scoutreach Committee and also on behalf of the persons that you see here. There are a lot of persons who were not able to be here, who volunteer with us and so accept this on behalf of all of them. This recognition of course, will serve as a reminder to recognition.

If I could just make a comment about each of the persons that you saw here. I consider Dr. Holt, the Dean of our group even though I serve as Chair. Dr. Holt has been a long time volunteer with the scouting program.

Mr. and Mrs. Roy Griggs have gotten a great deal of support for us in trying to assist us in providing these opportunities for youngsters through the Scouting Program. You might also be aware that we work with the Sheriff and with the Sheriff's Camp. And we also have members of the Shreveport Police Department who volunteer their time with the Scouting

program, particularly the person that comes to mind is Lieutenant Delaney; spends a great deal of time with us. So we are thankful to you for recognizing us and the work that we've tried to do and we hope to continue that and this is to serve as a constant reminder for us to do that.

RESOLUTION NO. 52 OF 2004

A RESOLUTION MAKING APPLICATION TO THE STATE BOND COMMISSION FOR CONSENT AND AUTHORITY TO ISSUE, SELL AND DELIVER NOT EXCEEDING \$40,000,000, OF WATER AND SEWER REVENUE REFUNDING BONDS, SERIES 2003 AND SERIES 2004, OF THE CITY OF SHREVEPORT, STATE OF LOUISIANA, ALL IN THE MANNER PROVIDED FOR BY CHAPTER 14-A OF TITLE 39 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED, AND OTHER CONSTITUTIONAL AND STATUTORY AUTHORITY SUPPLEMENTAL THERETO AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Council"), acting as the governing authority of the City of Shreveport, State of Louisiana, that:

SECTION 1. Application be and the same is hereby formally made to the State Bond Commission for consent and authority for the City of Shreveport, State of Louisiana (the "Issuer"), to issue, sell and deliver not exceeding \$40,000,000 of Water and Sewer Revenue Refunding Bonds, Series 2003 and Series 2004 of the Issuer (the "Bonds"), to bear interest at a rate or rates not exceeding five percent (5%) per annum, to mature no later than December 1, 2020, to be sold at par or a discount not exceeding 4% thereof, all in the manner provided for by Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto, for the purpose of refunding all or part of the Issuer's outstanding (i) \$25,000,000 Sewer Revenue Bonds, Series 2002, (ii) \$13,000,000 Water and Sewer Revenue Bonds, Series 2002B (iii) \$16,000,000 Water and Sewer Revenue Bonds, Series 2003A, (iv) \$6,000,000 Water and Sewer Revenue Bonds, Series 2003B and (v) \$16,000,000 Water and Sewer Revenue Bonds, Series 2004A (collectively, the "Refunded Bonds") and paying the costs of issuance of the Bonds, which Bonds shall be secured by and payable from a pledge and dedication of revenues derived from the operation of the Issuer's combined water and sewer system.

SECTION 2. A certified copy of this resolution shall be forwarded to said State Bond Commission by the Issuer's bond counsel, together with a letter requesting the prompt consideration and approval of this application.

SECTION 3. This Council finds and determines that a real necessity exists for the employment of special Bond Counsel in connection with the issuance of the Bonds, and accordingly, Casten & Pearce, A.P.L.C. is hereby appointed as Bond Counsel to the Issuer, and requested to do and perform comprehensive legal and coordinate professional work as Bond Counsel with respect to the issuance and sale of the Bonds. The fee of Bond Counsel in connection with the issuance of the Bonds shall be fixed by subsequent resolution.

SECTION 4. Stephens, Inc., of Baton Rouge, Louisiana, is hereby appointed as investment banker/underwriter in connection with refunding the Refunded Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon the issuance of the Bonds; provided that no compensation shall be due to said investment banker/underwriter unless the Bonds are sold and delivered.

Section 5. King, Bossier, Nosacka & Holley of Baton Rouge, Louisiana is hereby appointed and employed as financial adviser in connection with the Bonds, any compensation to be subsequently approved by the Issuer and to be paid from the proceeds of the Bonds and contingent upon issuance of the Bonds and the Bond Counsel is authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

SECTION 6. The Bond Counsel, the Financial Advisor and the Investment Banker/Underwriter are hereby authorized and directed to prosecute the refunding and the Bond Counsel is authorized and directed to prepare necessary documents appertaining thereto and to present them for further action by this Council.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson.

NAYS: None.

ABSENT: None.

And the resolution was declared adopted, on this, the 9th day of March, 2004.

Read by title and as read motion by Councilman Walford, seconded by Councilman Lester for passage.

Councilman Gibson: For the Administration, in terms of the revenue source for these bond is coming from?

Mr. Dark: Mr. Gibson, this is refunding prior issues. The only difference between this one and one ya'll passed earlier this year is they have actually added a couple of bond sales into amounts being refunded. These are refunds of existing water and sewer bonds that are being paid for by water and sewer revenue.

Councilman Carmody: Refinancing.

Mr. Dark: Refinancing not refunds.

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

Mayor Hightower: They technically are refunding not refund.

Councilman Carmody: Refinancing or refunding?

Mayor Hightower: Refunding, refinancing means the same thing. Funding it from another pool at a lower interest rate.

Councilman Carmody: Thank you Sir for that clarification but it is not a refund.

Councilman Gibson: No, I didn't interpret that. But refinancing was what I was looking for.

Mayor Hightower: Lower interest rate.

Councilman Carmody: Thank you Sir for that clarification.

INTRODUCTION OF RESOLUTIONS:

1. Resolution No. 49 of 2004: A resolution authorizing the donation of a Fire Department air supply truck to Caddo Parish Fire District Number 5 and otherwise providing with respect thereto.
2. Resolution No. 50 of 2004: A resolution authorizing the donation of a Fire Department air supply truck to Caddo Parish Fire District Number 6 and otherwise providing with respect thereto.

Read by title and as read motion by Councilman Green, seconded by Councilman Gibson to Introduce Resolutions 49 and 50 to lay over until the March 23, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

3. Resolution No. 53 of 2004: A resolution authorizing the Mayor to accept a grant on behalf of U.S. Support Company and to otherwise provide with respect thereto.
4. Resolution No. 54 of 2004: A resolution authorizing the Mayor to execute documents necessary to purchase immovable property pursuant to the Louisiana Economic Development Grant Program award to U. S. Support Company and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Gibson to Introduce Resolutions 53 and 54 of 2004 to lay over until the March 23, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

5. Resolution No. 55 of 2004: A resolution authorizing the Mayor to execute a lease agreement with U.S. Support Company and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Carmody, seconded by Councilman Gibson to Introduce Resolution 55 of 2004 to lay over until the April 13, 2004 meeting. Motion passed by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan, Green and Jackson. 7. Nays: None.

INTRODUCTION OF ORDINANCES:

1. Ordinance No. 21 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on David Raines Road at its intersection with Round Grove, Shreveport, Caddo Parish, Louisiana, from B-3, Community Business District to R-3, Urban, Multiple-Family Residence District, and to otherwise provide with respect.
2. Ordinance No. 22 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on southwest corner of Dalton and Forbing, Shreveport, Caddo Parish, Louisiana, from R-1, Urban, One-Family Residence District to B-2A, Business Park District, and to otherwise provide with respect.

3. Ordinance No. 23 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the west side of E. Bert Kouns 150 feet north of Brook Hollow, Shreveport, Caddo Parish, Louisiana, from B-3, Community Business District to B-3-E, Community Business Extended Use District limited to “an animal hospital with seven indoor/outdoor kennel spaces” only and to otherwise provide with respect.
4. Ordinance No. 24 of 2004: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on the west side of Kingston Road, 350 feet south of Francais Drive, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District to B-2-E, Neighborhood Business Extended Use District “limited to a plumbing shop” only and to otherwise provide with respect.
5. Ordinance No. 25 of 2004: An ordinance amending the 2004 Capital Improvements Budget and otherwise providing with respect thereto.
6. Ordinance No. 26 of 2004: An ordinance amending the 2004 General Fund Budget and otherwise providing with respect thereto
7. Ordinance No. 27 of 2004: An ordinance authorizing a servitude and an encroachment on portion of C. Bickham Dickson Park to AEP SWEPCO; authorizing the Mayor to execute all documents relative thereto; and to otherwise provide with respect thereto.

Read by title and as read motion by Councilman Green, seconded by Councilman Gibson to Introduce Ordinance Nos. 21 through 27 of 2004 to lay over until the March 23, 2004 meeting.

Councilman Lester: Would someone from the Administration, before next council meeting can talk to me about the Program C, Street Improvements decreasing Fant Extension and appropriations for East 84th Street paving, I'd appreciate that.

Mayor Hightower: Councilman, I believe what happened there is we finished the project on Fant Parkway Extension in your district and there was money left over and it was appropriated to 84th.

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

ORDINANCES ON SECOND READING AND FINAL PASSAGE:

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

2. Ordinance No. 16 of 2004: An ordinance declaring 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 February 24, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Green, seconded by Councilman Lester adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

3. Ordinance No. 20 of 2004: An ordinance amending the 2004 budget for the Police Grants Special Revenue Fund and otherwise providing with respect thereto.

Having passed first reading on February 24, 2004 was read by title and on motion ordered passed to third reading. Read the third time in full and as read motion by Councilman Walford, seconded by Councilman Green adopted by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Hogan Green and Jackson. 7. Nays: None.

The adopted Ordinances follow:

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

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of Lot 1, Jones-Mabry Subd. Unit #2 and Lots 61 & 62 Jones-Mabry Subd., Unit #2, property located on the north side of Russell Road and also on the south side of Martin Luther King Drive 300 feet west of Russell Road, Shreveport, Caddo Parish, Louisiana, be and the same is hereby changed from R-1H, Urban, One-Family Residence District, to R-3, Urban, Multiple-Family Residence District:

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

1. Site development plan shall be submitted to and approved by the Planning Commission prior to the issuance of any permits.

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.

ORDINANCE NO. 16 OF 2004

AN ORDINANCE DECLARING 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.

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 B, Rasco Subdivision, a subdivision in the City of Shreveport, Caddo Parish, Louisiana, as per plat thereof recorded in Book 1400, Page 403, of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1814210-3000-0200) Municipal Address - 1748 Aline Avenue

AMOUNT OFFERED: \$500.00 APPRAISED VALUE: \$1,150.00 DISTRICT A

Property No. 2: Legal Description - A part of Lots 1 & 2 and 3, Block 3, Queensborough Annex Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana as per plat recorded in Book 50, Page 120 of the Conveyance Records of Caddo Parish, Louisiana, and more particularly described as follows, The South 45 feet of Lots 1, 2, and 3, Block 3 of the said Queensborough Annex together with all buildings and improvements located thereon, and

(GEO#1714100-0400-4100) Municipal Address - 2822 Arkansas Avenue

AMOUNT OFFERED: \$2,600.00 APPRAISED VALUE: \$10,000.00 DISTRICT F

Property No. 3: Legal Description - Part of Lot 461, Unit #7 of the Jonbes Mabry Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 450, Page 273 of the Conveyance Records of Caddo Parish, Louisiana, and being more particularly described as the West 5 feet of the North 80 feet of the South 422.28 feet of said Lot 461 Said tract having an area of 400.0 square feet more or less, together with all buildings and improvements located thereon together with all buildings and improvements located thereon

(GEO#1814170-1305-0300) Municipal Address - 1935 David

Raines Rd.

AMOUNT OFFERED: DONATION APPRAISED VALUE: \$8,000.00 DISTRICT A

Property No. 4: Legal Description - Lot 34, Unit #2, Harkey's Southern Hills Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 900, Page 421 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1614090-1400-3400) Municipal Address - 9459 Normandie

Drive

AMOUNT OFFERED: \$5,400.00 APPRAISED VALUE: \$36,000.00 DISTRICT E

Property No. 5: Legal Description - Lot 1, Block 11, Lonoke Subdivision, a subdivision of the City of Shreveport, Caddo Parish, Louisiana, as per plat recorded in Book 150, Page 16 of the Conveyance Records of Caddo Parish, Louisiana, together with all buildings and improvements located thereon.

(GEO#1714150-2900-0100) Municipal Address - 3001 Woodford

Street

AMOUNT OFFERED: \$400.00 APPRAISED VALUE: \$1,400.00 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.

ORDINANCE NO. 20 OF 2004

AN ORDINANCE AMENDING THE 2004 BUDGET FOR THE POLICE GRANTS SPECIAL REVENUE FUND AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

WHEREAS, the City Council finds it desirable to amend the 2004 budget for the Police Grants Special Revenue Fund, to appropriate additional funds and for other purposes.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in legal session convened, that Ordinance No. 169 of 2003, the 2004 budget for the Police Grants Special Revenue Fund, be amended and re-enacted as follows:

In Section 1 (Estimated Receipts):

2003 and Prior-Year Receipts:

Appropriate \$14,700 from Prior-Year Weed and Seed Queensborough grants.

Appropriate \$19,000 from Prior-Year Weed and Seed Highland grants.

In Section 2 (Appropriations):

From 2003 and Prior-Years Revenues:

From Prior-Year Weed and Seed Queensborough grants, appropriate \$4,800 to Personal Services, \$5,900 to Materials and Supplies and \$4,000 to Contractual Services.

From Prior-Year Weed and Seed Highland grants, appropriate \$16,400 to Personal Services and \$2,600 to Materials and Supplies.

Adjust totals and subtotals accordingly.

BE IT FURTHER ORDAINED that the remainder of Ordinance No. 169 of 2003 shall remain unchanged and in full force and effect.

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

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

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. 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. ABO Card appeal: Kevin Coffin.
2. SOB Employee Card appeal: Kevin Coffin.

Mr. Thompson: Mr. Coffin was notified of the meeting yesterday. I spoke to him on the phone this morning and he said he worked late and he did not wake up in time to get to the meeting, but I think that he is here today.

Councilman Carmody: Very good. He is here today.

Corporal Collins: Mr. Coffin applied for both his ABO and SOB card. He is (inaudible) and he had a misdemeanor conviction, possession of marijuana in February 2004. Normally the Police Department would issue a site-specific card for an ABO card and allow him to work, but the SOB Ordinance does not allow for a site-specific card and it prohibits that kind of violation within the last 2 years. So it would not have done any good to try to issue him a site-specific card since he could not work at that business without an SOB card. In this case, it just prohibits it through the SOB Ordinance, so that is why we denied it.

Mr. Coffin: I was just going to ask you, to let me keep these. I really need them for the job that I have; that's about it.

Councilman Lester: Corporal Collins, what was the nature of the violation?

Corporal Collins: It was a misdemeanor or actually a possession of marijuana, second offense and he was convicted on simple possession.

Councilman Lester: Was this a felony or. . .

Corporal Collins: Misdemeanor conviction. The first one he had received a Diversion Program and he was arrested on the second one.

Councilman Lester: So he pled guilty to possession to marijuana, second offense.

Corporal Collins: First offense.

Councilman Lester: But it was, technically, his second offense.

Corporal Collins: He was arrested on a felony.

Councilman Lester: And what was the date of that charge?

Corporal Collins: February 2004 is when he actually got convicted of it. I want to verify that and make sure it was 2004. Yes.

Councilman Lester: And was that in Shreveport City Court or Caddo District Court?

Corporal Collins: That is going to be in Caddo.

Councilman Lester: Is he currently on any type of probation or anything of that nature, that you know of, Corporal.

Corporal Collins: Not that I am not aware of.

Councilman Carmody: Mr. Coffin, can you answer that question for Mr. Lester.

Mr. Coffin: I've 3 months unsupervised.

Councilman Carmody: Three months unsupervised probation.

Councilman Lester: Starting in February?

Mr. Coffin: Sir?

Councilman Lester: You were given 3 months unsupervised probation.

Mr. Coffin: Yes, Sir, I believe it was February. I started like (inaudible) court fees in like March 25th.

Corporal Collins: If I could bring up one point. Just because the SOB Ordinance is different than the ABO Ordinance and basically, I'm not trying to, basically the rules for the SOB denial are appealed is that the City Council only looks to see if there is an actual appeal there as in if there was an infraction and whether the Police Department was correct in

denying it or not correct. There is no provisions in the ordinance for any kind of site-specific and it specific says in there that the City Council can not override the ordinance.

Councilman Carmody: We are allowed to issue site-specific ABO cards, correct?

Corporal Collin: Yes.

Councilman Carmody: But we are not allowed to issue site-specific SOB's?

Corporal Collins: Lester: That's correct.

Councilman Carmody: If we were here on a simple ABO, would the Police Department be looking for or advise us that a site-specific a ABO would be the correct way to go?

Corporal Collins: The Police Department would have offered a site-specific on this charge.

Councilman Green: Mr. Coffin, if in fact we not give you the right to have your card today, then that would actually put you out of work?

Mr. Coffin: Yes, Sir. I have to have the SOB, not necessarily the ABO, but I have to have it to work. I work in Deja Vu, right down the street. I mean, I just got the job. They knew that I was going to be able to get it as long as I got a misdemeanor charge in court; so I had to wait to get it and then I went and got my SOB. I lost my wallet recently too, so I had to go get a new social security card—I'm just trying to keep them..

Councilman Green: So, you wouldn't have a place to work if we didn't. . .

Mr. Coffin: No, I would have to go find another job.

Councilman Jackson: I guess more for Corporal Collins and I apologize perhaps, at the risk of being redundant let me just ask, it sounded as if what I think, one of my colleagues asked was if this in fact were apples to apples, ABO, SOB that you would have issued, in an ABO scenario you would have issued a site-specific because it was a misdemeanor, the Police would have said, well lets issue a site-specific card.

Corporal Collins: Correct.

Councilman Jackson: But because the ordinance and the language in the ordinance of the SOB Ordinance does not have a provision for site-specific cards, it leads the Police with only this option. Is that correct?

Corporal Collins: That's correct.

Councilman Green: I really hate to put folk out of a job. I think, to me if it was a felony charge maybe I could look at it different or if he had another job to go to. But if there are not more questions or comments, I would like to make a motion that he keep his card and keep his job and that would be my motion.

Motion by Councilman Green to a grant the card, seconded by Councilman Lester.

Councilman Carmody: Motion by Councilman Green, seconded by Councilman Lester to allow Kevin Coffin a site-specific ABO card for Deja Vu, is that correct, Sir?

Councilman Green: Yeah, whatever it takes to keep him working so he has the ABO and SOB card (inaudible).

Councilman Carmody: He would need both of them.

Councilman Green: One of them can be site-specific, but the other one, just have the card.

Councilman Carmody: That is my understanding as well. Again, Sir so that I'm clear on this. The Council can issue this gentleman an ABO card, site specific for any location within the City.

Corporal Collins: Correct.

Councilman Carmody: But can we issue him an SOB Card?

Corporal Collins: I am going to read directly out of that ordinance. [Section] 72-5: *The only issue on the appeal shall be whether the applicant meets the criteria for issuance of the license or card in question; the city council shall not have the authority to waive any of the requirements for the license or card in question.*

Councilman Green: Then if we don't have the right to do this, then why is it before us?

Corporal Collins: Basically, my understanding is, basically to see if the Police Department was correct in denying him. For instance, if the LATCH Report, what it said that he was convicted and he actually wasn't convicted, then you have the authority to turn over on that part but if he was actually convicted, according to this, you don't have the authority to turn it over.

Councilman Carmody: Councilman Green, does that answer your question, Sir?

Councilman Green: Not really.

Councilman Lester: What section are you reading from?

Corporal Collin: 72-5 (e) *Appeal from notice of intent to deny.*

Councilman Green: How do you fix that?

Ms. Glass: I'm sorry the Clerk and I were conferring, is the question whether the Council has the discretion to grant the SOB card in spite of the fact that the ordinance specifically said that ya'll not have that power.

I believe that, due to the fact that the ordinance specifically says that, I don't think that you could override that simple by this motion. You could amend the ordinance or do something by ordinance to change that, but with this motion (this has not come up before) but it appears to me without looking at it in more depth, that the ordinance would prevail over a motion.

Councilman Green: In light of what she has just said and in light of what's before us. . .

Councilman Lester: We can do a temporary.

Councilman Green: What I was going to do was say, lets do a temporary until we get all of this straightened out.

Councilman Lester: The Code as I appreciate it, provides for that.

Councilman Walford: Basically, I'm reading the ordinance here and if the Council has not acted, as I read it and I'm going to ask Mr. Lester if he needs to jump in with me here, as long as we don't act, he's got a temporary card; is that correct, Corporal Collins?

Corporal Collins: Inaudible.

Councilman Walford: Until we take action, he has got his temporary card, so if we deferred for two weeks to research this and have the City Attorney look at our options, he would continue with his card and his employment. Is that correct?

Corporal Collins: We would issue another temporary card until. . . .

Councilman Walford: But the ordinance does allow him to have that temporary card until we act.

Corporal Collins: Yes, Sir.

Councilman Walford: With that in mind. . . .

Councilman Green: I withdraw.

Motion by Councilman Walford to postpone the appeal, seconded by Councilman Lester.

Councilman Jackson: I just think that while this may in fact be the most expeditious action for this case, I do think that this Council certainly needs to look at this ordinance because it puts us, in my position, in a very vicarious position because we are asked to look at something that we don't have the authority to do anything about.

And so to, only come to listen to the Police and for the Police, I think to weigh in on whether or not the Police made the right decision based on some things that we don't necessarily have all of the knowledge on to be able to say, it was the right action or the wrong action, not with any degree of accuracy or without any degree of integrity, let me say.

So, I just think that we have to look this may present an opportunity for us to fix something that may not be okay in this ordinance.

And so Mr. Chairman I just wanted to make a note for the record that, there is still some work, obviously this Council needs to do even in the interim before we entertain a specific action with regard to Mr. Coffin.

Councilman Lester: And I would echo what Councilman Jackson said and I think as this Council will recall, when we put this ordinance together, Councilman Walford chaired that committee and one of the things that we said was, this was in fact a work in progress that as new things came up, we would deal with the statute at that time because there were a number of scenarios that we threw and we bantered about—what if, what if, what if. Well, now, one of those what ifs has come to fruition.

And I think it would be judicious of us to postpone this action and then in the interim come back and re-visit that statute to close that loophole because as a Councilman, I certainly would not want to be in a situation where we have no ability to exercise our discretion for any statute that we have, in fact, enacted. I don't think that puts us in a good position, saying nothing about what the Police Department's position is because we equip them and they are doing their job in terms of what the statute does provide but I do think that we need to re-visit this issue because we do need to at least have that discretion to make an action as opposed to just having our hands locked. And again that is no dispersions on the Police Department or Corporal Collins and the work that they are doing.

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

Councilman Carmody: Mr. Coffin, please be careful, Sir.

Mr. Coffin: Oh, yeah. I'm trying.

Councilman Carmody: I understand unsupervised probation kind of puts the onerous on you to be responsible for yourself.

Mr. Thompson: Mr. Chairman, would you notify him to be back on the 22nd of March so that we won't have to re- . . .

Councilman Carmody: Yes. Please make a note of that, on the 22nd of March the Council, will take back up consideration of the issuance of your ABO card as well as the SOB card.

Councilman Green: My question, what church do you attend?

Mr. Coffin: I don't attend a church, but I am very religious.

Councilman Green: Would you see Councilman Hogan. He is going out of the door now. Get his number and I'd just like to invite you to his church. I would invite you to mine but he is right down the street from where you live, but as soon as they move from over there, then I'll invite you to mind if you hadn't joined their's yet.

Councilman Jackson: I just want to say in all seriousness, Kevin, I don't want the action of this Council and certainly what might be perceived as the compassion of this Council as Mr. Green, so expressed in his motion, previous, to be mistaken as endorsement of that kind of behavior. Obviously, as a citizens there are privileges and right and with every one of those rights comes responsibilities and it is not this Council's role in my opinion or responsibility to try to make up for any mistakes that individuals make who have rights. And so, even as we deliberate in the interim, I think there is some very serious considerations that you, as an individual need to make, particular at this age and juncture in your life with regard to your future.

Mr. Coffin: I understand that.

Councilman Carmody: But please make sure that you reconvene with us at 3:00 on the 22nd, that's a Monday. That is correct, Mr. Thompson, the 22nd?

Mr. Thompson: That is correct.

Mr. Coffin: Of March?

Councilman Carmody: Of March, yes.

Councilman Green: And the church is Summer Grove Baptist Church.

Mr. Coffin: Okay, I was raised Baptist; I appreciate that.

Councilman Carmody: We'll see you in two weeks.

3. BAC-7-04, *Melissa Fussell*, 346 Sadie Douglas Lane, Special Exception Use in an R-1D District, expanded home occupation (Creative memories parties, meetings, workshops) to 12 midnight. (D/Gibson) (*Postponed on Feb. 24*)

Councilman Gibson: I ask for two more weeks and I'll will assure you—I have two signatures that are on a document that we have facilitated between the two parties. I have one signature, I don't have the other signature and that was because I was out of town but you will have copies of that along with Mr. Kirkland, who has a draft copy but we don't have the official signatures, but we do have a resolution between these two parties to move this issue to a vote and get it off our document.

Motion by Councilman Gibson, seconded by Councilman Jackson to postpone the application until the March 23, 2004 meeting. Motion approved by the following vote: Ayes: Councilman Lester, Walford, Carmody, Gibson, Green and Jackson. 6. Nays: None. Out of Chamber: Councilman Hogan. 1.

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES. None.
Parking Oversight Committee.

Councilman Walford: The Parking Oversight Committee hasn't done anything, Sir, but if you appoint me some members we'll do something.

Councilman Carmody: I'll be happy to do so. As I mentioned to you, I certainly thought that this was something that we can do that is a pro-active measure on the part of the Council to monitor the parking situation. You have been gracious in that you have volunteered yourself to be the Chairman. The Chairman of the Council has been amiss in that he has not communicated with any other member to try to get you some service.

Councilman Walford: Just prodding you a little bit.

Councilman Carmody: I appreciate that. If there is any member that would like to serve.

Councilman Jackson: Can you refresh my memory of what the Parking Oversight Committee is all about.

Councilman Carmody: Councilman Walford had asked that the Chair establish a committee to monitor the progress of the Downtown Development Authority's implementation of parking ticket collections as well as the booting of cars for those that are perpetual violators of the parking without paying downtown.

Councilman Jackson: And as a Council, did we vote to do that or did we?

Councilman Carmody: The Chairman actually has the discretion to establish a committee, but it is incumbent upon the Chairman to also to find at least two other members of this body that would serve along with the Chairman.

Councilman Jackson: I think I understand what Councilman Walford certainly seeks to do and I think it is commendable, however I wonder if we could in the same service or the same end could not be served if in fact we simple got a report on a regular basis from the Downtown Development Authority with regards to that same information because I think one of the things that we introduced and one of the things that we voted on some time back was these hearing officers, who on a regular basis heard these cases and got information and made sure that people who were responsible was suppose to pay those particular fines.

And, I guess, I'm viewing it personally now, I guess perhaps as maybe redundant or to some degree, I know that it serves this Council's specific to be an Oversight Committee but I guess if in fact what we are looking for is just a monitored amount, I don't know how often this committee would meet or if we would just monitoring the progress then I don't know what the issue is with an ad hoc committee who would oversee what is going to be a part of standard procedure, as I appreciate it for the DDA—maybe you could speak to that.

Councilman Walford: You are correct that we did appoint the hearing officer to facilitate the booting and the collections and really this committee will go well beyond that.

The revenues that come from the parking and the collections that the DDA is doing for us going into a Parking Enterprise Fund and we are going to invest in more downtown and possible riverfront parking. DDA contracted for a parking study that we as a Council funded and I would just would have to tell you that I was very disappointed in what came out of that study. We didn't get anything out of the study. The parameter that were set were totally out of kilter so we spent \$34,000 of our money on a study and we are no closer to building any parking.

We are still collecting the revenue and it is going into the fund, but I think it is time that we look very seriously at where we want to put more city-owned parking and I don't think we need to defer that decision to the DDA. I think that we need to participate with them and look at where we

want to invest our City money in downtown parking whether it be on the riverfront, whether it be in the Center Business District, whether we want to do several lots, one garage and that is why I think it would be most beneficial if we had the Council looking on it and I think if we had helped set the perimeters that were in the study, we would be a lot closer to having some parking solutions.

And so, I certainly, we do get a report as you know on the what's been collected and that certainly is something that we would want to look at primarily in terms of, okay, what's our bonding capability going to be, what can we expect to pay, annually. But I just feel like where we are going to invest City funds in City owned parking would be better served if we had a committee from this Council participating with the DDA and some of the downtown folks in deciding what we are going to do and then bring it to the complete Council. But it would be redundant, yes if we were only looking at the collections. I am looking at the collections in terms of how much can they pay for the parking we'd like to do.

Councilman Jackson: I think that better explains the need for the Committee because on the initial definition it just seemed like we were looking at revenue. What we are really looking at is parking, whether it be geography or feasibility in these different places, then I certainly understand.

Councilman Walford: You would be welcome to join me on the committee if you wanted to, you work downtown.

Councilman Green: I was simply going to volunteer for the Committee.

Councilman Walford: Thank you, thank you.

Councilman Carmody: Very good, Sir. Very good. That gives you one member.

Councilman Walford: We now have a committee of two.

Councilman Carmody: A committee of two. And I won't put anybody else on the spot but I will certainly communicate with the other Council members to fill that third.

Councilman Green: I got a cousin that would like to serve on there, if nobody else.

Councilman Carmody: Alright Sir, I'll take that under advisement; thank you very much.

CLERK'S REPORT: Letter of Appeal: BAC-20-04, *Enterprise Property Grocery, Inc.*, 7731 Linwood Ave., Special Exception Use and variance in the hours of operation in a B-2 District; packaged liquor store operating until 12 midnight. (F/Green)

Councilman Green: Would it be okay, in order if I ask Mr. Kirkland to give me just a brief (inaudible). Would you kind of just brief as to what brought us to this point?

Mr. Kirkland: This is a property that has been used for commercial purposes for quite some time in the past. The grocery store type use. Also the neighborhood has experienced significant crime, a lot of the properties have been abandoned. It is somewhat desolate, if you will, in that area and I know you know it well.

The property owner had just recently, prior to our tour, the ZBA, erected a 6 foot chain link fence with razor wire on the top of it and for the first time in my life, I saw razor wire also attached to the top of a building—if that tells you anything about, apparently some of the folks in the neighborhood or from out of that area that want to go in and break-in or whatever. There was no opposition, but then we don't expect any when you see a neighborhood in that state of decline and frankly, I think the Board made its decision more on that as it just didn't appear many times package liquor can bring problems to a neighborhood and that was why, but it was a judgment call by the Board.

Councilman Green: Mr. Clerk, this has to wait until the next meeting?

Mr. Thompson: Yes.

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

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

s/Thomas C. Carmody, Jr., Chairman

s/Arthur G. Thompson, Clerk of Council