

Council Proceedings of the City of Shreveport, Louisiana
August 9, 2005

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman Green at 3:04 p.m., Tuesday, August 9, 2005, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Walford.

The Pledge of Allegiance was led by Councilman Gibson.

Councilman Green: Thank you very kindly. Again, we'd like to say good evening, and welcome to the City Council Meeting today. If you in fact have cell phones, would you be kind enough to turn them off or put them on silent. Madam Clerk would you be kind enough to call the roll please?

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson (Arrived at 3:06 p.m.). 6. Absent: Councilman Hogan. 1.

Motion by Councilman Gibson, seconded by Councilman Carmody to approve the minutes of the Administrative Conference, August 8, 2005 and Council Meeting, Tuesday, August 9, 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson (Arrived at 3:06 p.m.). 6. Nays: None. Absent: Councilman Hogan. 1.

Councilman Green: I'd like to just say for those of Councilman Jeff Hogan's constituents, he's out of town on business today.

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

Councilman Green: Mr. Mayor?

Mayor Hightower: Nothing today Mr. Chairman.

1. **Resolution No. 136 of 2005**: A resolution to welcome the Louisiana Municipal Association Members to the City of Shreveport for the 68th Annual Louisiana Municipal Association Convention and to otherwise provide with respect thereto.

Read by title and as read, motion by Councilman Jackson, seconded by Councilman Gibson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

Reports:

Convention Center and Convention Center Hotel

Councilman Green: Convention Center and Convention Center Hotel that was given out yesterday. Any questions?

Councilman Gibson: Thank you Mr. Chair. This is for the Administration regarding the Hotel and also the Convention Center. I would strongly urge the Administration to bring both the Walton Construction and the Yates Construction together to sit down and talk about scheduling of work out there. I know we have a fast track of scheduled work. It looks like it's 14 months, but because of the tight confines out there, there seems to be from what I'm hearing from the construction industry some issues, and I would strongly urge the Mayor pull a meeting together to find out where some of the communication issues are going on.

Mr. Antee: Mr. Chairman? Thanks Mr. Gibson, we did that three weeks ago and we got everybody on the same page.

Councilman Gibson: Well Mr. Antee, you're way out of line, because first of all, there are still major problems out there, but then again, I know you're an engineer and an architect and a contractor rolled into one. Thank you Mr. Chair.

Mr. Antee: Have you been to the site Mr. Gibson? I noticed you weren't at the groundbreaking and we had Yates and Walton folks there arm in arm.

Councilman Gibson: Thank you Mr. Chair.

Property Standards Report

Councilman Green: Are there any questions?

Councilman Lester: Is someone - - - is Mr. Bowie?

Councilman Green: Ms. Moore is here.

Councilman Lester: Good afternoon Ms. Moore.

Ms. Moore: Good afternoon.

Councilman Lester: I have three issues and I'll talk with you more at length about them after the meeting and get with Mr. Bowie. The first one concerns some problems at the residence of the school park neighborhood are having with a - - - I guess someone is going to be one of the first people that's going to be caught up in our slum lord tenant situation? It deals with Wyoming Circle, the 2400 block of Wyoming. The other issue I have is with the 2700 block of Linear and Hersey D. Wilson, and finally, and Mr. Bowie and everybody knows about this one. The 1800 block of Garden Street. I think it's 1824. There is a house that was damaged in the tornado. The grass is growing up. As I appreciate it from talking with Mr. Bowie, we're proceeding with tearing the house down, but the grass is very high. And they've got snakes coming out of there. And I'm not going to be able to go to church next Sunday, if somebody does not cut that grass. And I sure would like to go to church Sunday. Thank you.

Councilman Walford: Ms. Moore, I think you were copied on some emails that were going back and forth today, where there apparently is some misunderstanding or some confusion about somebody reporting property standards violations. So for the benefit of those who are in the audience and those who are watching on TV, no one has to give their identity to make a report of a property standards violation. Is that correct?

Ms. Moore: That's correct and that's certainly not a practice of our department.

Councilman Walford: Okay, and one other thing. A year or so ago, the Council passed a resolution directing the Fire Department to notify Code Enforcement of burned houses. And I seem to be having a run of reports of burned houses where there's not a case opened on. When the Fire Department reports these, is Code Enforcement opening a case on them then?

Ms. Moore: Yes sir. We're going through the due diligence. They are prioritized on a list. However, we still have to make sure that it goes through the insurance process before we can even do anything to them.

Councilman Walford: But we can notify, and start the process that way can't we?

Ms. Moore: Well, we start whatever the process is when the time constraints allow.

Councilman Carmody: Mr. Moore, I know that Mr. Bowie had promised to get some correspondence to me regarding some questions I had asked about some City-owned property and whether or not it was in violation along Fannin Street. Today, as I was coming to the Council Meeting, I was driving there on Common Street and there is a large block south of Caddo, and I guess that'd be north of Fannin? It looks to be overgrown. I don't think that, that is actually City-owned property, but could I ask you to have Code Enforcement look into it, because the grass looks awfully high.

Mr. Moore: It certainly is. We went in and had our grass crew to cut all City-owned property that was in possession of Community Development. It could be some property that we have a financial interest in.

Councilman Carmody: This is actually, because as you come up the hill, as you're traveling toward the river, you'll see the neck block is cut so, I'm assuming that's City property and that maybe this property which is immediately to the west and bordering on Common Street is under private ownership. But if you could please get them to please look into it?

Ms. Moore: We certainly will.

Councilman Carmody: Thank you.

Ms. Moore: You're welcome.

Councilman Green: We'd like to recognize Mr. Frank Williams who is here with us from the DDA.

Public Hearing: None.

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

Confirmations and/or Appointments.

Adding Legislation to the Agenda

Mr. Thompson: We have three Mr. Chairman, I believe they're on your electronic agenda. Would you like for me to read the titles, I can.

Councilman Green: No, we'll just add these.

1. **Resolution No 145 of 2005:** A Resolution authorizing the mayor to execute a cooperative purchasing agreement between the City of Shreveport and the Parish of Caddo, and otherwise providing with respect thereto.

2. **Resolution No. 146 of 2005:** A Resolution authorizing the mayor to execute a cooperative purchasing agreement between the city of Shreveport and the sheriff for Caddo Parish, and otherwise providing with respect thereto
3. **Ordinance No. 123 of 2005:** An Ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on south side of East Flourney-Lucas Road, 1035 Feet east of Acadiana Place, Shreveport, Caddo Parish, Louisiana, from R-A-E, Residential-Agriculture/ Extended Use District, limited to "landscape garden supplies, sales", only, to R-A-E, Residential-Agriculture /Extended Use District, **limited to "an assisted living facility, doctor's office, dental clinic, cafe', physical therapy office, floral shop, boutique, and bookstore", only, and** to otherwise provide with respect thereto.

Motion by Councilman Lester, seconded by Councilman Walford to add Resolutions No. 145 and 146 of 2005 and Ordinance No. 123 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and 6. Nays: None. Absent: Councilman Hogan. 1.

Public Comments (*Agenda Items to be Adopted*)

Ms. Virginia Ware: (P.O. Box 6036, Shreveport, LA) Good evening to the Honorable Mayor Hightower and all our Councilmen. I'm Virginia Ware of the Cedar Grove Affirms Real Effort Community Incorporation. It's C.A.R.E. and it's located in the Cedar Grove area. We've been organized for three years and we are a 5013C and each Councilman has been informed and I'm just here to extend my gratitude on behalf of C.A.R.E. for the approval of usage of Building 500 (inaudible) Avenue over in Cedar Grove the C.A.R.E. housing and usage. We want to assure you that we will do everything that we can to uphold this agreement with the City and to honor each of your approval of our usage of that building. We will do all that we can and I just wanted to say thank you once again.

Mr. Granger Harris: (16460 S. Fulmar Shipwith, Baton Rouge, LA): I'm here today in support of - - - actually I think just to answer a few questions about the re-zoning of the Mid-City Motor Hotel property at Line and Jordon Street that's a little further down on the agenda. But (inaudible), I won't make a long presentation to you today unless you have any questions or if there's any opposition, I'd like the opportunity to respond.

Ms. Nancy Nix: (3300 Fairfield) I am a middle school math teacher, so I have a grave concern for my students, for all students, for children using playgrounds, for children across the street from their school, for the fact that right now, alcoholic beverages and also video gaming can be present and accessible to those children. See in my curriculum, I am charged as a middle school math teacher, to teach my children how to calculate distance. It's on the State testing. It's part of my GLEs. And when I do that, I teach them that a line is determined by two points. I teach them that lines are straight. They do not curve. They do not bend. And that the shortest distance between two lines is the distance we are looking for. Now, I will often have some cute student who thinks it's really adorable to try to prove to me that they could go, not from A to B directly, but from A to D to C, and then to B and tell me that is actually the accurate distance they are measuring. When they have done that on my test, they have failed it. If they were to do

that on the State mandatory testing we have in the Spring, they would indeed fail it. And yet at some place in the past, there has been some cute politician that has decided that is the accurate way to calculate distances between churches, schools, parks and establishments that sell alcoholic beverages. Now I am very grateful to Representative Powell, the Louisiana Legislature, and Governor Blanco have rectified that problem. It is now that they have passed their test. They were not influenced by undue lobbyist, outside influences or what is economically feasible. But they did what was right and good. They also did what was mathematically correct and what the real world calculates as distance. Gentlemen, you now have that opportunity to also pass your test. If the legislature and Governor can pass theirs, and calculate distance “as the crow flies” as is mathematically sound, surely Shreveport can pass its test also.

Mr. Barry Rachal: (no address given) Thank you Mayor, Chair, other Councilmen. I’ve been here before addressing y’all concerning this issue about liquor being sold too close to our schools. And as requested and asked per the last Council Meeting that I spoke at, was there a resolution spoken or given by the School Board. There is a resolution passed by the School Board that is a little bit more stringent than actually the State law has now been put into place and talks about even adjacent to school properties and school facilities. And I’m not going to take my time here, y’all should have gotten one of these. It should have been sent directly to y’all after the resolution was passed. If anybody would like a copy, I have one here and y’all are more than welcomed to read it. I also have another letter here from the Broadmoor Homeowners Association, Broadmoor Neighborhood Association because they were unable to attend where they voted entirely to support Councilman Carmody’s ordinance to change the ordinance in it’s entirety. And I’d like to introduce this also, so that y’all would have it. I’m back here with the same plea that I had the last time. Are we going to keep the water muddy or are we going to clear it up. I believe that Ms. Nix stated it very clearly. In a straight line is mathematically correct. And I believe that, that would clear the water up and make this a more simple fashion to deal with it in the past. I want to tell Councilman Carmody thank you for honoring your word. You said that you would come back and address this. And I appreciate that. It takes a man of integrity to stand up and go, ‘I’m going to do what I said I was gonna do’. There were some other Councilmen here that said the same thing and I hope that we can count on y’all support also. Councilman Lester and Councilman Hogan were in favor of changing this last time, and I’m hoping that they are in the same position. But Councilman Walford, I’m just going to use your words at this point and time. “And I urged Mr. Rachal yesterday to talk to his State Representative and his State Senator and urge them to carry that forward to Baton Rouge and I’ll sit right here and commit that if the State law is changed, I will introduce the necessary legislation to bring our City Ordinance into being consistent with the State law. I hope that we can count on your commitment there.” I’m not going to go through the whole commitment and the intent of the law and everything else that we went through the last time. I think it was made very clear that as an individual, as a father, as a School Board Member, we don’t think there’s any reason at all to say that you can sell liquor here. There are many other places to be able to sell liquor. The only property to sell them at is not across the street from playgrounds, or across the street from schools, across the street from churches, there are many other places and to say that, that is the only place, I think is very short sighted. I think it’s very short sighted. And I’ve heard this Administration, and I’ve heard Councilmen here, I’ve spoken to ‘em personally say that we have to look after our education. That is the prime factor for our Community

Development. And here we are now going to save it, we're going to think it's going to be more important to have liquor across the street from our schools. I hope that y'all will support Thomas Carmody's new ordinance, and I am fully in support of it, and I have these copies right here, if anybody would like them, because they were requested last time and I sure have 'em available.

Councilman Green: And also, I'd like to have the record reflect that Mr. Rachal is also a member of the School Board.

Councilman Gibson: Mr. Rachal, are you a member of the Broadmoor Neighborhood Association?

Mr. Rachal: No, I am not.

Councilman Gibson: Okay, I was just curious because you're bringing forward a letter of support, I was just wondering where, I know, I thought you were a constituent of mine, but - - -

Mr. Rachal: I am.

Councilman Gibson: Okay, thank you. Thank you Mr. Chair.

Councilman Walford: Mr. Rachal, our law as it stands now is consistent with State law. State law was not changed. Let's make that real clear. There was some legislation that would enable a municipality to deviate from the State law. But let's be very clear, our ordinance as it stands right now is consistent with state law. So, don't twist it.

Mr. Rachal: And I really don't, I don't want to put words into your mouth. We got into the word intent last go around, and you made it very clear that, that was the biggest issue you had was that State law, and that we were working inside that State law. This Board right here, you personally, are the ones that are responsible outside that 300 feet. You ducked your responsibility. You ducked it. You came right here and you said you would commit to it. And let me tell you what, I've worked hard, the legislation's worked hard, my dad is in his dying bed and I came down here to make sure and to make a point of this, because it can be changed, and it can be changed today.

Councilman Walford: But let's make it clear, the State law was not changed. We are still consistent with the State law. Now you can twist it anyway you want to, but we are still consistent to the letter with State law.

Mr. Rachal: And that's fine. And I believe integrity stands for something. And if that's as little integrity as you have - - -

Councilman Walford: Watch it Mr. Rachal. Mr. Chairman? I'm not here to have my integrity challenged.

Councilman Green: Mr. Rachal, we're not debating. Have you finished Mr. Rachal?

Mr. Rachal: Well, I'm still going to respond.

Councilman Green: No, it's not necessary to respond. I just wanted you to make sure that what you had wanted to say, that you've said it.

Mr. Rachal: Yeah, I think I'm done. I think it's clear where I stand.

Councilman Green: Also, we'd like to recognize Ms. Bonita Crawford from the Caddo Parish School Board who is also with us today. Ms. Crawford, would you just raise your hand so that they'd know where you are.

Councilman Lester: Thank you and I didn't want Mr. Rachal to leave, but he'll hear this. Just to make sure we were clear on the record. Councilman Carmody voted to put the liquor in the Shoppes at Bellmead last time, and I voted against putting the liquor in Shoppes at Bellmead last time. While you're passing out the accolades, and making sure that everyone has their integrity checked, I just want to make sure we're clear on that. Because I've got some questions

and I'm sure we're going to get into it as to what is behind the 180 degree change. I don't know, I don't live out there. I just want the record to be clear, that Councilman Carmody voted to put the liquor at Bellmead. I voted against putting the liquor out there. Just so we're clear on the record. Thank you Mr. Chairman.

Ms. Linc Coleman: (560 Oneonta Street) I appreciate the opportunity to speak with you. I thank Councilman Carmody for introducing this legislation. I'm in favor of his ordinance that's proposed. I feel like that it creates an objective standard. And I think one that should be embraced by the City and the Council. I'm sure that many of you are pulled on with political lobbying and on many issues, but especially on liquor and video poker in proximity to schools, churches, synagogues, parks, etc. So, I would think that you would welcome an objective standard, one that could not be - - - where you couldn't be lobbied, where you couldn't be accused of favoritism, where it would be an objective standard. I think from a standpoint of real estate development, you certainly cannot argue that it enhances economic development to have liquor establishments or video poker establishments adjacent or in close proximity to schools. Many metropolitan areas across the country have a much longer distance than 300 feet for video poker. We'd be glad to research that if you would like to see that. One of the things, in a survey that was done, many people are concerned about (inaudible) people in our State and our City and our area and why they're moving out of our area. And the number one reason that they gave for when they were surveyed were politics in Louisiana. And I think Louisiana certainly has its reputation for politics, but I think this is one small step that we can take as a city to rectify what is otherwise a black eye that we have in the nation. And I think gives us an opportunity to create and objective standard. It will certainly improve neighborhoods. And make a safer environment for children. And I think we have to ask ourselves at some point really whose running our city? I mean is it families, is it neighborhoods, is it citizens, or is it liquor and gaming establishments. And I think it's time to simply make a statement and to - - - I mean I would think this would be a unanimous vote by our Council to embrace this. And I would certainly hope so. I would just say in closing that I don't think it could be argued in anyway shape or form in real estate development. That it is good public policy to have video poker or liquor establishments in close proximity to schools, churches, synagogues, or parks. And I guess I would thank you again for your time and all the commitment you have to our City and ask you to please endorse this much needed ordinance. Thank you very much.

Mr. Roger Clark: (163 Carroll) I'm here to read a letter from Pastor Steve Dyer of Broadmoor Presbyterian Church. I'm here as a member of the Church and I just wanted to bring this to you. He wanted to put it in the record and I thought it would be good if I read it to you also. *Dear Councilman ,*

I am writing to you both as the father of a Caddo Middle School and a Caddo High School student, and as the Pastor of Broadmoor Presbyterian Church, to support the proposed Ordinance 105 by Councilman Thomas Carmody, Jr. As Christian people concerned with families and children and their moral and spiritual development, Broadmoor Presbyterian wants to support families and young people to the utmost of our ability. When businesses have asked for a license to serve alcohol, the Council has been reticent to place any restrictions on an application which met the law's minimum requirement, or to read the law strictly. We need to make sure that we apply the distance requirement as strictly as possible to put a buffer between minors and alcohol.

This ordinance gives us the most distance between schools and establishments serving alcoholic

beverages. As the law now stands, it permitted four alcohol licenses to be given to businesses directly across the street from the parish's main school stadium facility—less than fifty feet from where families will park their cars to go to Shreve, BTW, Byrd, Magnet, Fair Park, and other schools' football games, baseball games, lacrosse, soccer and track meets! This coupling of alcohol and schools' sporting events sends the worst message to our students. It encourages families to come to sporting events having "had a few" and makes underage drinking extremely easy. If there were a way to make this ordinance read "school and school sporting facilities" it would be even stronger.

This ordinance also gives clearer guidance concerning the way measurements will be taken. There is no way to waffle about the sidewalk route with the new ordinance—it is "as the crow flies" and charts the shortest distance.

Please pass this or even a stronger ordinance. Our families and our children need us to practice what we preach and encourage students to be sober and to work hard while in the classroom and on the field.

*May God Give The Council Strength and Wisdom,
Steven Dyer*

Pastor, Broadmoor Presbyterian Church

Ms. Ann Danowsky: (207 Milam) I have prepared a letter that I would like to enter into the record, and I'll read this to you. I looked Section 2.04 of the Shreveport Code of Ordinances, and it reads that the City has the power to preserve the public peace, safety, morals, health and welfare, and the maintenance of public and private property rights. Zoning ordinances give Shreveport the tools necessary to protect public peace, safety, morals, health, and welfare. And Ordinance 105 reaffirms Section 2.04 of Shreveport's Codes of Ordinances by creating a clear buffer between licensed liquor establishments and the community facilities, protecting the integrity of our schools, churches, day care centers, and public libraries. It's been suggested that passing Ordinance 105 will hinder economic development Shreveport. I believe we underestimate the skills and capabilities of our communities by suggesting economic development in Shreveport is limited to businesses requiring liquor licensing. The citizens of Shreveport deserve a city government that understands economic development is a means of increasing a community standard of living. Retaining a measurement method that allows increased alcohol and video poker outlet density does not promote and improve a standard of living. We have an opportunity to send a message to the citizens of Shreveport, businesses considering relocation or expansion in Shreveport, families relocating to this community. Shreveport is serious about protecting the public peace, safety, morals, health and welfare of its citizens. I respectfully request that the City Council approve Ordinance No. 105.

Ellen Ballard: (3821 Creswell Ave/ 900 W. 62nd Street) I would like to just speak for a few minutes in regards to my opposition of this ordinance. There is already a state law on the books that has the distance of 300 feet from where business takes place for these businesses that have alcohol or video gaming permits. And that is the reasoning for that is where the business takes place at. It's important that we remember that for our families to have places to go, we need to insure that we have the development to continue and grow in our communities for them to have something to come back to stay within. It's not about the parking lot, because that's not where the business takes place. A parking lot is a parking lot. To have alcohol in a parking lot, you have to have a special event permit. And alcohol is consumed in a business and no business that is (inaudible) a part of the community will give alcohol to someone that is not of legal age to

be in there place of establishment to even consume alcohol. So, I think the real issue is there's already a law on the books. This is a choice that the city/municipalities can make. It's not a (inaudible) it's not a demand by legislation that we do this. And we really need to consider the impact that this is going to create on our city for growth in all respects. I'm a member of this community, but I don't think this is the right way to increase our city in any way or to help our city in way. So I hope y'all will really consider this ordinance and take in the ramifications that it may have for the City.

Mr. Robert Currie: (1046 Prospect Street) I'm representing myself in reference to the issue about selling alcohol near schools and churches. And it really as a parent, I'm looking at the impact. And I heard a statement, that was in the paper, and I would address the Council in the aspect of - - - is there an impact statement that says, that by having this ordinance modified or adjusted, the impact statement that said that there would be an economic impact. Cause according to what was put into the paper, that there will be an economic impact if the law which was recommended or the ordinance that was recommended would be put in place. There are other cities have the similar such law and has not had a negative impact. But the other point is that without those findings, how are our leaderships able to make a proper decision on this particular law. Now, unless the findings were, there are findings there that indicate it would be an economic impact, a negative economic impact, I think that you as the Council should consider that of how that's going to effect our city. And if it's going to effect the development of business in our area. Cause there are numerous business according to our latest study, that does not sell alcohol and still are able to obtain profit. But the other thing is we're talking about the future of our city, our young kids, and family that will cross the path of those particular businesses. So, if there is an economic impact, then there should be an economic impact study. If that is the reason given for not supporting this particular ordinance. But also the key thing is that our children is worth a lot more than the economic or business development of this particular city, because they are the future of Shreveport.

Motion by Councilman Green, seconded by Councilman Gibson to suspend the rules to entertain of the last public comments.

Councilman Walford: Sir, can you clarify? You're saying that we have one more public comment?

Councilman Green: Yes sir.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

Ms. Diane F. Salaam: (2330 Claiborne Ave) I wanted to come before this distinguished Council to speak on Star Cemetery. We formed a Star Cemetery Preservation Society in order to protect and to preserve Star Cemetery. As you know, Star Cemetery is the oldest Black cemetery here in Shreveport. It was founded in 1883. Right now, we did manage to get volunteers to go out and cut the law and trim the trees and remove the trash. And this was done without any cost. It's impossible to get volunteers to continue to keep this property up. And what we're here to ask, I think you each have a proposal that's in front of you. I won't read it in order to save a

little time, but what we're asking the City to do is to resume cutting the lawn and taking the trash away. I understand that, that is a large expense, but I think it's a worthwhile one if we can come up with the funds to do that. From the standpoint that the roads back there are basically mud when it rains. And if we could just keep up the lawn and our society will seek funds in order to do better by the roads out there, but if it's not cut within the next two weeks, the lawn is going to go up to our hips again as it was before. It took ten people three days, more than eight hours a day in order to cut it. I'm asking the City, since you did have it prior to giving it to Cedar Grove Baptist Church which is no longer - - - they're no longer administrating that, you were cutting it before, and I understand it started in 1961 until 2001. And what I'm saying is that basically, it is an abandoned property. I know that it's not listed as that, but it is abandoned and with abandoned property, the City will go out and mow the lawn and then later send the bill to the owners. Well, as we know that the cemetery - - - everyone there is dead, and I know that when they're raised, I'm sure that you won't be able to send them a bill, but if someone comes forward, maybe you can send them a bill. But I'm just asking, in fact I'm begging that the City will at least mow the lawn out there, and if not, if you can - - - if there's any funds any place that you can give to our society, we'll continue to get someone to mow it. But we need money in order to pay to continue to have it where it is at least where people can visit it. So, I want to thank you for listening to me at this time.

Councilman Gibson: Thank you Mr. Chair. Question.

Ms. Salaam: Yes sir.

Councilman Gibson: Good afternoon.

Ms. Salaam: Good afternoon.

Councilman Gibson: The prior church had custody of maintaining the cemetery correct?

Ms. Salaam: Yes.

Councilman Gibson: I guess my question to you is - - - has there been effort to solicit - - -? Because obviously the people that are buried in the cemetery have a wide cross section of ties in the community. Has there been any contact of churches in this community to rally them to a meeting in terms of the ministers of those churches to talk about raising money within their congregations to raise the necessary money to properly maintain this facility?

Ms. Salaam; Yes we did contact several churches. Well, I'll put it this way, we made calls to them. So far, we haven't had but one response. And the response was the minister came out and he cut the lawn with a person, one person that he pays to do it, and then we have volunteers from the community. But I do plan on going to the churches and seeking funds. But until that time, I'm basically asking the City to do something about that.

Councilman Gibson: I understand that Ma'am. I'm just saying that we have a tremendous wealth of resources in terms of both human resources and monetary resource within our churches in this community that it seems like you have an immediate need in terms of human resources, in kind services that as generous as our churches are with time and money, and right now, it seems like you need sweat equity that a reaching out to the ministers for some volunteers to maintain that would be something that would be I would think, very prudent opportunity. But again, that was just for a point of information. And I do appreciate you spearheading the efforts that you're doing. Thank you Mr. Chairman.

Councilman Lester: Thank you. Don't leave Ms. Salaam. You don't have to beg. It's not necessary. That's - - - It's far beyond that. I agree with you. I think our City has an obligation to maintain this. Clearly at one point we did and we stopped because at one point

Cedar Grove Baptist Church took over, and now through several filings in District Court, we're back at the state that we don't know who has proper "ownership". And it's basically been abandoned. And that's what kind of started this whole ball to rolling. This facility is on the National Historical Registry. It is a tourist destination. I know people come from out of town that want to see it. It's something that we can all hold as a treasure regardless of what side of town you live on, Black, White or otherwise. And I think the City has an obligation and a responsibility to maintain it. Now I'm not saying that our obligation would extend to the point of maintaining the headstone and things of that nature. But I don't think it's asking a lot to get the grass cut, so what I'd like to do, before you leave, get some contact information, I'd like to sit down with you and maybe Mr. Antee from the City and Mrs. Ragle from SPAR and find out what we can do to come up with something. Because I do know in fact that we are maintaining or at least cutting the grass at another similar facility that I don't believe is on the National Historical Registry. And I think we owe an obligation to the people and families there, and to the City at large to at least cut the grass. I don't think that's asking too much.

Ms. Salaam: Thank you.

Councilman Walford: Before you sit down, you and I have had lots of conversations.

Ms. Salaam: Yes sir Mr. Walford.

Councilman Walford: And I've commended you on the telephone for your efforts in what you're doing, but I'd like to do it publicly. Y'all don't realize, she has put an awful lot into this, and I don't think she's going to give up.

Ms. Salaam: No, I'm not.

Councilman Walford: So, I commend you for your efforts. You've done - - -

Ms. Salaam: And thank you for your help. Because you have been very helpful.

CONSENT AGENDA LEGISLATION TO INTRODUCE RESOLUTIONS AND ORDINANCES

RESOLUTIONS: None.

ORDINANCES: None.

Councilman Jackson: Mr. Chairman, we have public comments that just happened to come in late, but we still have public comments.

Councilman Green: I'll get to 'em.

TO ADOPT RESOLUTIONS AND ORDINANCES:

RESOLUTIONS:

1. **Resolution No. 137 of 2005:** A resolution authorizing Michael John Slaughter & Mary Laura Ferracci Slaughter located at 10210 Stonehedge Drive to connect to the water system of the City of Shreveport and otherwise providing with respect thereto.
(D/Gibson)
2. **Resolution No. 138 of 2005:** A resolution authorizing Michael Paul Harrington & Arlyne Harrington Cantrell located at 10623 Norris Ferry Road to connect to the water system of the City of Shreveport and otherwise providing with respect thereto.
(D/Gibson)

Read by title and as read, motion by Councilman Gibson, seconded by Councilman Carmody to postpone Resolutions No. 137 and 138 of 2005.

Councilman Walford: Mr. Chairman, I'd like to ask Mr. Strong or perhaps Councilman Gibson could help on this. If - - - let us know before we vote on this the next time. 1) If they're in the City limits, and 2) if it's going to have an impact on the low water pressure.

Councilman Gibson: Well, first of all they're not in the City.

Councilman Walford: If you don't mind Mr. Chairman, can I address to Mr. Gibson?

Councilman Green: Go ahead.

Councilman Walford: I think he started to answer my question.

Councilman Gibson: To the best of my knowledge it's not in the City right now. But I have some questions of the Administration before I'm prepared to move forward, because it's a serious issue that we have with water pressure our in southeast Shreveport.

Councilman Walford: So, we'll have an answer - - - you've got an answer coming for us then?

Councilman Gibson: I plan to based on the questions I have for the Administration.

Councilman Walford: Good, thank you.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

RESOLUTION NO. 139 of 2005

A RESOLUTION AUTHORIZING ROBERT RAYMOND WRIGHT & CAROLYN LEE NATENSTADT WRIGHT, LOCATED AT 6169 N. LAKESHORE DR., TO CONNECT TO THE SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Robert Raymond Wright & Carolyn Lee Natenstadt Wright, be authorized to connect the building located at 6169 N. Lakeshore Dr., to the sewer system of the City of Shreveport.

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

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

RESOLUTION NO. 140 of 2005

A RESOLUTION AUTHORIZING MICHAEL DEWAYNE GOLEMON & PAULA BUNDELL GOLEMON, LOCATED AT 6161 N. LAKESHORE DR., TO CONNECT TO THE SEWER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

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

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that Michael Dewayne Golemon & Paula Bundell Golemon, be authorized to connect the building located at 6161 N. Lakeshore Dr., to the sewer system of the City of Shreveport.

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

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

Read by title and as read, motion by Councilman Lester, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

ORDINANCES: None.

Motion by Councilman Jackson, seconded by Councilman Gibson to suspend the rules to go back and hear Public Comments.

Councilman Jackson: The purpose is there were two additional Public Comments that we did not get during the Public Comment section that Council Staff has just brought up here. And I just wanted to go back and deal with that before we got too incorporated in this agenda.

Councilman Green: Right and also for clarification, it's not that they had them over there, they just filled them out in the process of the debate.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

Mr. Alvin Childs: (330 Marshall, Suite 200) I guess I'm the precipitant of a lot of this debate and I had to go get my horns filed off before I came over. But I hope you'll - -

Councilman Lester: Join the club Mr. Childs.

Mr. Childs: I understand. My comments will be very brief. I obviously am in opposition of the proposed ordinance. And the basis of my opposition is that as laborious and as protractive

as the process is, you have a process in place right now that in my view meets every criteria that you need to address on each case on a case by case basis. It admittedly Shoppes at Bellmead was an unusual situation, but I found in life presents a lot of presents a lot of unusual situations. The current interpretation, the current ordinance permits this Body ultimately to have the ultimate authority, which is appropriate. It gives you the flexibility to consider the evidence and make a ruling. And that's what's appropriate. Having the 'as the crow flies' measurement doesn't permit you that flexibility. And in fact, I've maintained that once passed, it will have a detrimental economic impact. Not so much about perspective, but as businesses over time, that are currently eligible under the current law would no longer be eligible - - - it will without question deflate the value of those properties, because they couldn't be reused for the same purpose if they fall in between. I urge you to consider the matter, consider the impact, and not fall prey to the stringent application of what would just be a very devastating economic effect to a lot of properties. And ultimately, I think you have a system that's in place right now. And Lord knows it is very laborious and very protractive as we know from the past case. It was a tough case and I was pleased with the outcome. Thank you for your consideration.

Mr. Marshall Graham: (1015 West Point Circle) I have a copy of this after I finish. For 40 years, I appraised commercial real estate in Shreveport. I'm now a retired MAI appraiser as of this year. I now own and develop and manage real estate. Commercial real estate. While actively appraising, I served as the first Chairman of the Louisiana State Certified Real Estate Appraisers Board. This is the only board in Louisiana that certifies commercial and real estate appraisers. I also served the American Institute as the National Chairman of State Certified Appraisers. The appraisal institute is a professional organization that awards MAI and SRA appraisal designations which are the most pre-eminent designations in real estate appraisals. In 40 years, that I have appraised here, in Shreveport, and north Louisiana, I have appraised most of the major properties that are commercial properties, including office buildings, shopping centers, apartments, and industrial. In downtown Shreveport, I have appraised every multi-story building at least once. I appraised this building that you're in twice. So, I do have a lot of experience appraising commercial properties. I can say this, most taxes in Shreveport are produced by commercial buildings such as office buildings and industrial such as industrial warehouses and apartments, and retail shopping centers. Very few are produced by bars. I also have a real estate data base which is the largest in the City and includes verification of ever sale in the city and Bossier City also, and Caddo Parish, and based on that and my appraisal experience, I can tell you that bars are the most unsuccessful of all business as a whole. More vacancies, more turnovers, more crime, more negative influence. They are not real estate developments like apartments, and office buildings. Industrial properties, the major ones that are 10s, 20s, and 30 million dollar. That's just not what they are. So, lets not act like they're the savior for Caddo Parish because they're not. And they're not the savior for the city. In fact, it would be a great idea to approve the 300 foot distance as the crow flies. With the understanding that if this City Council unanimously agrees that some property shouldn't be penalized for some reason, particularly maybe close to the Convention Hall downtown or something, this group could unanimously agree to allow it to happen. So that would not cause the disaster that Mr. Childs just talked about. If it were deserving. Secondly, any existing properties should automatically be accepted as they are in the case of a turnover of ownership. It is not correct to say that the current ordinance protects any child anywhere, it does not. It would be a rare thing and possibly only if it's across the street from the front door of the school, that would be one thing. If it were

across the street from the front door of the school, or the library, or a church, that would be one thing, but that's not usually where they are. So, in affect, any major church site, or school site, library site - - it's simply not protected in anyway. So, what do we have to do every single time the neighbors have to come up here. We have to get on our knees. And then hope that you understand. You have a very easy way to solve this. Put in an ordinance that protects not the bar owner first, that protects the children first. And then if you want to overturn that by unanimous vote, that would be fine, but we wouldn't have to come up here 50 times a year to fight it. And it's really something bar owners hope you will not listen to, or they hope that we will get too tired to come back. All they need is someone to apply who is not a serious violator of state laws and they will receive video poker of course, and we know that. It's not automatic, we know that. The City can make it clear now, that we have greater concern for the safety of the children walking to school, playing around schools, libraries, and churches, than we do for concern of someone the right to open a bar. I mean, that's ridiculous. There are thousands, millions of sites that I will be happy to provide to you with no commission. Because I'm not a broker any more as of this year, that are available to bars. You don't need to put it next to a library or a school, or a church where all the children are. This is what would have to be called a no-brainer. The State Legislation of all places have given you the authority to protect the children, and I would please ask you to do that.

Councilman Walford: I know I'm getting old, and my memories fails me, but how many times have you been before the Council in the last year?

Mr. Graham: One time maybe. Oh you mean, on these ordinances?

Councilman Walford: Well, you mentioned coming 50 times a year.

Mr. Graham: Well, as a group, I've been here probably 10 times, not in the last year, no.

Councilman Walford: And spoken before the Council?

Mr. Graham: Yes. I mean, I've been appraising 40 years.

Councilman Walford: Okay, thank you.

Mr. Graham: I also came before every court in this area and I've never lost a court suit, ever. Accept for \$15,000 on one deal in 40 years.

REGULAR AGENDA LEGISLATION RESOLUTIONS ON SECOND READING AND FINAL PASSAGE OR WHICH REQUIRE ONLY ONE READING

1. **Resolution No. 121 of 2005**: A resolution consenting to the assignment and change of control of the City's Cable Television system franchise, to authorize the Mayor to execute agreements, relative thereto, and otherwise providing with respect thereto.

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Gibson to postpone.

Councilman Walford: Question Mr. Chair.

Councilman Green: Yes sir.

Councilman Walford: I've asked for some additional revenue and I haven't seen that. Is that forthcoming? And I don't know who'll answer that.

Ms. Glass: Mr. Chairman, I did happen to speak with Annette Hall about that and she said that she did have her finance people working on some additional information for you.

Councilman Walford: Okay, thank you.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1

RESOLUTION NO. 130 OF 2005

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH THE SOUTHERN UNIVERSITY SHREVEPORT FOUNDATION RELATIVE TO THE SOUTHERN UNIVERSITY GENTLEMEN'S COOKING CLASSIC AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

By: Councilman Monty Walford and Councilman Calvin B. Lester

WHEREAS, the City and Southern University Shreveport Foundation desire to support higher education and other such activities for the citizens of Shreveport which serve a public purpose and render a public service; and

WHEREAS, Southern University Shreveport Foundation provides financial support for the students, faculty, staff, and campus of Southern University Shreveport; and

WHEREAS, the Southern University Shreveport Foundation will hold its annual Southern University Gentlemen's Cooking Classic to raise money for local student scholarships who are attending Southern University Shreveport; and

WHEREAS, the City of Shreveport desires to co-sponsor with the Southern University Shreveport Foundation the Southern University Gentlemen's Cooking Classic by providing the use of the Expo Hall for this event on Saturday August 6, 2005.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the Mayor of the City of Shreveport is authorized to execute an agreement with the Southern University Shreveport Foundation for the annual Southern University Gentlemen's Cooking Classic on August 6, 2005, in a form approved by the City Attorney, in which the City provides the use of the Expo Hall (the rental fee only) and the Foundation agrees:

- 1) To provide the economic and cultural benefits described herein to the City, and
- 2) To provide the insurance and to pay for the other customary services and charges associated with the use of the facility.

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 ordinances or parts thereof in conflict herewith are hereby declared severable and repealed.

Read by title and as read, motion by Councilman Jackson, seconded by Councilman Walford to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

Councilman Walford: Mr. Chairman, I had had some discussion. I don't want to waste your time, but it's no longer chorizo-chipolte dip it is award winning chorizo-chipolte dip. That's all I have Mr. Chairman.

RESOLUTION NO. 132 OF 2005

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ENDEAVOR AGREEMENT WITH THE JAMES BURTON INTERNATIONAL GUITAR FESTIVAL AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, the James Burton International Guitar Festival will sponsor James Burton International Guitar Festival at various locations throughout the city including Municipal Auditorium, the Red River Entertainment District, and Exposition Hall ("Expo Hall") on August 19-21, 2005; and

WHEREAS, James Burton is a Shreveport native and award-winning guitarist who has made significant contributions to the music industry for more than fifty (50) years; and

WHEREAS, some of the proceeds from the festival will be used to provide scholarships and financial assistance to foster and encourage the continued education of children and young adults in the Shreveport; and

WHEREAS, the festival will also contribute to the development and enhancement of the creative economy and music industry in the City of Shreveport and provide an expanded worker base of qualified musicians and other specialized industry employees which is a public purpose; and

WHEREAS, event organizers anticipate that the festival will attract thousands of visitors, vendors and patrons to the Municipal Auditorium, Expo Hall, the Red River Entertainment District and other locations in the City; and

WHEREAS, the festival provides an economic benefit to the citizens of Shreveport and the events and activities sponsored by the organizers will provide a cultural benefit to citizens of Shreveport and surrounding areas and therefore constitute a public purpose; and

WHEREAS, the economic impact of the festival is estimated at \$2,084,974; and

WHEREAS, the City of Shreveport desires to participate with the JBIGF in the production of the festival by providing use of Expo Hall and the Municipal Auditorium and use of certain City equipment at no cost and subject to availability for this event from August 19-21, 2005.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that the Mayor is authorized to execute a Cooperative Endeavor Agreement with the James Burton International Guitar Festival, in a form approved by the Office of the City Attorney, in which the City provides use of Expo Hall and Municipal Auditorium and use of certain city equipment at no charge and subject to availability for the James Burton International Guitar Festival and in which the JBIGF agrees:

- 1) To provide the economic and cultural benefits described herein to the City; and
- 2) To provide insurance for use of Expo Hall and Municipal Auditorium in accordance with City policy;
- 3) To pay for other customary services and charges associated with use of the said facilities.

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 application of

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

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

Read by title and as read, motion by Councilman Walford, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1..

RESOLUTION NO. 133 OF 2005

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE ENDEAVOR AGREEMENT WITH DAN E. NEWMAN RELATIVE TO 'FANFEST' ACTIVITIES IN CONJUNCTION WITH THE 2005 ARENA CUP CONFERENCE CHAMPIONSHIP FOOTBALL GAME AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, event organizers have planned a week of activities in Shreveport and Bossier City in conjunction with the 2005 Arena Cup Conference Championship football game; and WHEREAS, the Shreveport event, "FANFEST", is scheduled on August 26, 2005 at Festival Plaza and Convention Hall and will include a number of competitive sports events for game attendees, citizens of the City of Shreveport, and the general public; and

WHEREAS, the football game will be nationally televised on Fox Sports Net Southwest to approximately 9 million viewers plus 4 million other satellite homes through DirectTV and Dish Networks and will showcase the cities of Shreveport and Bossier; and

WHEREAS, event organizers anticipate that owners and coaches of approximately 20 of the league teams, out of town visitors and fans of the league and other sports enthusiasts will be in Shreveport the week of August 21-27, 2005 participating in the events and for league-related meetings. The economic impact of the game on the Shreveport market is estimated at \$1,000,000; and

WHEREAS, the City of Shreveport desires to participate with Dan E. Newman in the production of "FANFEST" by providing use of Convention Hall and Festival Plaza at no cost on August 26, 2005.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal and regular session convened, that the Mayor is authorized to execute a Cooperative Endeavor Agreement with Dan E. Newman, in a form approved by the Office of the City Attorney, in which the City provides use of Convention Hall and Festival Plaza at no charge for "FANFEST" activities, in conjunction with the 2005 Arena Cup Conference Championship Football Game in which Dan E. Newman agrees:

- 1) To provide the economic and cultural benefits described herein to the City; and
- 2) To provide insurance for use of Convention Hall and Festival Plaza in accordance with City policy;
- 3) To pay for other customary services and charges associated with use of the said facilities.

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 application of

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

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

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Walford to adopt.

Councilman Gibson: Question Mr. Chair. In terms of this cooperative endeavor agreement, it was reported last week in the media that the City would be supporting this with discretionary monies. Mayor, could you describe to us what kind of financial support the City of Shreveport is going to be providing for this minor league indoor football game?

Mr. Antee: In addition to - - -

Councilman Gibson: Mr. Chair, I'd asked the Mayor, not the CAO.

Mayor Hightower: I'm going to let the CAO answer that if you don't mind.

Mr. Antee: In addition to the in-kind contribution through Festival Plaza, the City itself will not have any other funds.

Councilman Gibson: Mr. Chair, no financial, no discretionary monies will be used in any form or fashion? Is that correct?

Mr. Antee: Who knows, may have just made it up.

Councilman Gibson: Mr. Chair, I'll clarify my statement. No financial or discretionary monies will be used in this particular event. Is that correct? Is there an answer from the Administration on that?

Councilman Green: Y'all have the floor.

Mayor Hightower: I think the question was answered Mr. Gibson.

Councilman Gibson: So, no money.

Mr. Antee: The City is not spending any money other than in-kind contribution. There are marketing dollars that are being spent by Bossier and Convention and Tourist Bureau.

Councilman Gibson: Thank you Mr. Chair.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

RESOLUTION NO. 135 of 2005

A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE AN ADDENDUM TO THE AGREEMENT DATED JUNE 14, 2005, BETWEEN THE CITY OF SHREVEPORT AND WALTON CONSTRUCTION COMPANY, L.L.C. OF KANSAS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY: Councilman Jackson

WHEREAS, on May 24, 2005, at a regular meeting of the Shreveport City Council, in a discussion about executing a contract with the City to construct the Convention Center Hotel, Mr. Greg McCrocklin, Senior Vice President of Walton Construction Company L.L.C. of Kansas (Walton), made the following statement concerning Walton's willingness to be contractually bound to adhere to the Fair Share policy of the City:

Currently, we're at 20% with firm names... We certainly want to honor this 21%... we certainly would entertain entering into a contract that says that we have to maintain a minimum of 21% Fair Share participation. We have no problem with that... so, we (are) working diligently to improve the percentage, and I feel confident that at the end of the day, we'll be at 25%, but currently we have a firm commitment for 21%, and you know we will contractually agree to maintain that throughout the project; and

WHEREAS, an agreement between the City of Shreveport and Walton Construction Company to construct the Convention Center Hotel, dated June 14, 2005, was signed by Mayor Keith Hightower for the City of Shreveport, and by Greg McCrocklin, Senior Vice President, for Walton Construction Company L.L.C. of Kansas; and

WHEREAS, the requirement that Walton Construction Company "maintain a minimum of 21% Fair Share participation" should have been included, but was inadvertently omitted from the agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shreveport in due, regular and legal session convened, that Mayor Keith Hightower is authorized to execute an addendum to the agreement between the City of Shreveport and Walton Construction Company L.L.C. of Kansas, dated June 14, 2005, to construct the Shreveport Convention Center Hotel; to add the requirement that the Contractor agrees to maintain 21% Fair Share Participation relative to the construction of the project, or words approved by the City Attorney that will produce the intended results.

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 application 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.

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Gibson.

Amendment No. 1 to Resolution No. 135 of 2005

In the Now Therefore Be it Resolved paragraph, at the end of the paragraph, delete the period, add a comma and insert the following: " and to add a provision that the letter dated July 25, 2005 from Mr. Greg McCrocklin to Mr. Ken Antee is made a part of and incorporated into the agreement.

Motion by Councilman Lester, seconded by Councilman Jackson to adopt Amendment No. 1 to Resolution No. 135 of 2005.

Councilman Walford: Mr. Chairman, I'd like to make a substitute motion to postpone, I'd like a little more information on the ramifications of both the amendment and the resolution itself.

Substitute motion by Councilman Walford to postpone until the next regular meeting.

Mayor Hightower: Mr. Chairman, we don't see a need to postpone. We think that the amendment that has been offered by Councilman Jackson is in order. Obviously the Chief Operating Officer of Walton Construction stood before the Council and did make a pledge to a minimum of 20.7% Fair Share commitment on the hotel. As of today, they are 21.44%. So, I don't believe there's going to be a problem there at all. And in defense of the Council, there'd been some written volumes over the past couple of weeks about the Council's omission of the pushing of the Fair Share Program from the hotel contract in particular. I didn't want to bring this with me today, but all of this is the hotel contract. And in it contains the same Fair Share provision that is located inside ever contract that we've done at City Hall since this Council passed the Fair Share ordinance in the year 2000. January of 2000. So, for any Councilman to take criticism and say that the ball had been dropped on the hotel project, that it didn't include the Fair Share provision is mistaken. And obviously did not come down and take a look at the contract. It is in there. Councilman Jackson's wish to include Walton's verbal commitment, and since written commitment to the contract is certainly fine with us and I think appropriate. So, again, we don't see any reason to delay. I think that everything is on tract as far as Fair Share commitment goes on the hotel.

Councilman Walford: Mr. Chairman, I didn't hear a second for my substitute motion, so it dies. And so honestly, we would have known that contract to the letter if we hadn't been studying the water quality report that we had to certify that we fully understood.

Motion fails for lack of second.

Motion to adopt Amendment No. 1 to Resolution No. 135 of 2005 approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Green, and Jackson 5. Nays: None. Out of the Chamber: Councilman Gibson. 1. Absent: Councilman Hogan. 1.

Motion by Councilman Lester, seconded by Councilman Jackson to adopt Resolution No. 135 of 2005 as amended.

Councilman Jackson: Mr. Chairman, I just wanted to clarify and the Mayor said what he said, I certainly don't want it to be interpreted as the Mayor making any attempt to justify anything. I want to say at that last meeting when I introduced this that I was in fact very disappointed in this Administration for not having incorporated this document into the initial contract. However, this ordinance will give us the opportunity to put that into the contract. Notwithstanding what people may have misinterpreted, I just want it to be clear that some people were concerned about whether or not it was too late. That was certainly my concern at the last meeting. I simply want to put into writing what the commitment was and I appreciate my colleagues for giving support in this particular effort. Because this I think will go a long way into what it is, being a model if you will, to what it is that we ought to continue to do. And so, I want to be sure that we understand that this was motivated by that omission, and that omission alone, and not some Spiro less comments from people who are sideline commentators. So, I would certainly appreciate your support in this concern because I think it's the right thing to do. Thank you Mr. Chairman.

Councilman Lester: Thank you Mr. Chairman. I would just echo what Councilman Jackson said. A lot of times, people on the sidelines that consider themselves Monday Morning

Quarterbacks, or Tuesday Evening Quarterbacks made comments that had absolutely nothing to base those facts upon. Our job as a Council is to be oversight on the people's business. And in this matter, this Council, particularly, Councilman Jackson, Councilman Green and myself have been very consistent on pressing for the Fair Share issue on all City contracts. Not just the hotel, we've been very consistent on that issue. To that end when it was discovered by Councilman Jackson, myself and Councilman Green, that the language that had been agreed to by Walton Construction at that dais, in I believe the May meeting, was not in fact made part of the contract that I read, and the contract that we read. Our job as Council was to bring that to the attention of the Administration and demand that something be done. And it was, and it has been. I'm sure you're going to hear a lot about it. This is an election year. There are some people that are upset, because they are not where we're sitting, and they're going to have an opportunity to make their case when the time comes. But the fact of the matter is, I can speak for myself and Councilman Jackson, and Councilman Green, that we have been very consistent on pressing for Fair Share, in not just this, but every possible fashion with the City. And this was part of our responsibility. You know it would be something completely different if this Council had seen that it's wish that we had made clear to the Administration had not been dealt with and then for us to say nothing. But as legislators, when you see that your desires that have been communicated to the Administration have not been heeded, then has a legislator, your responsibility is to bring forth the legislation to bring this situation into compliance. It's not the sexiest thing, it doesn't get the headlines, you don't get to get in the back pages of newspapers with fake names as unsigned. You don't get to those type of things. You have to do the job. And that's what we're doing. And Councilman Green, I said I wasn't going to say anything about that. But I just felt compelled to say that. Thank you Mr. Chairman.

Councilman Green: Thank you. And I'd just like to say that during the process of the contract, I said to the Mayor, Mr. Mayor, if in fact, he makes a commitment, and failed to keep it as to what we agree upon, will you sue him? And the Mayor said to me, yes. I looked to Mr. Sam Gilliam for the report, and at this time, he has not said that there has been a forfeit on that. In fact, the hotel is not even built yet, they're just turning over the dirt. But there are some folk who sit in the arena for conversation, and they just run their mouth because they don't have anything else to do. And also I said to Councilman Lester that I wasn't going to talk about this today, and I'm not going to talk very long. But I'd just like to make it very clear, so that you don't have to write about it anymore, you don't have to ask any question. The Mayor and I have been friends now for some 12 years. We were friends when I was on the Council before, we were friends when I was off the Council, I don't have to say it in the back room, he just happened to be my friend. Now however you want to write about that, however you want to take that, then you just take it. Because I've discovered that there are some Black folk that want to be friends to some White folk, but they don't want other Black folk to have friends. I just think because you are human, all of us ought to be friends. And I'm not ashamed about who I'm friends with, so however you want to write this, just write it. One thing for sure, I am a child of God. So, however you want to write that, just keep writing.

Councilman Lester: We just ask that you sign it next time.

Councilman Green: Right. So, here again, so that it won't be no mistake. Keith Hightower is my friend. I'm not an Uncle Tom, I'm just James Edward Green, Lucy's and E.C.'s boy, Ike and Ned Smith grandson. If it is to be, it's up to me. Don't knock it, don't block it, help me to unlock it.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Green, and Jackson 5. Nays: None. Out of the Chamber: Councilman Gibson. 1. Absent: Councilman Hogan. 1.

RESOLUTION NO. 141 OF 2005

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

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

WHEREAS, the City of Shreveport has entered into an intergovernmental agreement with Caddo Parish under which Caddo Parish will undertake to sell or donate said properties as authorized in R.S. 33:4720.11 or R.S. 33:4720.25; and

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

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

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

Lot 1, North Highlands Annex, Geographic Number 181410-035-000100

Municipal Address: 32884 None

Council District "A"

2.38 ACS, Lot 23, Jones-Mabry Subdivision Geographic Number 181416-001-002300

Municipal Address: 1423 Martin Luther King Dr

Council District "A"

Lot 141, Roosevelt Subdivision Geographic Number 171416-046-014100

Municipal Address: 3925 Martha Street

Council District "F"

Lots 49 & 50, Greenwood Manor Subdivision Geographic Number 171521-005-004900

Municipal Address: 16752 None

Council District "G"

Lot 268, Caddo Heights Subdivision Geographic Number 171413-110-026800

Municipal Address: 1411 Natalie Street

Council District "B"

Lot 1381, Cedar Grove Addition Geographic Number 171424-113-138100

Municipal Address: 357 East 69th Street

Council District "C"

N. 42 ft of Lots 106 & 107, Templeman Subdivision Geographic Number 181435-092-013300

Municipal Address: 300 Pierre Avenue

Council District "A"

Lot 78, Legardy Hills Subdivision, Unit #1 Geographic Number 181417-047-007800

Municipal Address: 1789 Jesse Owens Street

Council District "A"

Lot 34, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-003400
Municipal Address: 37209 None
Council District "G"

Lot 35, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-003500
Municipal Address: 37210 None
Council District "G"

Lot 36, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-003600
Municipal Address: 37211 None
Council District "G"

Lot 37, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-003700
Municipal Address: 37212 None
Council District "G"

Lot 38 Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-003800
Municipal Address: 37213 None
Council District "G"

Lot 39, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-003900
Municipal Address: 37214 None
Council District "G"

Lot 40, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004000
Municipal Address: 37215 None
Council District "G"

Lot 41, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004100
Municipal Address: 37216 None
Council District "G"

Lot 42, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004200
Municipal Address: 37217 None
Council District "G"

Lot 43, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004300
Municipal Address: 37218 None
Council District "G"

Lot 44, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004400
Municipal Address: 37219 None
Council District "G"

Lot 45, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004500
Municipal Address: 37220 None
Council District "G"

Lot 46, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004600
Municipal Address: 37221 None
Council District "G"

Lot 47 Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004700
Municipal Address: 37222 None
Council District "G"

Lot 48, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004800
Municipal Address: 37223 None
Council District "G"

Lot 49, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-004900
Municipal Address: 37224 None
Council District "G"

Lot 50, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-005000
Municipal Address: 37225 None
Council District "G"

Lot 51, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-005100
Municipal Address: 37226 None
Council District "G"

Lot 52, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-005200
Municipal Address: 37227 None
Council District "G"

Lot 53, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-005300
Municipal Address: 37228 None
Council District "G"

Lot 67, Oak Hollow Area 1 in Huntington Park Geographic Number 171525-022-006700
Municipal Address: 37242None
Council District "G"

Lot 134, Patzman Subdivision, Geographic Number 181426-063-013400
and adjudicated ½ abandoned alley
Municipal Address: 601 March Street
Council District "A"

Lot 12, Johnston Subdivision Geographic Number 171410-075-001200
Municipal Address: 3527 Sumner Street
Council District "G"

Lot 105, Greenwood Acres Subdivision Geographic Number 171521-012-010500
Municipal Address: 6944 Nevada Street
Council District "G"

Lot 102, Greenwood Acres Subdivision Geographic Number 171521-012-010200
Municipal Address: 6962 Nevada Street
Council District "G"

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

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

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Green, and Jackson 5. Nays: None. Out of the Chamber: Councilman Gibson. 1. Absent: Councilman Hogan. 1.

INTRODUCTION OF RESOLUTIONS:

1. **Resolution No. 142 of 2005**: A resolution authorizing the Mayor to execute a cooperative endeavor agreement with the Central Trades and Labor Council of Shreveport and Vicinity, AFL-CIO relative to holding the Union-Industries, Trades & Service Show in Shreveport, and to otherwise provide with respect thereto.
2. **Resolution No. 143 of 2005**: A resolution authorizing the Mayor's signature on a pipeline crossing contract between Kansas City Southern Railway Company and the City of Shreveport and to otherwise provide with respect thereto.
3. **Resolution No. 144 of 2005**: Amending the Pay Schedule for Municipal Fire and Civil Service personnel and otherwise providing with respect thereto. **(Withdrawn)**
3. **Resolution No. 145 of 2005**: A Resolution authorizing the mayor to execute a cooperative purchasing agreement between the City of Shreveport and the Parish of Caddo, and otherwise providing with respect thereto.
4. **Resolution No. 146 of 2005**: A Resolution authorizing the mayor to execute a cooperative purchasing agreement between the city of Shreveport and the sheriff for Caddo Parish, and otherwise providing with respect thereto

Read by title and as read, motion by Councilman Walford.

Councilman Carmody: Mr. Chairman, I would make a substitute motion. I understood yesterday at our work session, that they wanted to postpone introduction of 144. Is that correct?
 Mayor Hightower: Correct.

Substitute motion by Councilman Carmody, seconded by Councilman Walford to introduce Resolution No(s). 142, 143, 145 and 146 of 2005 to lay over until August 23, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

INTRODUCTION OF ORDINANCES

1. **Ordinance No. 118 of 2005**: An ordinance amending and reenacting Chapter 74, Solid Waste of the Code of Ordinances and to otherwise provide with respect thereto.
2. **Ordinance No. 119 of 2005**: An ordinance closing and abandoning the 80 foot-wide Millicent Way in the Dogwood Plantation located in the SW ¼ of Section 29 (T17N-R13W), Caddo Parish, Louisiana and to otherwise provide with respect thereto. (D/Gibson)
3. **Ordinance No. 120 of 2005**: An ordinance amending the 2005 Capital Improvements Budget.
4. **Ordinance No. 121 of 2005**: An ordinance amending the 2005 Community Development Special Revenue Fund Budget.
5. **Ordinance No. 122 of 2005**: An ordinance amending Section 94-166 of the Code of Ordinances of the City of Shreveport by adopting water and wastewater connection fees for water and sewer taps on mains which were constructed and funded by the City to serve anticipated growth and development, and otherwise providing with respect thereto.
6. **Ordinance No. 123 of 2005**: An Ordinance amending Chapter 106 of the Code of

Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on south side of East Flournoy-Lucas Road, 1035 Feet east of Acadiana Place, Shreveport, Caddo Parish, Louisiana, from R-A-E, Residential-Agriculture/ Extended Use District, limited to "landscape garden supplies, sales", only, to R-A-E, Residential-Agriculture /Extended Use District, limited to "an assisted living facility, doctor's office, dental clinic, cafe', physical therapy office, floral shop, boutique, and bookstore", only, and to otherwise provide with respect thereto

Read by title and as read, motion by Councilman Jackson, seconded by Councilman Walford to introduce Ordinance No(s). 118, 119, 120, 121, 122, and 123 of 2005 to lay over until August 23, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

ORDINANCES ON SECOND READING AND FINAL PASSAGE

1. **Ordinance No. 28 of 2005**: An ordinance amending Chapter 14 of the Code of Ordinances, styled Animals, and to otherwise provide with respect thereto. (F/Green) (Postponed – July 26, 2005)

Having passed first reading on March 8, 2005 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 Gibson to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

2. **Ordinance No. 101 of 2005**: ANNEXATION B Tag No. 04-03. Enlarging the limits and boundaries of the City of Shreveport B A tract of land located along the Woolworth and Buncombe Roads in portions of Sections 3, 4, 9, and 10 (T16N-R15W) Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (G/Jackson)

Having passed first reading on June 28, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Jackson, seconded by Councilman Gibson to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

3. **Ordinance No. 102 of 2005**: An Ordinance to amend Section 38-41 of the City of Shreveport Code of Ordinances relative to Housing and Property Standards and to otherwise provide with respect thereto. (Postponed – July 26, 2005)

Having passed first reading on June 28, 2005 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 Carmody to postpone until the next regular meeting.

Councilman Lester: And just brief comment. We're going to have a Property Standards meeting scheduled before our next meeting, so that we can actually move forward on this one way or the other.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

4. **Ordinance No. 105 of 2005**: An ordinance amending and reenacting section 10-82 of the Code of Ordinances relative to prohibitions on the location of premises licensed to deal in alcoholic beverages and to otherwise provide with respect thereto.

Having passed first reading on July 26, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman Carmody, seconded by Gibson to postpone until the next regular meeting.

Councilman Carmody: No question, just a comment. Today, we've heard some input from the public regarding the proposed legislation contained in 105 to basically provide for a 300 foot measurement from protected property. I would like to make a quick couple of comments about it though, and that is that I asked for a meeting of the City officials that are involved in the process of receiving applications and permitting for alcohol approval last week. That meeting was attended by Councilman Gibson, Councilman Walford, and myself. It became apparent that more research needed to be done by each of the departments, Police, Zoning, and the City Attorney, regarding definitions of these protected class properties as well as where their limits are. Where they define their boundaries. Today, my postponement is to allow the Council an opportunity to receive that additional information so that we could consider this. But I do think that it's important to realize that the intent again is to protect protected classes of properties. And I think that the point was made. They were talking about in essence protecting our children with a buffer. And I do think that that's important. And I think that it deserves serious consideration, if indeed that's what the Council wants to do. A lot of discussion has been made so far about what the State legislature's done. Remember the State legislature is the one that provided for the 300 foot spacing, as well as for the current measurement that the City utilizes, as well as for the ability of municipalities to change the way that they change the way that they determine that measurement. That is what I believe is what this Council needs, is some additional information to help clarify. That would be why I would ask for your support in the postponement today. Thank you Mr. Chairman.

Councilman Walford: Mr. Chairman, I believe that we would be served far better if the committee met and lets just say start it from scratch and begin anew instead of trying to amend what I don't think was a good ordinance and I don't think it took into account a lot of things including the B-4 District, and instead of trying to amend, and amend, and amend, I believe we'd be far better served to start over again. And that would be my preference. And I would vote no to postponing, and urge that we continue to meet as we have talked about doing. But start over again with an ordinance, with City Attorney, the MPC staff, and Shreveport Police Department

and the Council Members.

Councilman Gibson: Mr. Chair, about three months ago, this issue was brought before us because of another development. As Council Chair, knowing the experience that we've had on this Council, it's always impressed me that when we get together, as a Council or form a Council committee, we produce probably some of the most well-balanced pieces of legislation that we've got. And as a result, I urge my colleagues, and you supported a Council Committee that was formed. And my observation is that the first meeting that, that Council Committee last week, and in my plea to this Council a few months ago, the reason for the Council Committee to be formed was that we were not sure if the State legislature was going to be able to pass or not pass something that would give us the ability to look at this issue and get some clarity. I've heard several people here talk about definitions. And one of the things last week we talked about is we don't have some clearly defined terms in terms of some of the issues that we're dealing with here. And we wanted to use, I thought the intent was to use - - - if the legislature came out with something, to use that piece of legislation as a baseline document to begin our discussions. And I think I've heard Councilman Carmody say at two weeks ago, that he was more than willing to working in the Council Committee and see where it's going. Councilman Walford, I can appreciate where you're coming from, but I think that Councilman Carmody has been very amenable to taking that baseline document that he has introduced. And it may be completely different before it's all said and done. But to use that as our guiding post, and to allow for professional staff like Charles Kirkland and Alan Clark, and Roy Jambor to fulfill some of the homework that they were participant in last week to allow the Police Department to come forward and provide some of their input that they've been charged with - - - with some homework. And also allow for Terri Scott who was in attendance at that meeting last week to do the same. And that to me, that provides balance, and not only that, but a Council Committee, and all of us agree that a Council Committee provides for public input. And I think that that's the most critical thing, and Councilman Carmody and I have talked about that, and in fact, I think I've had that conversation on and off with all of my colleagues up here that we need to remember who we work for. And that is you the public. And that by having Council Committees, established for whatever the reason. We've had Council Committees for Sexual Oriented Businesses to Animal Control, to smoking to a variety of other things. And I think that at the end of the day, it is produced as well a balanced piece of legislation as we could look for. I'm far from making the decision either way on this thing, because again, as I stated at the Committee meeting last week, there's some homework to be done on this. Councilman Walford, you even admitted at that meeting it was some homework to be done, and I think I remember all three of the Council Members in that room said, we were amenable to a postponement on this thing. And I would hope and I would pray that we all full that commitment, in terms of the people that were at the meeting, and urge our colleagues to do the same thing in terms of knowing that nothing has been decided in terms of what's on the table. And Councilman Walford, again, I appreciate the fact that we - - - that you would like to go in a different direction, but this legislation is far from it's final version. In fact it may be upside down, it may be sideways, it may not be tweaked at all. We don't know at this point and time. We don't know at this point and time, because again, I'm not the professional on this. Charles Kirkland and his staff is. The attorney is Terri Scott, and the Police Department from a law enforcement. And those are critical components that I think that we could use. The State legislation is a baseline and I would encourage my colleagues to give us the time. And I felt that the professionals that thought that we within two

weeks would have something to be brought back before this Council to look at with public input including the business community. There's been some businessmen in this room who've had some, I think clear points that we as Council have got to take under consideration in this process. But I don't think we - - - we just started the process last week based on the legislation passing something. And that was stated, and if anybody wants to look under the discussion a few months ago, it was clearly stated in there. That we didn't know what the outcome was gonna take place. Fortunately, there was a positive outcome, now we have something to work with. So again, I would urge my colleagues to do so, and I'm fully prepared to continue to work this issue, because there's points on both sides and I also want to thank those who came down to speak whether they are for or against this particular issue today. Thank you Mr. Chair.

Councilman Jackson: Thank you Mr. Chairman. I want to concur to some degree with my colleagues who've already spoken. As Councilman Gibson said, we clearly work for the public. I don't think it's important for us to remember that only when it's a hot button issue. Every issue we vote on, we work for the public. Not just the controversial, not just the emotional issues, but every issue. We obviously cannot start a committee on every issue that we create. One of my fears is that if we work for the people, we ought to work for the people. Many of our committees have been formulated and have basically produced nothing. Many times, we've formulate committees to either bury something, or to at least demolish it to the degree that it looks greatly dissimilar from what it did when we first started. So, I would suggest that we would even if we were, and if we do proceed with that we do so with - - - someone talked earlier today of this idea of integrity. Cause sometimes we do these things, because when you look across the dais, the issue becomes 'can I get four votes'? And not bring up an issue that becomes a hot button issue, but can I lead to the degree that I need to, to influence and convince those who work with me, that my idea has enough fortitude that they ought to stand behind it and not challenge their morality, not challenge their integrity, but to make a case that say's here is why it's in the public's best interest. Very often, I'm ashamed and I'm as responsible as any of the other Councilmen, that very often, the best description of our collective morality is floating, and sometimes it's good, sometimes it's not. I've always believed that you know it ought to be consistent. Well, we get issues, and it seems like we live in a City sometimes that is 'picks your evil'. When it comes to smoking, some people support it. It comes to alcohol, how we draw lines and other people support it. I think if issues of children and children and children's health, and children's well-being are important, they're important consistently across the board. And the same people who are concerned about children and the proximity to the sale and/or use of alcohol, I think should have, and this is just my opinion, the same kind of concern about being the victims of second hand smoke. I suggest to you that there are a lot of issues. Many have tried to change it into a bar issue, a buffer issue, and a children's issue. But at the end of the day, there is a lot of different reasons why we could in fact do or not do this. I would just that we are serious when we deal with the public. I would also say that I don't support the postponement of this issue, only because I would more support the removal of this issue from our agenda, so that it does not linger on our agenda and two weeks from now, we come back and the same groups of people and even more have come back to speak on an issue that we have no intention of voting on before October or September or whatever the case may be. I think that until such time that this committee has worked, and if it is the effort of this committee to work as something legitimate, then lets take this off the table and when it's time. And whenever the amendment, excuse me, whenever this comes back as an ordinance that has structured in it's final state, then

we ought to bring it before the public. Other than that, it's bait and switch and to a great degree, teasing the public as we sit in back rooms and try to tweak it. I think when we're prepared to vote on it, up or down, whether you support it or not, and I think it's very clear that many people have already got a stance. Some people are more tacit in their stance and some people are flexible. And perhaps more information would help to concretize their decision making process, but I would suggest to us that to postpone, like so many other things on our agenda that just lingers and lingers for no legitimate reasons. Some postponements have legitimate reasons. I'm certainly not suggesting that they don't. But in this case, I think it would be in the best interest of those folks to not come to the next meeting because they'd be able to speak on this same issue that we're not prepared to vote on. And I would suggest that we not postpone the issue, but that we remove it from the agenda until such time, that we are prepared to come and legitimately vote on it because I don't think we ought to engage in and certainly, I hope it's not misconstrued as such, but I would hate to think that we are just engaged in stall tactics if we don't think it's going to live. I don't think that's what my colleague who is suggesting is necessarily suggesting. But I think as we go back to this issue of integrity, lets take it off. And lets come back, if it's going to be materially different, then it ought to be materially different and it ought to be presented as such. No reason to come back with 105 on the table with seven amendments. I mean at the end of the day, we ought to come together, put something together if in fact we are going to do this because as many people have said today, the State law has not changed, our State legislators have gone down and one in particular, people want to know about the integrity of State Legislature. It wasn't really an issue of integrity so much for the State Legislature, it was a no-brainer. And the reason it was a no-brainer for the State Legislature, because it didn't do anything. It just enabled cities to do something. So, who would vote against that. It just says that every municipality, and I would wonder and I would hope that Mr. Carmody, or Mr. Gibson or whoever is the Chairman of the Committee would do some research to find out what other municipalities have done since this legislation has passed the State Legislature. Certainly don't have a problem being a leader. Shreveport can be a leader. We were on the smoking side, and perhaps it'd be good to be a leader. But I'm just interested in why other people are not touching it, if they are not touching it and that may speak to something that we ought to also be concerned about as well. But I will suggest to us that while I certainly commend State Legislators for all the legislation that they're able to pass. A lot of legislation that is passed doesn't materially change anything, just enables cities to do so. This is a piece of that kind of legislation that's an enabling legislation that says a municipality now under State Law can do, they may, should I say, not shall, but they may do certain things, and it's still our responsibility to choose which direction we're going to go. I would suggest to you this. Many people have come today. And my final comment Mr. Chairman, and pleaded to this Council about it's collective integrity. Talked to this Council about what it should do. Talked to this Council about making this city a better place. And to some degree pleaded with this Council. And I find it strange that you plead with a Council that you ultimately do not trust. Because if you do, then what we have in place even as we speak, every permit, every request comes before this Council. And we can deny or uphold any person who comes. Someone has suggested today, that well, if it's an issue downtown in a B-4 District, you all still have the power to come back and change this law that we want you all to change this law that we want you all to change today. Well we still have that power now. And what are we changing if what we're doing is setting up exceptions rather than putting in rules that we all intend to follow to the letter. And so I would just suggest Mr.

Chairman, that our colleagues that have suggested that we postpone would re-consider removing this from the agenda until such time that we are prepared to comeback and deal with this issue legitimately Mr. Chairman.

Councilman Lester: Thank you Mr. Chairman. I want to make a few comments. I think this issue as I appreciate it comes to the Council as a direct correlation to what happened with the Shoppes at Bellmead. I think that was the impetus for us being here today. I think the Council took a pass on the Shoppes at Bellmead. Well, certain ones on the Council, certain members on this Council took a pass on the Shoppes at Bellemead. And I think incorrectly, abdicated our responsibility in Baton Rouge. We said if the State Legislature gives us the power to do such and such, then we can do such and such. And if they did such and such, then I would vote such and such. You know, they say that if, ifs and buts were beers and nuts, we'd all have a heck of a party. Well, the fact of the matter is, we didn't do the right thing in my opinion. And it's just interesting to me that now, the proponent of this particular piece of legislation in whose district Bellemead was who voted to place the alcohol at Bellmead is now the proponent of saying no more alcohol within 300 feet or whatever of a school property. For the life of me, I don't understand what the conversion is, if there is a conversion, or if there is something else. I don't know, I don't know if it's politics, I don't know if it's the Mayor's race, I don't know what it is. And I know a number of church folks, and I've said this before, there is and I guess Councilman Green, could give me the direct quote, but I know that the Bible speaks very eloquently about double-mindedness. Someone mentioned about the line drawing fiasco in terms of the 'as the crow flies' as it relates to what we have right now. Well, that wasn't something that was created by this Council or this Board. In fact that was created by our good friends in the legislature sometime ago in their "infinite wisdom" (and I say infinite wisdom in quotation marks). Then we heard from a real estate developer that says, it's bad public policy, and it's bad economic development to mix alcohol and schools. I think he's absolutely right, and I would say, and I would ask everyone that's here, that is a proponent when you leave this building, just take a drive through Allendale please. Just drive down Pierre Avenue please, please. As you see corner grocery store/liquor store on corner grocery store/liquor store, right note even 300 feet, I'm talking like across the street from a school, across the street from a YWCA. What I don't understand is suddenly because there's this idea that there could be an establishment that sells alcohol possibly across the street from A.C. Steere, something's gotta change. Now. But when you look at what happens in Hollywood, or Cedar Grove, or Mooretown, or Martin Luther King or Allendale or Lakeside, and on and on, not a problem. Why? I don't have to look at it. It's not my area. Out of site, out of mind. There is an element of hypocrisy that is seriously afoot with this piece of legislation as I see it. Now, I will say this. In my mind there is one Shreveport. It's not Black, it's not White, it's not rich, it's not poor. And if we're going to make laws, we shouldn't make one set of laws for one side of the tracks and one set of laws for the other. But the fact of the matter is, that is the history of this City. We accept certain things on one side of the tracks, but we don't accept them on the other sides of the tracks. And when it's something that is viewed as an evil or shocks our consciousness on one side of the tracks, then suddenly we're spurred into action. Suddenly we're spurred into action, to the point where we have members of our State legislative delegation changing the rules. And yet, those same ills and evils exist on the other side of the tracks. Due in large parts to people or owned by business owners that live on the same side of the tracks. But now, that we're bringing something from the left side of the tracks to the right side of the track, no. Because we don't want those chickens to

come home and roost. My colleague is asking for a postponement. Because we need to study the issue. I remember maybe, two weeks ago, maybe a month ago, I was in a similar situation with a piece of legislation as it relates to Hilry Huckaby Ave. I said on Monday that I was going to postpone. I asked the Council to postpone the issue, because 1) I wanted to have an executive session so that our attorneys could advise us what the status was the lawsuit and what the judge's ruling was because we had not done that. I also mentioned to my colleagues that I was going to have breakfast with the person that was suing us, the Baker family, to see if there was some way that we could resolve it. And I said based upon those things, I asked this Council to postpone that particular issue, so that I would have an opportunity to do those two things. Well, guess what? Didn't happen. And as a matter of fact, an individual who was asking for a postponement for literally the same thing, that voted against me on my side of the tracks is now asking for deference on his side of the tracks. People in the media say that we take time and we snip at each other. And Lord knows that's not my intent, because at the end of the day, this Council has to be one where if we don't do anything, we have to have a certain level of respect for the positions. Even if I don't like the person to the left of me or to the right of me, I have to work with them, because I represent one-seventh of the City of Shreveport, and I have to respect a Councilman in this district, simply because I don't know what goes on District B. I don't know what goes on in District E or District C. I have to trust that that Councilman knows what's going on in their area, and that has to be a reciprocal respect, but that hasn't been happening. And I don't understand how someone or a group of people can ask for something they're unwilling to give. But now having said that, I'm going to be better than my colleague. I am going to vote to allow him the two weeks, but I wanted to go on record and make the record perfectly clear that my colleague is asking for something that not maybe - - - I may be wrong on two weeks, let's say a month ago, he was perfectly unwilling to give. And I think that sets a bad precedent. I think again, whether we like each other or not, we don't have to like each other. We don't have to go eat, but we do have to talk, we do have to communicate, and we do have to have a baseline level of respect for the position. Because as my colleagues are finding out, whatever you want to do on this Council for your constituents requires three other people to vote for you. That's the beauty of the system. Thank you Mr. Chairman.

Councilman Green: I'd just like to simply say that I think it's a sad day because this is not about the children. It's not about the children. Children don't drink at school, they drink at home. And there is nothing in this legislation, in fact, last week I took a survey of kids to ask them where do kids drink. They drink at home. In fact, that's why Jesus possibly did his first miracle in a home. Get me some legislation to help me at the house. I think what's wrong with our city, what's wrong with America is that our homes are falling apart. It says class of properties, not about the home. That's where we need some help is at the home. Because if you get me some straight at home, I'll do right at the school, I'll do right wherever I go. But I need something to happen at the home. In fact, school teachers - - - parents send their children to school for teacher to father their children and to mother their children. Any school teacher that you talk to, got to be a mother, or got to be a father to children that come to school. And not one teacher can deny that fact. You're not going to have a problem with a kid bringing liquor bottle to school, in fact, there are kids I found out last week who stay up at 2:00 and 3:00 and 4:00 in the morning watching television. That's where all the happenings is. We're sleep, but it's going on, on our television. This has nothing to do with turn your television off of bad channels or blocking it. We got to do something and there are people that have been drawn into this because

when you bring up children, yes it will start my blood boiling and a lot of other folks blood boiling. This ain't about the children. I just want y'all to know. This ain't about the children. This is about some folk who want to fight to have their way. And they will say or do anything to get whoever involved because there are some children suffering at home, and they need people to be consistent on this Council, the School Board, in fact there are some children that left home today with nothing to eat. And if it were not for the School Board with free lunches, they wouldn't even have a meal. So we need some help at home and I think our private fights ought to be just that. Private fights. We ought not put a child in the middle because this is not about a child. There is not one child from Captain Shreve going to walk across to Bellemead and sit at the table and say pour me up a drink. Not one child. Not one child is going to go into the other restaurants on that strip and say, I want to get a meal today and pour me up a drink and that operator will do it. No. That ain't going to happen. Not going to happen. It hasn't happen, but I tell you what today, there will be some children that don't have to go there. All they're going to do is go home and get it out of the refrigerator. They're gonna get beer, the wine coolers, the whatever they choose. And they'll have a friend to go to the store and buy 'em and they'll have them replaced by the time mama get home or daddy get home or whoever get home. That's the real world. And sometimes we live in a fantasy world. But that's the real world. That's how it works. That's the real world. You got some grown folks who will go in the store for some children and buy the liquor and give it to 'em. That's the real world. I mean, sometimes we play like stuff. We get caught up in the Hollywood stuff. But lets look at the real world. Lets get to the bottom line as to what this legislation is all about. I would really be curious as to know who carried it to Baton Rouge and who sponsored it. Is there anybody with that knowledge as to who sponsored it in Baton Rouge.

Councilman Carmody: The Governor signed it into law.

Councilman Green: No, I didn't say who signed it, who sponsored it? Who did? For the record.

Councilman Jackson: I don't know.

Councilman Green: Anybody know? Nobody know. See this is what I'm talking about. When you come to the real world, we don't like to call real names and say the real facts. Now, nobody - - - before everybody was talking. Even the person whose sponsoring it up here have no idea - - - do you have any idea who sponsoring it?

Councilman Carmody: I certainly do.

Councilman Green: I'm asking for it.

Councilman Carmody: You didn't hear him say Mike Powell?

Councilman Green: No. He say he didn't know.

Councilman Carmody: No he did not say he didn't know. You're selectively hearing

Councilman Green: Yeah, I'm selective. Can you tell me who did it?

Councilman Carmody: You just heard me tell you sir.

Councilman Green: I didn't hear.

Councilman Carmody: State Representative Mike Powell.

Councilman Green: Thank you. Okay, I appreciate that. That's beautiful.

Councilman Carmody: You're welcome.

Councilman Green: Now, lets live in the real world, because sometimes we can get a group of people to do anything we want. All we got to do is say the right stuff at the right time. That's the real world. And again, Councilman Lester just made a statement about when he

needed just a postponement, not a vote up or down, just to postpone in his district, he got no. It's like we have things to go on in the real world, you'll have one Councilman go to a meeting cross town in Cedar Grove and call folk who vote with the Mayor "henchmen". That's the real world. He'll say, they'll say stuff like, you know the Mayor got four henchmen up there, and they just vote with him. And not long ago, the same person and the Mayor agreed five times in the meeting. So, anyway the vote- -

Councilman Walford: Mr. Chairman, if I can have one more opportunity sir.

Councilman Green: Yes sir.

Councilman Walford: Again, I think we would be better served to let the committee come forward with an ordinance instead of as Mr. Jackson pointed out, teasing the public into thinking that this is going to stay on there. And I'm going to have to brag for a minute, but I don't believe there's anybody sitting up here on the dais that's got as much experience as I do with this, with almost seven years on the Zoning Board of Appeals, I've handled these in District A, District B, District C, District D, District E, District F, and District G. And Mr. Kirkland, I think that you can confirm that every month we handled these kinds of cases. We visited the sites, we saw what was there. I'm willing to work with a committee. I don't like what I'm looking at, I don't want the public thinking that we can pass this. I will not support this, because it has serious impacts on District B and central business district. I would like to see us start over from scratch, and that's my position. Thank you.

Councilman Green: Thank you. And also, so that you all will know that's in the audience, the real world is the reason that it has been asked to be postponed is possibly when Councilman Hogan comes back, it's a hope that he might would vote for it. That's the real deal. It's not because of whatever the real deal is, will Jeff vote for it or will Jeff vote against it? But the hope is that he would. That's so that you all would know.

Mayor Hightower: Just a couple of comments on the ordinance itself. I don't think there's a single Councilman sitting here today that would argue that this is a good ordinance. Not one. Even the producer of the ordinances understands that there are corrections that need to be made, more discussions to be had. If truly what this Council wants to do, is to come back and put an ordinance together that is I think as Mr. Childs said, I forget the terminology, convoluted or whatever it was he used, trying or whatever, this one if passed with what someone else has suggested, amendment after amendment, after amendment it's going to be just as hard for anyone trying to do business to interpret. I think Councilman Jackson's got the best idea that I heard today is lets wipe the slate clean, lets not make Mr. Graham come back down here 50 times over the next six months worried about is the Council going to pass an ordinance when he's not here. I haven't set on the Council for eight years, and in this Chair for seven, I think the best thing to do is to wipe the slate clean. Form your committee, put an ordinance together that's livable. That everybody understands that's fair to both business and all others concerned and that is not a convoluted amended up mess. And while were talking about whose doing what, I think it is only fair to say when Mr. Rachal spoke a minute ago, he talked about some commitments, and insinuations and things that maybe some of the Council Members had made, and it referred to going back to get the State Legislation changed, and again, I think Councilman Jackson hit the nail on the head. The legislation was only enabling. It's not that we don't have a law in place, we do. We have the same law in place that they have in place in Bossier City, Greenwood, Houghton, Baton Rouge, Lafayette, Houma, Haynesville, New Orleans, everybody else in the rest of the state so that the playing field is level at this point. And I think that needs to be a part

of this discussion as well is how will our legislation affect the competition. How will we fair with the rest of the State. Do we care? Do we as suggested, take the lead and be more restrictive than other communities? But lets also be fair about the enacting legislation. If the State Legislature truly felt like the current legislation has in place, was not conducive to business was a mess for whatever reason, they have the power to change the law to 300 foot as the crow flies. They didn't do that. What they chose to do was pass the buck. Somebody earlier suggested that the legislature passed the test. They didn't pass the test, they handed it to somebody to take it for 'em. And that's what you guys are asked to do. I don't think that's necessarily a bad deal, but I think it is important for the public to understand that this Council, the Council before that, Council before that, Council before that, the Councils all the way back to the year that the state passed the current law, have had to pass the test. There's always been an appeal process that eventually ends up right here. And the people sitting in those seven chairs make those decisions. It happened with the Shoppes at Bellemead. I personally think the Council made the right decision on the Shoppes at Bellmead. I don't think that Shoppes 280 feet or 303 feet restaurants from Captain Shreve Stadium are going to increase teen drinking. And I think Councilman Green was correct in that aspect. Most of the liquor that our kids, mine included get before they're 21 years comes from somebody's house. And that's where the real problem is. Until we address what we allow our kids to do or the habits that our kids form, you know we're always going to have that type of problem. But I don't think as the case in point that the Shoppes at Bellemead which is a great addition. I commend Mr. Childs for it, and I don't see eye to eye with Mr. Childs on everything either. But I certainly commend him on his foresight and the partnership that he put together to build a quality retail development here. And I trust that Mr. Child is going to bring in some quality restaurant establishments that will serve alcohol. But again, I think it's important that if we're going to create new legislation, that, that legislation be as black and white as it can be. So there is not question about 300 feet or 298 feet, or what the restrictions may be. If we're going to send a message, lets just send it. Lets not just continue to convolute it. And I think amending this particular piece of legislation does nothing but distort and confuse further than anyone may believe that the current ordinance does. So again, I think Councilman Jackson had good suggestion. We ought to wipe the slate clean, not keep dangling this piece of legislation so that we continue to have folks come down and have to listen to the same arguments week after week after week after week after week after week, until the Council comes with an ordinance that's either passable or not.

Motion fails by the following vote: Nays: Councilmen Walford, Green, Jackson. 3. Ayes: Councilmen Lester, . 3. Absent: Councilman Hogan. 1.

Motion by Councilman Carmody, seconded by Councilman Gibson to adopt.

Councilman Carmody: Gentlemen, as you all know, we can make our arguments till kingdom comes. The situation I guess boils down to this for at least this Councilman. Either we have protected classes of properties in the City of Shreveport says in conjunction with what is allowed by the legislature and mandated a 300 foot measurement. And granted all the House Bill 38, Act 508 changes the way the way distances are measured for the permitting of establishments that serve alcohol. That's exactly what it says. We've been talking about what the legislature did. No, all it does is allow the municipality to decide whether or not you want to

measure in a straight line. I am in support of measurement in a straight line from protect classes of properties. They're elaborated and spelled out in this legislation. I guess what I am asking each of you to do today is to consider this. And maybe we might have some guidance from our legal Council. But Ms. Glass if someone were to seek a restraining order for a perceived threat from another individual and the judge were to grant the restraining order, would that restraining order, would that restraining order stipulate a specified distance that the person would have to stay away? I mean - - -

Ms. Glass: Mr. Chairman, I'm not that familiar with restraining orders. It would be up to the judge I would suppose.

Councilman Carmody: I would imagine it would be, but when he would interpret it to say that he specified a distance, that distance would normally be interpreted as being between the two individuals, I would assume, and again, I'm not trying to practice the law, but I'm just trying to make an observation as opposed to the judge saying I require you to be a certain distance away from the person that I'm granting the restraining order to, but this is the way you shall measure it. From where you're standing, walk to the sidewalk, find the nearest intersecting street, walk over the crosswalk, follow the sidewalk back to where the person is standing that has the restraining order, and that's the distance. To me, it circumvents the intent if indeed you are providing a 300 foot buffer from protected classes of property. Those of you who do not agree with that, you're certainly welcomed to vote your conscious. That's what I'm asking you to do now. I for myself will vote in favor of the 300 measurement from protected classes of properties. Thank you for your time.

Councilman Lester: Mr. Chairman, question to the author. As I appreciate it, lets get out of the civil realm. Lets deal with the Shoppes at Bellmead which brought this whole deal up. Now, correct me if I'm wrong, because I'm not over there very much. But Caddo Parish Stadium hasn't moved yet, has it?

Councilman Carmody: Lee Hedges Stadium.

Councilman Lester: Lee Hedges Stadium, see there. I told you I wasn't that familiar.

Councilman Carmody: Yes sir.

Councilman Lester: Lee Hedges Stadium has not moved has it?

Councilman Carmody: Not that I'm aware of.

Councilman Lester: Okay, alright. And the Shoppes at Bellemead have not moved, have they?

Councilman Carmody: Not that I'm aware of.

Councilman Lester: Okay. My question is this. If you're concerned about protected classes of property, and Lee Hedges Stadium is still where it was then as it is now, and if you're concerned about this issue, I don't understand and please explain to me the disconnect between the vote that you made months ago on Bellemead and the vote today. I mean, it would just seem as though, if your concern is protected classes of property, then your vote would have been to deny the Shoppes at Bellmead. I don't understand where the difference is. I mean Lee Hedges hasn't moved, the Shoppes at Bellmead haven't moved. Now you're saying that the way that the State Law was applied was - - - I'm not going to put words in your mouth, but implied that it's less than, less than, well lets just say that it's asinine. Excuse my language, in terms of the way it's being drawn. As the Councilman for that area and as a Councilman on this Board, you had the power to say, I understand what the law is, but I believe that in this instance, as it relates to Lee Hedges Stadium and the Shoppes at Bellemead, I believe that Lee Hedges Stadium is in fact

to use your term of language a protected class of property and now, I'm going to vote no. And leave it up to the courts to decide whether or not that was the right vote. I don't understand what is with the attack of conscious now versus then when all that we have done is change the law that allows us to draw the lines differently?

Councilman Carmody: Is he asking a question that I might answer?

Councilman Green: Are you asking that to him?

Councilman Lester: Yes.

Councilman Carmody: Counselor, you understand that when laws change, circumstances change. At the time that we considered it, you are correct. The legislature did not provide HB 33, Act 508 which changes the way that distances are measured for permitted establishments to serve alcohol. That's the circumstance that changed today. What I'm asking the Council to do is as well as yourself is to consider, that we want to make the measurement in a straight line as opposed to the current method that the City implores.

Councilman Lester: I guess what I don't understand is and I hear what you're saying, but what I don't understand is if in fact your concern is the protected classes of property, there is nothing that has changed with this particular piece of legislation, i.e. the State statute that changes the class of that protected piece of property. You had the ability as a Councilman, and as the leader of that particular district, you had the ability to say, I understand what the laws are now. And not so coincidentally, I understand what the School Board said that they wanted, I'm not going to vote in favor of the Shoppes at Bellmead. I just - - - I mean if that's your justification, now that the law has changed, then, you know, that's fine- - -

Councilman Carmody: Please accept it, you don't have to understand it. Just please accept it.

Councilman Lester: Oh no, I've given up on understanding, I'm just trying to figure out where we're coming from, because it just seems like here again, the consistency is just not there. And it seems like all we did was change the way that we measure, but we have not - - - we've done - - - Lee Hedges Stadium is still Lee Hedges Stadium and is still owned by the Caddo Parish School Board, it's still used by Booker T. Washington High School and students and will be used - - - whatever. The Shoppes at Bellmead are still there, and there are still restaurants that serve alcohol and nothing has changed, just the ability to draw the lines differently. And again, I'm not in District C, I don't know what's going on, but it's just seems unusual that someone that was a proponent of placing the alcohol at the Shoppes at Bellemead can suddenly have dare I say a conversion to saying, well you know what, now I'm concerned about protecting children and lets not say children, protected classes of property when nothing has changed. The Shoppes at Bellemead are still what they are, and the School Board is still what it is.

Councilman Carmody: And Mr. Lester, if you'd allow me the opportunity to respond, remember that this legislation is not just for District C. This would have City-wide implications, and so therefore I am going to graciously ask you to support the legislation so that we do have a buffer zone between the protected classes or I should say "protected classes" of property.

Councilman Gibson: Mr. Chair. I call for the question.

Councilman Green: It's already been voted on, he just continued to talk. The vote went 3-3.

Councilman Jackson: Oh, I don't remember the vote.

Councilman Green: I do.

Councilman Jackson: I never saw the vote go up.

Councilman Green: I saw, the vote went 3-3.

Councilman Jackson: Did we call the vote?

Councilman Green: We voted.

Councilman Gibson: I pushed the button.

Councilman Green: We voted and you voted.

Mr. Thompson: The Council voted.

Councilman Green: 3-3.

Mr. Thompson: However the vote was not called by the Chairman and discussion continued. So, it's up to the Chair to rule whether or not that vote was the final vote.

Councilman Green: Yes sir, it was the final vote. 3-3. And I just allowed the discussion because Mr. Carmody wanted to discuss. So, I allowed the discussion. But the vote flashed on the screen and everybody in the audience and in the television audience saw it. It was 3-3.

Councilman Jackson voted against, James Green voted, and Councilman Walford

Councilman Carmody: Can I ask for a point of clarification? Mr. Chairman, can I ask for a point of clarification?

Councilman Green: Yes.

Councilman Carmody: Only a person on the prevailing side can ask for a reconsideration of the vote. Is that correct Mr. Thompson?

Mr. Thompson: That's correct.

Councilman Carmody: And in this instance, who is on the prevailing side?

Councilman Green: Nobody. There is no prevailing side, we all are.

Councilman Jackson: To whomever the benefit is (inaudible) it would seem to me.

Mr. Thompson: I think that would be correct.

Councilman Carmody: And the benefit in this instance was to those who voted no. Correct?

Mr. Thompson: To those who voted no.

Councilman Carmody: Because it failed. Thank you sir, I appreciate the clarification.

Councilman Green: Thank you. Mr. Clerk, we'll move to item 113.

Councilman Jackson: I would like to move to reconsider.

Councilman Carmody: I'll second.

Motion by Councilman Jackson, seconded by Councilman Carmody to reconsider Ordinance No. 105 of 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, and Jackson 4. Nays: Councilmen Gibson, Green. 2. Absent: Councilman Hogan. 1.

Councilman Green: How do we reconsider it - - -

Councilman Jackson: For the record - - -

Councilman Green: Excuse me just a minute. How do we reconsider?

Mr. Thompson: I think Mr. Chairman, it's a point of order as to whether it takes 5 votes to reconsider it. Ms. Glass is looking for that now.

Councilman Lester: The question is whether it is two-thirds of the members present or two-thirds of the body. I think that's the question.

Ms. Glass: Yes it is a two-thirds vote.

Councilman Lester: Is it two-thirds of those present?

Ms. Glass: Of those present unless (inaudible) specifically states that.

Councilman Carmody: Get the calculator out.

Councilman Jackson: That's two-thirds. You're only dealing with six. That's two-thirds.

Councilman Green: Two-thirds of six?

Mr. Thompson: So, it has been reconsidered. To reconsider motion was adopted.

Councilman Jackson: Mr. Chairman, for the record the reason for my reconsideration is because I want to be consistent with what I said earlier. I think that people leave and walk away from the deal with an issue of just having killed it. I would again like to urge and maybe it will fail that we would simply remove this from our agenda without having had a record of taking that particular vote. And if it ever comes back, we'll deal with it when it ever comes back. But if it doesn't, we never do.

Mr. Thompson: Is that a motion?

Councilman Jackson: Yes.

Motion by Councilman Jackson to remove Ordinance No. 105 of 2005 from the agenda. Motion fails for lack of a second.

5. **Ordinance No. 113 of 2005**: An ordinance declaring certain City-Owned Property to be surplus property; Authorizing the sale of the said property to the Red Ball Oxygen Co., Inc., and to otherwise provide with respect thereto. (*Fire Station No. 13*) (Not be adopted prior to Aug 23, 2005)

Having passed first reading on July 26, 2005 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 Walford to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

6. **Ordinance No. 114 of 2005**: An ordinance authorizing the lease of City-Owned Property to Cedar Grove Affirms Real Effort Neighborhood Association (C.A.R.E) and to otherwise provide with respect thereto. (Not be adopted prior to Aug 23, 2005)
7. **Ordinance No. 115 of 2005**: An ordinance declaring certain City-Owned Property to be surplus property; Authorizing the donation of some or all of the property; Authorizing the Mayor to execute all documents relative to the donation of some or all of the property; Authorizing the Purchasing Agent to solicit bids for the remaining property; and to otherwise provide with respect thereto. (*SNAP I and SNAP II*) (Not be adopted prior to Aug 23, 2005)

Having passed first reading on July 26, 2005 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 Walford to postpone Ordinance Nos. 114 and 115 until the next regular meeting.

Councilman Gibson: Mr. Chairman, could I ask for a reason for a motion of postponement?

Mr. Thompson: For advertising purposes.

Councilman Lester: Right, for advertising purposes. We can't vote on it until the 23rd.

Councilman Gibson: Okay, so, but let me ask you something. Why did it fall under Second Reading and Final Passage?

Mr. Thompson: It was just put on the agenda that way, but it has to be advertised three times in 15 days.

Councilman Gibson: Okay, so this is just kind of one of those awkward deals?

Mr. Thompson: That's correct.

Councilman Gibson: Okay, thank you. I appreciate Councilman Lester on that.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Gibson, Green, and Jackson 6. Nays: None. Absent: Councilman Hogan. 1.

8. **Ordinance No. 116 of 2005**: An ordinance to amend and reenact Chapter 6 of the Code of Ordinances relative to alarms and otherwise provide with respect thereto.

Having passed first reading on July 26, 2005 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 Jackson to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

Councilman Lester: Mr. Chairman, did the cameras step out too?

Councilman Jackson: Mush have. That's the reason to clear this room out, when the cameras - - -

9. **Ordinance No. 117 of 2005**: An Ordinance to amend section 42-357 of the Code of Ordinances of the City of Shreveport by deleting the prohibition on the drilling of oil and gas wells within 1000 feet of Cross Lake, and to otherwise provide with respect thereto.

Having passed first reading on July 26, 2005 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 Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

10. **Ordinance No. 106 of 2005**: ZONING – C-42-05: Amending a certain provision of Section 106-22 of the City of Shreveport Code of Ordinances, the zoning Ordinance; To repeal Resolution Number 111 of 2005 relative to an appeals fee exemption for certain individuals and organizations; and to otherwise provide with respect thereto.

Having passed first reading on July 26, 2005 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 **Green** to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

11. **Ordinance No. 107 of 2005**: ZONING – C-60-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on northeasterly corner of North Market and North Hearne, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District, to B-3, Community Business District, and to otherwise provide with respect thereto. (A/Lester)

Having passed first reading on **July 26, 2005** 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 **Walford** to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

12. **Ordinance No. 108 of 2005**: ZONING – C-54-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the southeast corner of Jordan Street and Line Avenue, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District, to B-2-E, Neighborhood Business District Extended Use District **LIMITED TO “A RESIDENTIAL LODGING FACILITY”, ONLY**, and to otherwise provide with respect thereto. (B/Walford)

Having passed first reading on **July 26, 2005** 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 **Jackson** to adopt.

Councilman Walford: Mr. Chairman, I let Mr. Harris sit down before I complimented him on how nice his property looks up there, and I see Mr. Kirkland nodding his head. Mr. Harris, you’ve done a beautiful job. Keep it up. My colleagues and I were commenting about it after you were up there. And I would urge a yes vote.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

13. **Ordinance No. 109 of 2005**: ZONING – C-55-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the north side of Pecan Drive, 460 feet east of Winterwood Drive, Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family Residence District, to R1D-E, Urban One-Family Residence/Extended Use District, **Limited to “A Machine Shop” only**, and to otherwise provide with respect thereto. (D/Gibson)

Having passed first reading on July 26, 2005 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 Walford to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

14. **Ordinance No. 110 of 2005**: ZONING – C-56-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the southwest corner of Bert Kouns and Wallace Lake Road, Shreveport, Caddo Parish, Louisiana, from B-2, Neighborhood Business District, and R-A, Residence Agriculture District, to B-3, Community Business District, and to otherwise provide with respect thereto. (D/Gibson)

Having passed first reading on July 26, 2005 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 Walford to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

15. **Ordinance No. 111 of 2005**: ZONING – C-57-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on west side of Mansfield Road 700 feet south of Hayes Shreveport, Caddo Parish, Louisiana, from R-1D, Urban, One-Family District, and R-3, Urban, Multiple-Family Residence District, to B-3, Community Business District, and to otherwise provide with respect thereto. (E/Hogan)

Having passed first reading on July 26, 2005 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 Lester to postpone until the next regular meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

16. **Ordinance No. 112 of 2005**: ZONING – C-58-05: Amending Chapter 106 of the Code of Ordinances, the City of Shreveport zoning ordinance, by rezoning property located on the northeast corner of Wildwood and Greenwood Road Shreveport, Caddo Parish, Louisiana, from R-A, Residence Agriculture District, and I-1, Light Industrial District, to R-1D, Urban, One-Family Residence District, and B-2, Neighborhood Business District, and to otherwise provide with respect thereto. (G/Jackson)

Having passed first reading on July 26, 2005 was read by title, and on motion, ordered passed to third reading. Read the third time in full and as read motion by Councilman

Jackson, seconded by Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

The adopted Ordinances and amendments follow:

ORDINANCE 117 OF 2005

AN ORDINANCE TO AMEND SECTION 42-357 OF THE CODE OF ORDINANCES OF THE CITY OF SHREVEPORT BY DELETING THE PROHIBITION ON THE DRILLING OF OIL AND GAS WELLS WITHIN 1000 FEET OF CROSS LAKE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

By:

WHEREAS, Section 42-357 of the Code of Ordinances of the City of Shreveport contains a prohibition on the drilling of oil and gas wells within 1000 feet of Cross Lake; and

WHEREAS, the U. S. 5th Circuit Court of Appeals has recently ruled that the City may not prohibit the drilling of oil and gas wells in "an area within the state of Louisiana;"

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened, as follows:

Section 42-357 of the Code of Ordinances of the City of Shreveport is hereby amended by deleting the following language:

No well for which a permit to drill is issued by the commissioner after November 13, 1990, shall be located nearer to such boundary of Cross Lake than 1,000 feet; provided, however, that such minimum distance shall not apply to any permit to drill issued by the commissioner and in effect as of November 13, 1990, or any renewal or extension of such permit, or any new permit to drill the same well at the same location as provided in a permit in effect on November 13, 1990; provided further, that any such new permit is issued by the commissioner within 30 days after expiration of the prior permit.

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.

ORDINANCE NO. 106 OF 2005

AN ORDINANCE TO AMEND A CERTAIN PROVISION OF SECTION 106-22 OF THE CITY OF SHREVEPORT CODE OF ORDINANCES, THE ZONING ORDINANCE; TO REPEAL RESOLUTION NUMBER 111 OF 2005 RELATIVE TO AN APPEALS FEE EXEMPTION FOR CERTAIN INDIVIDUALS AND ORGANIZATIONS; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that a certain provision of Section 106-22 of the City of Shreveport Code of Ordinances is hereby amended to now read as follows:

Sec. 106-22. Schedule of fees, charges and expenses.

The City Council shall establish a schedule of fees, charges and expenses for applications for permits and certificates, amendments, appeals and other matters related to this chapter. Until all

applicable fees, charges and expenses have been paid, no action shall be taken on any application or appeal. The fee schedule is hereby established as follows:

Administrative Procedures, Applications or Permits	Fee
Appeal to City Council (applicants only)	\$ 250.00

BE IT FURTHER ORDAINED that Resolution Number 111 of 2005 which suspended the effects of certain provisions of Section 106-22 relative to an appeals fee exemption for certain individuals and organizations is hereby repealed.

BE IT FUTHER ORDAINED 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. 107 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON NORTHEASTERLY CORNER OF NORTH MARKET AND NORTH HEARNE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT, TO B-3, COMMUNITY BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the northeasterly corner of North Market and North Hearne, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from B-2, Neighborhood Business District, to B-3, Community Business District:**

1.05 acres, M/L beginning at the intersection of the NE'ly R-O-W line of North Market Street with W'ly R-O-W line of T & P.R.R. in N/2 of Section 23 (18-14) run thence NW'ly along North Market Street 400 feet, thence at right angles to said street, run N49°40'15"E 229.16 ft to W'ly R-O-W line of said R.R., thence S'ly along same 461 feet to beginning.

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

1. New construction shall require a site development plan to 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. 108 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE SOUTHEAST CORNER OF JORDAN STREET AND LINE AVENUE, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-2, NEIGHBORHOOD BUSINESS DISTRICT, TO B-2-E, NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT LIMITED TO “A RESIDENTIAL LODGING FACILITY”, ONLY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the southeast corner of Jordan Street and Line Avenue, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from B-2, Neighborhood Business District, to B-2-E, Neighborhood Business/Extended Use District, limited to “a residential lodging facility” only.**

Lots 1, 5, 8, and 9, E.B. Herndon Subdivision, and the abandoned alley between Lots 1 and 5, a subdivision of Caddo Parish, Louisiana, and the abandoned W 4 feet of alley; LESS AND EXCEPT that alley on the E side of Lot 1; LESS AND EXCEPT that property conveyed to the City of Shreveport, more particularly described as follows: Beginning at the NW corner of Herndon Subdivision, said point being also the intersection of the S’y R-O-W line of Jordan Street, and the E’y R-O-W line of Line Avenue, proceed E’y along said line of Jordan Street, a distance of 13.0 feet; thence SW’yly, angle to the right, 135.00°00’, a distance of 7.07 feet, to a point; thence proceed S’yly across said Lot 1, said abandoned alley and said Lot 5, 8, and 9, 8.0 feet E of, and parallel with the E R-O-W line of Line Avenue, a distance of 595.0 feet, to a point on the N R-O-W line of Herndon Avenue; thence proceed W’yly across said R-O-W line, and S line of said Lot 9, a distance of 8.0 feet to the SW corner; thence proceed N’yly along the E R-O-W line of Line Avenue, and the W property lines of said Lots 9, 8, 5, and 1, and across said alley, a distance of 600.0 feet, to the NW corner of Herndon Subdivision, and the P-O-B.

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

- 1. Development of the property shall be in strict accord with the site plan submitted showing 38 apartments, 15 residential rental units on the first floor, and 31 residential rental units on the 2nd and 3rd floor with any significant changes or additions requiring further review and approval by the Planning Commission.**
- 2. At least seventy percent (70%) of the units shall be leased for no less duration than one month. The balance (30%) shall be leased for no less duration than one week.**
- 3. An onsite management/security presence (i. e. , a resident supervisor or manager) shall be maintained as a minimum between the hours of 6:00 p.m. and 7:00 a.m.**

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. 112 OF 2005

BY:

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON THE NORTHEAST CORNER OF WILDWOOD AND GREENWOOD ROAD SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-A, RESIDENCE AGRICULTURE DISTRICT, AND I-1, LIGHT INDUSTRIAL DISTRICT, TO R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT, AND B-2, NEIGHBORHOOD BUSINESS DISTRICT, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO SECTION I: BE IT ORDAINED by the City Council of the City of Shreveport, Caddo Parish, Louisiana, in due, legal and regular session convened, that the zoning classification of property located on the northeast corner of Wildwood and Greenwood Road, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-A, Residence Agriculture District, and I-1, Light Industrial District, to R-1D, Urban, One-Family Residence District, and B-2, Neighborhood Business District:**

Rezoning R-A to R-1D: A portion of Lots 3, 4, 5, 6, and 7 of H.S. Dennis Estate. Said tract being more fully described as follows: Beginning at the NW corner of said Lot 6 and being on the W line of Section 13, T17N-R15W, Shreveport, Caddo Parish, Louisiana, run thence E along the N line of said Lot 6 a distance of 2,587.19 feet; thence run S0°05'57"W a distance of 330.00 feet; thence run W a distance of 1,280.00 feet to a point on the W line of said Lot 7; thence run S0°05'56"W, along said line, a distance of 1,650.00 feet to the most NW'ly corner of said Lot 4; thence run S89°42'00"E, along the N line of said Lots 4 and 5, a distance of 945.00 feet; thence run S0°14'25"E a distance of 2,201.31 feet; thence run S88°13'55"W a distance of 136.86 feet; thence run S56°34'54"W a distance of 272.07 feet; thence run S61°44'38"W a distance 401.29 feet to a point on the E'ly line of Wildwood Drive; thence run N13°41'22"W, along said line, a distance of 435.09 feet; thence run N68°47'31"E a distance of 385.23 feet; thence run N20°15'25" W a distance of 175.00 feet; thence run S68°47'31"W a distance of 175.58 feet; thence run N13°57'22"W a distance of 50.00 feet to the SE corner of Wildwood Subdivision, Unit No. 3; thence run the following calls along the E'ly line of said subdivision N68°47'31"E a distance of 57.00 feet; N14°58'57"W a distance of 116.25 feet; N58°33'25"W a distance of 52.79 feet; N36°32'50"E a distance of 58.05 feet; N1°20'39"E a distance of 71.61 feet; N77°01'47"W a distance of 144.82 feet; N41°03'18"W a distance of 146.86 feet; N46°32'26"W a distance of 147.72 feet; N68°44'30"W a distance of 71.26 feet; S50°30'57"W a distance of 14.56 feet (Call 8/00 feet) to a point on the E'ly line of Wildwood Drive; thence run around a curve in a counterclockwise direction, said curve having a radius of 515.00 feet, for a distance of 166.16 feet; thence run N59°28'33"W a distance of 164.40 feet; thence run around a curve in a clockwise direction, said curve having a radius of 236.30 feet, for a distance of 156.79

feet; thence run N21°27'33"W a distance of 211.90 feet; thence run around a curve in a counterclockwise direction, said curve having a radius of 191.10 feet, for a distance of 162.10 feet; thence run N64°32'34"W a distance of 180.38 feet; thence run N73°31'40"W a distance of 64.29 feet; thence run N21°42'20"E a distance of 74.80 feet; thence run N71°10'40"W a distance of 125.90 feet; thence run S29°12'45"W a distance of 56.28 feet; thence run N34°15'15"W a distance of 88.46 feet; thence run N6°36'15"W a distance of 66.32 feet; thence run N74°40'34"E a distance of 204.60 feet; thence run N28°27'34"E a distance of 122.30 feet; thence run N81°27'34"E a distance of 164.12 feet; thence run N7°38'45"W a distance of 330.00 feet; thence run N40°15'51"W a distance of 269.36 feet; thence run N54°44'38"W a distance of 91.96 feet; thence run N71°18'05"W a distance of 346.28 feet to a point on the W line of said Lot 6; thence run N a distance of 1,473.79 feet to the P-O-B. Rezoning I-1 to B-2: Begin at the intersection of the N R-O-W line of Greenwood Road (U.S. Highway 80) and the E R-O-W line of Wildwood Drive and run N 13°40'22"W, along said line, for a distance of 206.66 feet; thence run N61°44'38"E a distance of 401.29 feet; thence run N56°34'54"E a distance of 272.07 feet; thence run N88°13'55"E a distance of 81.45 feet; thence run S11°56'00"E a distance of 169.00 feet to a point on the N R-O-W line of said Greenwood Road; thence run the following two calls along said line; S56°34'54"W-288.53'; S61°44'38"W-462.34 feet to the P-O-B. Shreveport, Caddo Parish, Louisiana.

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

1. Site development plans for the commercial area 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.

Councilman Lester: Mr. Chairman, can we start dealing with the budget now since - - - I think this might be the best time for District A, for us to deal with the budgetary issues.

UNFINISHED BUSINESS:

1. Ordinance No. 93 of 2005: To amend and reenact Section 3.01 of Ordinance No. 96 of 1980 relative to exemptions and exclusions from sales and use taxes and to otherwise provide with respect thereto. (Introduced- June 14, 2005/ Tabled on July 12, 2005)

NEW BUSINESS:

1. ABO Appeal: Mr. Joe Pennywell – Sam’s Town Casino, 301 Clyde Fant Pkwy. (B/Walford)

Councilman Green: Is Mr. Pennywell here?

Mr. Thompson: If you'll recall on yesterday that the Council made a decision on this, but I believe you'd said you would ask to reconsider?

Councilman Green: Yes I did.

Motion by Councilman Green, seconded by Councilman Lester to reconsider the ABO Appeal for Mr. Joe Pennywell. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, and Jackson 4. Nays: None. Out of the Chamber: Councilmen Carmody, and Gibson. 2. Absent: Councilman Hogan. 1.

Councilman Green: The Police Department will make their case and then we will hear from Mr. Pennywell.

Cpl Collins: Mr. Chairman, I appreciate you reconsidering this to give the applicant a chance to tell his side of the story. I've passed out the information for your review. One thing I do want you to take note on. The DWI arrest on 3/9/04, for some reason, I could not find that in our MIS System that has the report in it. Because I cannot verify that information, I ask you to disregard the information of 3/9/04. The Police Department will not be using that in this case. One thing the police department is consistent in, and that's when someone has a consistent and continuing arrest record for DWIs that we ask for denial. But this one, one thing the applicant is consistent in and that's not cooperating with the Police Department during the DWI stop. He's consistent in not trying to show the Police or the Court system that he's not guilty of DWI. Each time, he refused a field sobriety test. Again he had the chance to show that he was not intoxicated, and a breathalyzer each time he refused to utilized the breathalyzer and when it came to court, he refused to go to trial, and took lesser charge of careless and reckless. On one of them you see down on 10/26/02, he's actually involved in an accident. At that time, he had not choice to give blood, it was drawn at the hospital. He also has other traffic offenses. Basically what the Police Department sees here is a lack of responsibility. He's not taking responsibility for his actions. He's also definitely has a drinking problem, and though there's not convictions, there's a definite trend that shows a drinking problem. And each time he's like I said, he's not taking responsibility by refusing to cooperate with the Police. He's refusing to show that he's actually innocent of these charges, or even trying to show he's innocent of the charges. That's basically our case sir.

Mr. Pennywell: (3555 Cedar Creek Apts, No. 308) Now, I recently applied for an ABO Card. I am a bar tender at Sam's Town Casino. I've been a bar tender there for six years. They denied my request for an ABO Card and I've asked for an appeal. And these arrests since, prior to - - - a couple of these arrests have taken place at my apartment complex. I had a Police Officer knock on my door and ask me to step outside, did not give me a reason why. He put me in handcuffs and told me that I was being arrested for a DWI. Apparently someone had given them a phone call saying that they saw me driving recklessly on the interstate and pulled into my apartment complex when in fact, I was at home asleep. The incident with the car accident, yes. I was involved in a car accident, and I had been drinking that evening, but my lawyer got the charges reduced, because there was no one involved in that accident. The other cases were I had no identification because it had been held with the Department of Motor Vehicles and when I refused to take the sobriety test because I was not drunk, the officer got irate and put me in

handcuffs, and told me he was arresting me for a DWI. So, I would urge this Council reconsider and allow me to have my Alcohol Beverage Card back so that I can continue my job as a bar tender at Sam's Town and provide for my family. Thank you.

Councilman Green: Are there any questions for Mr. Pennywell? Mr. Pennywell?

Mr. Pennywell: Yes.

Councilman Green: My recommendation is going to be to give you a Site Specific Card. And a Site Specific Card means that where you work now is the only place that this card will be allowed. So my motion would be for a Site Specific Card.

Motion by Councilman Green, seconded by Councilman Lester to approve Mr. Pennywell for a Site Specific ABO Card.

Councilman Jackson: Mr. Chairman, is there a - - - I withdraw my question.

Motion fails by the following vote: Nays: Councilmen Walford, and Jackson. 2. Ayes: Councilmen Lester, and Green, 2. Out of the Chamber: Councilmen Carmody and Gibson. 2. Absent: Councilman Hogan. 1.

Mr. Thompson: The appeal is denied and the action of the Police Department is upheld.

2. Executive Session to discuss James R. Baker, Jr., et al v. City of Shreveport No. 4840507 - First Judicial District Court, Caddo Parish, Louisiana.

Councilman Green: It was said on yesterday for a continuance. Correct Mr. Thompson?

Mr. Thompson: The executive session?

Councilman Green: Yes sir.

Mr. Thompson: Yes, I believe they want to continue until August 22nd.

Councilman Lester: That's correct Mr. Chairman.

**REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES:
CLERK'S REPORT:**

There will be a special meeting to consider the Property Standard Cases CA BO401028 thru CA BO401038 at 4:00 p.m. or immediately after the Work Session.

Mr. Thompson: I believe the only matter that we had, it was postponed on yesterday.

Councilman Jackson: Mr. Chairman, the Audit and Finance Committee had scheduled a meeting today, and certainly, I want to apologize to those who came, I think Councilman Carmody was the only member who was there. I could not make it, and certainly those people from the Staff, the Internal Audit Staff is to begin looking into rescheduling the meeting and hopefully we'll be able to do it either next week or the following week.

ADJOURNMENT: There being no further business to come before the Council, the meeting adjourned at approximately 6:10 p.m.

//s// James E. Green, Chairman

//s// Arthur G. Thompson, Clerk of Council