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Council Proceedings of the City of Shreveport, Louisiana
October 11, 2005

The regular meeting of the City Council of the City of Shreveport, State of Louisiana was called to order by Chairman James Green at 3:04 p.m., Tuesday, October 11, 2005, in the Government Chambers in Government Plaza (505 Travis Street).

Invocation was given by Councilman Lester.
The Pledge of Allegiance was led by Councilman Hogan.

On Roll Call, the following members were Present: Councilmen Lester, Walford, Carmody (Arrived at 3:19 p.m.), Green, Hogan and Jackson. 6. District D – Vacant.

Councilman Walford: Mr. Chairman, I believe that seat of Mr. Gibson's is officially vacant.

Councilman Green: Yeah, take his name off the list.

Motion by Councilman Walford, seconded by Councilman Lester to approve the minutes of the Administrative Conference, Monday, September 26, 2005 and Council Meeting, Tuesday, September 27, 2005. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, Hogan, and Jackson. 5. Nays: None. Absent: Councilman Carmody. 1.

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

Councilman Green: Mr. Mayor?

Mayor Hightower: Mr. Chairman, I don't have anything today other than to welcome Superintendent of Schools to the Chamber.

Councilman Green: Thank you, I'd like to say welcome Ms. Tyler.

Reports:

Convention Center and Convention Center Hotel (To include detailed personnel report from SMG)

Councilman Green: At this time, we will have the Convention Center Report and the Hotel to include the Personnel Report. Any questions about the Convention Center and the Convention Center Hotel?

Councilman Jackson: Mr. Chairman, did we receive that in full on yesterday? I'm sorry, I wasn't here. The report in full?

Mr. Antee: We passed out the purchasing information and Mr. Carrier is here with the questions regarding the personnel.

Councilman Green: Okay, thank you. Does that answer?

Councilman Jackson: What is the status of the Convention Center with regards to construction? Can you give us - - - is it - - -? Mr. Chairman, can we receive that at this time?

Councilman Green: Yes sir.

Mr. Antee: Right now, we're approximately 80% to 85% complete. Our latest report is we will be ready for the KTBS Boat show. Obviously, as in any project that big, there'll still be some minor punch list items in finishing up going on after that. But we'll be open, we'll be ready to go. The hotel is progressing good. We've had no major delays in regards to the two hurricanes from weather or rain. There are some issues that they are dealing with regarding materials and trying to pre-purchase materials because of the shortage that they are anticipating with all the construction going on, on the Gulf coast. I would point out that we tried to get a hotel room for somebody this weekend, and the only one we were able to find was at one of the casinos for \$229 on Friday and \$309 on Saturday night. So, just imagine what we could be doing now with 316 rooms if we would be open now, but construction's going good, and we should be open in January for the Convention Center.

Councilman Jackson: Alright. Thank you Mr. Chairman, those are all of my questions.

Mayor Hightower: Mr. Chairman, I do have one thing. I've been informed that Chief Campbell would like to make a presentation.

Councilman Green: Yes, I have it here. Mike Carrier, is he? Where is he? You can come up Mike and give your report. Thank you Mike, welcome to the Council Meeting. Just so that she'll have a record of it, state your name and address for the record, just so that she can - - -

Mr. Mike Carrier: (Shreveport Convention Center) I had forwarded on Friday, the information as requested to Mr. Thompson. I believe he has forwarded in whatever manner to the Council, so you all should have my report. As of today, we have 16 employees hired, everybody has not started yet, but we do have them hired. 25% of our workforce is African-American. We're continuing to interview for a number of positions that are advertised and will continue to fill those positions.

Councilman Green: Okay, any questions? Your address is - - - you said Convention Center. Where do you actually live though?

Mr. Carrier: I live in Lakewood.

Councilman Green: That's in Shreveport?

Mr. Carrier: No sir, that's in Bossier Parish.

Councilman Green: Okay, thank you Mike. I appreciate the increase and improvement on the new hires.

Mr. Carrier: And we will continue to work on that. We've attended a Job Fair today and we're continuing to work for personnel and we'll continue to move in that fashion Mr. Green.

Councilman Green: Okay. There are quite a few people that will be bringing applications and checking out the jobs, so I - - -

Mr. Carrier: We've gotten a number of them, and we're pleased to be receiving those. I have one other piece of information that Mr. Carmody had asked for. This is a list of groups that we are working on as well as groups that are booked, so I'll give this to Mr. Thompson to pass out to you all.

Councilman Green: Thank you very kindly. At this time, we'll move to Property

Standards Report.

Property Standards Report

Councilman Green: Are there any questions for Mr. Bowie from any Council Members? Thank you. No questions, we'll move to Public Hearing.

Public Hearing: None.

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

Confirmations and/or Appointments.

Adding Legislation to the Agenda

Councilman Green: Do we have anything to add Mr. Thompson?

Mr. Thompson: Yes, we have four. They're all listed on your e-agenda, but I can read them.

The Clerk read the following:

1. **Resolution No. 185 of 2005:** A resolution authorizing the Mayor to negotiate terms and conditions, and execute all contracts between the City of Shreveport and State of Louisiana, Department of Social Services and to otherwise provide with respect thereto. (LaJet Program)
2. **Resolution No. 186 of 2005:** A Resolution rejecting the bid received on IFB 05-105, food service equipment for the Shreveport Convention Center and to otherwise provide with respect thereto.
3. **Resolution No. 187 of 2005:** A Resolution accepting dedication for East Kings Highway in Les Maisons Sur La Rouge, and to otherwise provide with respect thereto.
4. **Ordinance No. 181 of 2005:** An ordinance amending the 2005 Budget for the Environmental Grants Special Revenue Fund.

Motion by Councilman Jackson, seconded by Councilman Walford to add Resolution Nos. 185, 186, and 187 of 2005 and Ordinance No. 181 of 2005 to the agenda. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Green, Hogan, and Jackson. 5. Nays: None. Absent: Councilman Carmody. 1. District D – Vacant.

Councilman Green: At this time, we'll move to Public Comments. We have one on our agenda. I'm sorry, Chief Campbell got some special guests. I'm sorry Chief. Come on up.

Chief Campbell: Thank you Councilman Green. If I could ask the LSU Med Students to come forward please at this time to be recognized. Just wanted to speak briefly. These young individuals kinda stepped up to the plate and kinda took care of the Police Officer where it means the most. As you are well aware, during Operation Katrina, we had to open up some shelters up here and many of our police officers were just going from one shift to another shift, not having any break in between. And once they actually found out

about this, they decided to take it on their own to insure that the officers were fed every night. So during the entire operation out at the shelter, they delivered food that they'd purchased out of their own pocket and insured that the officers who were providing the security at the shelter were fed. And I'm proud to say that they didn't bring any doughnuts, it was all healthy food.

Mr. Antee: Cause they had plenty of doughnuts Chief.

Chief Campbell: And so at this time, I'd like to just recognize them. Joshua Best, Aimee Pastorek, Alicia Kober, Christopher Sharp, Stephen Graham, Emily Zerwas, Allison Shipp, Sean Hays, May Scott, Sara Adams, Sasan Mirafakhraee, Jana Beckett, Nathan Alexander, La Tashia Upton, Laura Snow, Stephanie Witte, Kimberly Purington. And I certainly appreciate, I know I speak for the officers, we really appreciate y'all stepping up in a time of need, not only for the evacuees from New Orleans, but helping us out as well during the process. And if y'all just meet me out there in the lobby, I'll give you a certificate of appreciation. Thank you Councilman Green.

Councilman Green: Thank you. At this time, we have one public comment.

Public Comments (*Agenda Items to be Adopted*)

Mr. Brennan Hussey: (610 Marshall Street, Suite 700) Chairman Green, and other members of the City Council, I appreciate you allowing me to address you today. I'm here speaking in favor of a resolution authorizing J. Martin Properties to connect to the city water system. They have bought a piece of property on Paxton Road which is very close to the city limits as Councilman Carmody pointed out yesterday in the work session, there is sort of a doughnut around this little area, and it can be annexed. It would be very easy to annex this into the City. I would first like to apologize on behalf of my client, Jeff Martin who runs what we know as Martin's Pest Control. This is the entity that's actually going to operate at this location subject to your approval of this resolution. This company employs approximately 20 people and it has been operating for over 30 years in the Shreveport/Bossier area. Martin has invested - - - excuse me, let me back up a little bit. Mr. Martin apologizes that he is not here to address you directly, he had a conflict which he could not get out of, he had a trip that had been planned for the past six months, so I'm sorry he is not here, and he wants me to extend his apologies for not being here. Martin has invested a lot of money into this project, and as you will see from the fact sheet, the cost to the city is minimal. There is an increased revenue generated of \$300 per year that's expected to bring into this city. This is not a business that requires a lot of water to use. They are a pest control company, so they are not going to require a heck of a lot of water to operate. The cost to the city will be minimal. As Mr. Dark reminded you yesterday at the work session, you have recently voted to increase funding to help with the water pressure in the area. I believe that the amount was - - - I'm not sure, I think it was several million dollars. Anyway, the Administration does recommend adopting this resolution in full, if you don't adopt the resolution, this would be - - - I'm not going to use the word catastrophic, but it would be a very big blow to this business who has operated, who as invested a lot of money into this building, and it really could hurt their business. And so, I would sincerely appreciate your consideration in adopting this resolution. As I said, the city does, excuse me, the Administration does wholeheartedly recommend this application. Thank you very much Council Members, I appreciate the opportunity you've given me to speak here.

Councilman Green: We have one question. Mr. Jackson?

Councilman Jackson: Thank you Mr. Chairman. Mr. Hussey, did you say that the area where the property located, I guess it's 9434 Paxton Road is not in the City?

Mr. Hussey: That's correct, it's not in the city, and that's why we're having to apply. But it is surrounded by the City. It's kind of a doughnut, and we're in the hole right now.

Councilman Jackson: But where he's opening his business is not in the city?

Mr. Hussey: Yes, Councilman Jackson, that's correct.

Councilman Jackson: Now currently, that business operates on Hearne Ave, is that correct?

Mr. Hussey: Yes sir, that's correct.

Councilman Jackson: And so, I know you said the Administration is wholly supportive of this, and I'm assuming then that the Administration in being in support of this recognizes that what we're doing, and not talking about what is tantamount, but what we actually are doing is a business is moving from the city to outside of the city and we're authorizing that business now to utilize water or to connect to the water from the City of Shreveport. Is that correct?

Mr. Hussey: That's correct. But they are with this application, they would love to be annexed within the city, and I think as Councilman Carmody pointed out the last time, it is very close to the city limits and Martin would certainly like to be a business located in the city and would have no problem with annexation. But to make it clear, you are correct, they are located in the city. This is not a new business, but it has been around for quite some time. But you know, they would consent to being annexed within the city.

Councilman Jackson: And I guess my question is there some conversation going on about this very quickly, because it really - - - it puts us in a precarious position to say we're going to take a business that's in my district now in the city, and it's moving to a place that is technically outside the city, even though it's surrounded by the city, but in legal - - - for all legal purposes it's outside of the city.

Mr. Hussey: Certainly.

Councilman Jackson: And then we're authorizing them to connect to city water, which is an easy connection, because they basically as you say are surrounded by the City. I guess my question is how aggressively are we looking at annexation. Is there a plan and I'm assuming that since the Administration is wholeheartedly in favor of this, maybe they have some insight on this. Because obviously it - - - if we were talking about the geography of it, if we just talked about it on the surface, and said well what is the city in favor of, moving a business outside the city, yet still letting them use city water. Because obviously there's some implications there with regards to tax, property tax and those kinds of things as well. And so, I just wanted to see what the Administration's perspective was. It's not a question for you to answer per se, but my question comes as perhaps the Administration, if the Administration is supportive of this, then I'm assuming they've thought about this.

Mr. Hussey: Well, Councilman Jackson, I just want to make clear my statement is that according to your fact sheet, the Administration is recommending that you adopt this ordinance. I cannot speak for the Administration as far as their intent to annex to the city.

Councilman Jackson: Right. My question is directed to the Administration.

Mr. Hussey: Thank you Councilman.

Mayor Hightower: Councilman, we have several properties that a similar situation exist in. Mostly homes that have signed annexation agreements in order to be connected to

the water and sewer, that however, are not contiguous to the City limits. We talked at the last meeting. Mr. Strong is looking into how many of those we have and what we ought to do to go ahead and annex those even those it has not been city policy, to annex anyone that wasn't currently contiguous to the City. So there is an ongoing look at what we ought to do and how much revenue we may be talking about to actually bring all those properties inside the city.

Mr. Hussey: And Councilman Jackson, if I may address, I know you were not at the work session yesterday, but we do have and I don't have the figures, as I said, we have a - - - my client has approximately 20 employees and many of them live in the city. If this isn't approved, it could be harmful to their business, and I don't know what they would do, but I assume some folks may have to be let go, and those are citizens of this city. So- - -.

Councilman Jackson: And I appreciate that, but one of the things as a persons sitting on this Council, one of the things that we also have to be assured of, and obviously nobody wants to hear about a business moving out of the City. And all of us talk from time to time about the negative impact of a business that moves from the City. And while this does not, does not necessarily have the same dramatic effect, cause it's not like they're going to Texas or going to some other place, or moving to some other area that's currently not annexed. My question was simply about if we're going to aggressively support this kind of scenario. Are we setting a precedence and obviously, the Mayor says a lot of these things already exist. But I'm not sure, and maybe I'm unaware and my colleagues can speak to it. When we've had a situation on the Council when a business was preparing to move outside the City limits, and then we were going to extend our service to that business who was going to move outside the city limits or outside the jurisdiction if you will of the city, thus extending our service, but losing whatever value that business had while being located in our city. And I don't know what the impact of that is, juxtaposed to the value of water. Because you were saying, they're not going to use much water. So, it suggest to me that it's not going to be a great, great benefit. It's not like the water usage is at such a high level of consumption, that we're saying the services are going to get so offset, the property tax that we may lose or whatever type of tax we may lose on that business that's currently in the city. We're certainly not, I'm not trying to force them to stay in a place where they don't want to be, and I recognize that a business has to make those kinds of business decisions. My question again, was not to you as much as it was to the Administration, and have we done the impact, looked at, or analyzed the impact of what it means to this business to move 20 employees, obviously a significant corner there on Midway and Hearne Ave I think is the area where they currently are, and what the impact is on the city with regards to property taxes and those kinds of things, and if the Mayor or Mr. Dark or someone has already looked at that.

Mayor Hightower: Well Councilman, one thing that we do know is from the property tax standpoint, they'll remain the owners of that piece of property or someone will on Hearne Avenue. So the property taxes aren't going to go away on Hearne Avenue and Caddo Parish, at least temporarily will be property tax beneficiary of the new facility. And hopefully when we get them actually annexed, the City of Shreveport will be as well. So, I understand 100% where you're coming from, but overall, it's a win/win for the Parish, especially, and eventually for the City because now we have an additional piece of property that more property taxes are being paid on because there are structures there versus just raw land, so again, we are taking a look at businesses and residents that are on the water system that have agreed to be annexed, and what kind of impact that would have and what it would do policy wise as far as annexations go.

Councilman Jackson: Right, that was my question. Had nothing to do with not being in support of the resolution, but I just think that from our perspective, we certainly have to look at those kinds of things, and follow that very closely. I don't have any other questions. Thank you.

Mr. Hussey: Does anybody else have any questions? Thank you.

**CONSENT AGENDA LEGISLATION
TO INTRODUCE RESOLUTIONS AND ORDINANCES**

RESOLUTIONS: None.

ORDINANCES: None.

TO ADOPT RESOLUTIONS AND ORDINANCES:

RESOLUTIONS:

The Clerk read the following:

RESOLUTION NO. 160 of 2005

A RESOLUTION AUTHORIZING HUEY LEN BROWN, KEVIN MEREDITH SMITH BROWN, HUEY PIERCE BROWN & LAUREN MARIE GORDON BROWN, LOCATED AT 1051 KAY LANE, TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, Huey Len Brown, Kevin Meredith Smith Brown, Huey Pierce Brown, & Lauren Marie Gordon Brown 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 Huey Len Brown, Kevin Meredith Smith Brown, Huey Pierce Brown, & Lauren Marie Gordon Brown, be authorized to connect the building located at 1051 Kay Ln., to the water system of the City of Shreveport.

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

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

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

RESOLUTION NO. 176 of 2005

A RESOLUTION AUTHORIZING J. MARTIN PROPERTIES, L.L.C., LOCATED AT 9434 PAXTON RD., TO CONNECT TO THE WATER SYSTEM OF THE CITY OF SHREVEPORT AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, J. Martin Properties, L.L.C. has agreed to secure all permits and inspections required by the Shreveport Comprehensive Building Code. Said party having submitted a petition for annexation to the City of Shreveport, and having agreed to fully comply with the regulations of the City of Shreveport in connection with said property, all as set forth in Section 94-1, et. Seq., of the Shreveport City Code. Said request and petition are attached hereto.

BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened, that J. Martin Properties, L.L.C., be authorized to connect the building located at 9434 Paxton Rd., to the water system of the City of Shreveport.

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

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

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

3. **Resolution No. 177 of 2005**: A resolution authorizing Michael S. White & Cynthia P. White located at 259 Mount Zion Road to connect to the water system of the City of Shreveport and otherwise providing with respect thereto. (District D)

Read by title and as read, motion by Councilman Lester, seconded by Councilman Walford to postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Hogan, Green, and Jackson. 5. Nays: Councilman Carmody. 1 District D – Vacant.

4. **Resolution No. 178 of 2005**: A resolution authorizing Southside Investments, Inc. located at 2934 Moss Point Road to connect to the water system of the City of Shreveport and otherwise providing with respect thereto.

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

Councilman Hogan: Mr. Chairman, Councilman Lester, why do we want to postpone it?

Councilman Lester: Thank you Mr. Chairman, I'm moving to postpone I wanted to have an opportunity to speak to the proponent. He made a phone call to my office and I was

in court for most of the day today, and I hadn't had an opportunity to speak with him. And generally speaking on those, I like to talk to the folks, so I know what's going on. Thank you Mr. Chairman.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Hogan, Green, and Jackson. 5. Nays: Councilman Carmody. 1. District D – Vacant.

ORDINANCES: None.

REGULAR AGENDA LEGISLATION

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

RESOLUTION NO. 172 OF 2005

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH MARK EDWARDS, D/B/A ALL PURPOSE JANITORIAL SERVICE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the City of Shreveport desires to contract with qualified professional to provide janitorial services, including all personnel, labor, materials and supplies at designated governmental facilities; and

WHEREAS, Mark Edwards, d/b/a All Purpose Janitorial Service had demonstrated that he has the expertise and experience to provide such services.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Shreveport, in due, regular, and legal session convened that the Mayor is authorized to execute a contract with Mark Edwards, d/b/a All Purpose Janitorial Service, substantially in accord with the draft thereof which was filed for public inspection with the original of this resolution in the Office of the Clerk of Council on September 27, 2005.

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 Jackson, seconded by Councilman Lester to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

RESOLUTION NO. 173 OF 2005

A RESOLUTION AUTHORIZING DONATION OF SHREVEPORT POLICE EYEWITNESS CAMERA SYSTEMS TO THE RINGGOLD, LOUISIANA POLICE DEPARTMENT, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City desires to donate nine eyewitness camera systems to the Ringgold Police Department which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, the Ringgold Police Department has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS the camera systems described herein are obsolete and are no longer capable of use by the Shreveport Police Department and are hereby deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective way to dispose of the camera systems.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the Ringgold Police Department donating nine eyewitness camera systems effective October 11, 2005, substantially the same as the document filed in the Office of the Clerk of Council on September 27, 2005.

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

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

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

RESOLUTION NO. 174 OF 2005

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RELEASE FOR SURFACE DAMAGES ASSOCIATED WITH THE DRILLING OF THREE OIL AND GAS WELLS LOCATED AT THE CITY OF SHREVEPORT'S SLUDGE FIELD LOCATION ALONG THE HARTS ISLAND ROAD, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, a request has been made by Questar Exploration and Production Company of Tulsa, Oklahoma to obtain surface locations for oil and gas wells to be drilled on the City's sludge field site; and

WHEREAS, the sale of the sludge field land to the City of Shreveport was subject to certain oil and gas leases, which continue to remain in effect, with a provision for access to the surface for development of the leases.

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 be, and is hereby authorized to execute on behalf of the City of Shreveport, a release for surface damages associated with the drilling of three oil and gas wells located at the City of Shreveport's sludge field location along the Harts Island Road, and substantially in the form of the release filed in the Office of the Clerk of Council on September 27, 2005.

BE IT FURTHER RESOLVED, that an offer of \$4,000 per well site location be accepted.

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, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

RESOLUTION NO. 175 OF 2005

A RESOLUTION AUTHORIZING DONATION OF SHREVEPORT POLICE LAPTOP COMPUTERS TO THE CADDO PARISH SCHOOL BOARD, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the City desires to donate one hundred eighty three Panasonic personal lap top patrol unit computers to the Caddo Parish School Board which serves a public purpose and renders a public service; and,

WHEREAS, Ordinance No. 315 of 1979, requires City Council approval of an agreement made and entered into by the City of Shreveport and any person or entity, whereunder such person or entity receives a donation in return for service which serves a public purpose; and,

WHEREAS, the Caddo Parish School Board has agreed to accept all responsibility, financial obligations and liability associated with the acceptance of this donation; and,

WHEREAS the computers described herein are obsolete and are no longer capable of use by the Shreveport Police Department, and are hereby deemed surplus of the City of Shreveport; and,

WHEREAS, this donation under these circumstances provides for the most cost effective way to dispose of the computers.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an agreement between the City of Shreveport and the Caddo Parish School Board donating one hundred eighty three Panasonic personal lap top patrol unit computers effective October 11, 2005, substantially the same as the document filed in the Office of the Clerk of Council on September 27, 2005.

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

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

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

Councilman Lester: Thank you Mr. Chairman, and I have no problem with the donation. I guess my question would be how the computers are going to be disseminated. What's the program, and process or - - -?

Chief Campbell: Councilman Lester, these are computers that are no longer usable, they are outdated for the Shreveport Police Department, in fact they are the laptop computers that we've replaced all those, and had a request from Superintendent Tyler and the Caddo Parish School Board, who asked that we donate those that they have a use for them in the schools, and I guess if you're asking about what their plans are, maybe the person to ask would be - - -. Is that what you want to know, how they're going to - - - what they're going to do with them?

Councilman Lester: Yes, yes.

Councilman Green: Ms. Tyler, would you come forward please? And again, I'd like to say welcome to our meeting.

Ms. Tyler: Thank you so much Mr. Chairman and Council Members, the Mayor and to the Police Chief. We want to thank you so much for donating for if you decide to donate these laptops to our school district, we do have a lot of uses for these laptops. We have classes whereby youngsters are learning how to actually create and make computers. Also we have use for these in schools where youngsters do not have the opportunity to actually do educational activities on laptops. So we have many uses, and we will come together as a staff and decide where the best place will be for these computers.

Councilman Lester: Well, thank you Mr. Chairman, that answers my question. I was just - - - again, I certainly believe in technology and try to get as much to our youngsters as possible. Certainly we want to try to give them the best and as much as possible to fulfill you guys mission. My question was basically how we were going to do that. I know that in times past, we've done - - - I've heard of programs where you actually give the laptops to youngsters and allowed them to go take them home, particularly those that for financial reasons, their families can't afford to have a computer or something like that. So I didn't know if we were talking about something like that or what, but obviously you guys have a plan, so I trust that. Thank you Mr. Chairman. That answers my question.

Councilman Green: Ms. Tyler I have one comment. I've been working with Mr. Curly White at Booker Washington, and he sent me a wish list. And he had laptops on there. Would you make sure that they get some. It's not in my district, but it would get me off the hook.

Ms. Tyler: Certainly, we will do that Councilman Green. Thank you.

Councilman Green: Also I have one other question. You all may be seated. Mr. Thompson, sometime ago, I asked to see if we could get some equipment for one of our

schools in our district, and of course we had a conflict because of whatever, whatever. Would you explain what's the difference between the this and the that?

Mr. Thompson: I'm not sure that I can right now Mr. Green, but I will - - - I think I remember what you're talking about and I'll get that to you in writing.

Councilman Jackson: Mr. Chairman, I think it's good obviously because some people even here and maybe the Council, and certainly people who may be watching don't know the impact of the particular donation. I think just for the record, it'd be good to note that there are 183 laptops that are being donated from the Police Department to the Caddo Parish School System. So, I thought that was good to note that there was nearly 200 that was going from the Police Department to the school system, so we certainly know that they've been good for us, now we hope they'll be even better for the school system.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

RESOLUTION NO. 179 OF 2005

A RESOLUTION SUSPENDING THE EFFECTS OF CERTAIN PROVISIONS OF CHAPTER 10 RELATIVE TO ALCOHOLIC BEVERAGES FROM NOVEMBER 11 THROUGH 14, 2005 RELATIVE TO DISPENSING, SALE AND/OR CONSUMPTION OF LOW ALCOHOLIC CONTENT BEVERAGES AT 600 COLUMBIA STREET AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY: COUNCILMAN MONTY WALFORD

WHEREAS, the Highland Area Partnership intends to sponsor the Jazz and Blues Festival fund raising activity on November 12, 2005 from 12:00 p.m. until 6:00 p.m. at 600 Columbia Street; and

WHEREAS, the proceeds of the event will benefit the Highland Area Partnership; and

WHEREAS, the Highland Area Partnership intends to dispense and allow the sale and consumption of low content alcoholic beverages at 600 Columbia Street during its event; and

WHEREAS, certain provisions of Chapter 10 of the Code of Ordinances prohibits the sale, consumption, dispensing or otherwise of alcoholic beverages in and on public places, including streets, sidewalks, and parks unless specifically authorized by the city council or the zoning board of appeals; and

WHEREAS, the adoption of this resolution would allow the Highland Area Partnership to set up on November 11, 2005, to dispense and sale and its patrons to purchase and consume low alcoholic content alcoholic beverages on November 12, 2005 from 12:00 p.m. to 6:00 p.m. and to disassemble on November 13 and 14, 2005 at 600 Columbia Street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that the location and permitting provisions of Chapter 10 of the Code of Ordinances are suspended to allow set up on November 11, 2005, dispense and sale and its patrons to purchase and consume low alcoholic content beverages on November 12, 2005 from 12:00 p.m. until 6:00 p.m., and dissemble on November 13 and 14, 2005 at 600 Columbia Street for the Jazz and Blues Festival fund raiser

to benefit the Highland Area Partnership.

BE IT FURTHER RESOLVED that all other applicable provisions of the City of Shreveport Code of Ordinances shall remain in full force and effect.

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

RESOLUTION NUMBER 180 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 23, Block 22, West Shreveport Geographic Number 181435-021-002300

Municipal Address: 1138 Madison Avenue

Council District “A”

Lot 24, Block 22, Geographic Number 181435-021-002400

Municipal Address: 1144 Madison Avenue

Council District “A”

Lot 72, Oak Forest Subdivision Geographic Number 181419-003-00720

Municipal Address: 3030 Skelly Street

Council District “A”

Lot 11, Jones-Mabry Subless Road Subdivision Geographic Number 181416-001-006900

Municipal Address: 1601 Martin Luther King Drive

Council District “A”

Lot 191, Oak Forest Subdivision, Unit No. 2 Geographic Number 181419-003-019100

Municipal Address: 2134 Miller Avenue

Council District "A"

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

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

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

RESOLUTION NO. 186 OF 2005

A RESOLUTION REJECTING THE BID RECEIVED ON IFB 05-105, FOOD SERVICE EQUIPMENT FOR THE SHREVEPORT CONVENTION CENTER AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY:

WHEREAS, one bid was received as a result of solicitations on IFB #05-105 for Food Service Equipment for Shreveport Convention Center; and

WHEREAS, the City has rejected the bid due to a recommendation by SPAR Planning and Development that the bid received was over budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the bid received on IFB #05-105 be rejected. New bids may be solicited at a future date.

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

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

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

RESOLUTION NO. 187 OF 2005

A RESOLUTION ACCEPTING DEDICATION FOR EAST KINGS HIGHWAY IN LES MAISONS SUR LA ROUGE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that the dedication for East Kings Highway in Section 37 (T17N-R13W), Caddo Parish, Louisiana, and as shown on the plats attached hereto and made a part hereof, be and the same is hereby accepted as dedicated to the public for public use in the City of Shreveport.

BE IT FURTHER RESOLVED that the original plat reflecting the dedication for East Kings Highway be recorded in the official records of the District Court for Caddo Parish, Louisiana.

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

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

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

INTRODUCTION OF RESOLUTIONS: (Not be adopted prior to Oct 25, 2005)

1. **Resolution No. 181 of 2005**: A resolution authorizing the execution of an amendment of the agreement between the City of Shreveport and J. Frank McAneny museum, Inc., and to otherwise provide with respect thereto.
2. **Resolution No. 182 of 2005**: A resolution authorizing the Mayor's signature on a quit claim deed between Lucent Technologies, Inc., the Parish of Caddo, and the City of Shreveport and to otherwise provide with respect thereto. (E/Hogan)
3. **Resolution No. 183 of 2005**: A resolution authorizing the submission of the 2006 Consolidated Community Planning and Development Update (Annual Action Plan) to the United States Department of Housing and Urban Development and to otherwise provide with respect thereto.
4. **Resolution No. 184 of 2005**: A resolution making application to the State Bond Commission for consent and authority to issue, sell and deliver not exceeding \$8,500,000, of Water and Sewer Revenue Refunding Bonds, Series 2005, of the City of Shreveport, State of Louisiana, all in the manner provided for by Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority supplemental thereto and providing for other matters in connection therewith.
5. **Resolution No. 185 of 2005**: A resolution authorizing the Mayor to negotiate terms and conditions, and execute all contracts between the City of Shreveport and State of Louisiana, Department of Social Services and to otherwise provide with respect thereto. (LaJet Program)

Read by title and as read, motion by Councilman Walford, seconded by Councilman Jackson to introduce Resolution Nos. 181, 182, 183, 184, and 185 of 2005 to lay over

until October 25, 2005 meeting. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

INTRODUCTION OF ORDINANCES (Not to be adopted prior to Oct 25, 2005)

1. **Ordinance No. 156 of 2005**: An ordinance closing and abandoning the remaining 20 foot-wide alleyway in Block 27 of the City of Shreveport subdivision, bounded by McNeil Street on the West and located North of Fairfield Avenue in Section 37 (T18N-R14W), Shreveport, Caddo Parish, Louisiana and otherwise provide with respect thereto. (B/Walford)
2. **Ordinance No. 157 of 2005**: An ordinance closing and abandoning the 60 foot-wide public right of way known as Woodrow Street located between Dowdell Street and Williams Avenue in the Foster Terrace Subdivision in the NW ¼ of Section 12 (T17N-R14W), Shreveport, Caddo Parish, Louisiana, and providing with respect thereto. (B/Walford)
3. **Ordinance No. 158 of 2005**: An ordinance closing and abandoning the 60 foot-wide public right of way known as Kansas City Avenue located northeast of Jack Wells Blvd. in the Free State Industrial Park District No. 8 in the SW ¼ of Section 24 (T18N-R14W), Bossier Parish Louisiana and providing with respect thereto. (A/Lester)
4. **Ordinance No. 159 of 2005**: An ordinance closing and abandoning the 15 foot-wide alleyway running from Bernstein to Linwood Avenue and between Woodrow and Champ Clark Streets located in the Linwood Subdivision in Section 23 (17N-R14W), Shreveport, Caddo Parish, Louisiana and to otherwise provide with respect thereto. (F/Green)
5. **Ordinance No. 160 of 2005**: An ordinance declaring the City's interest in certain adjudicated properties as surplus and otherwise providing with respect thereto. (A/Lester/F/Green)
6. **Ordinance No. 161 of 2005**: An ordinance creating and establishing a no parking anytime zone either side of Hawkins Street from Legardy Street to Jones Mabry Road and to otherwise provide with respect thereto. (A/Lester)
7. **Ordinance No. 162 of 2005**: ZONING APPEAL – C-72-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, to rezone property located on the northwest corner of Shreveport-Barksdale Highway and Camilla, Shreveport, Caddo Parish, Louisiana, from B-2-E, Neighborhood Business/Extended Use District, limited to automotive repair, sales, and storage of 25 vehicles, only, to B-2-E, Neighborhood Business/Extended Use District, Limited to ``Automotive Repair, Sales and Storage of 45 vehicles, only, and to otherwise provide with respect thereto. (C/Carmody)
8. **Ordinance No. 181 of 2005**: An ordinance Amending the 2005 Budget for the Environmental Grants Special Revenue Fund.

Read by title and as read, motion by Councilman Jackson, seconded by Councilman Walford to introduce Ordinance Nos. 156, 157, 158, 159, 160, 161, 162, and 181 of 2005 to lay over until October 25, 2005 meeting. Motion approved by the following vote:

Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

INTRODUCTION OF ORDINANCES (Not to be adopted prior to December 15, 2005)

1. **Ordinance No. 163 of 2005**: An ordinance adopting the 2006 General Fund Budget.
2. **Ordinance No. 164 of 2005**: An ordinance adopting the 2006 Budget for the Airports Enterprise Fund.
3. **Ordinance No. 165 of 2005**: An ordinance adopting the 2006 Debt Service Fund Budget, appropriating the funds therein and otherwise providing with respect thereto.
4. **Ordinance No. 166 of 2005**: An ordinance adopting the 2006 Capital Improvements Budget
5. **Ordinance No. 167 of 2005**: An ordinance adopting the 2006 Budget for the Community Development Special Revenue Fund.
6. **Ordinance No. 168 of 2005**: An ordinance adopting the 2006 Budget for the Convention Center Hotel Enterprise Fund.
7. **Ordinance No. 169 of 2005**: An ordinance adopting the 2006 Budget for the Downtown Entertainment Economic Development District Special Revenue Fund.
8. **Ordinance No. 170 of 2005**: An ordinance adopting the 2006 Budget for the Downtown Parking Enterprise Fund.
9. **Ordinance No. 171 Of 2005**: An ordinance adopting the 2006 Budget for the Environmental Grants Special Revenue Fund, appropriating the funds authorized therein, and otherwise providing with respect thereto.
10. **Ordinance No. 172 of 2005**: An ordinance adopting the 2006 Budget for the Fleet Services Internal Service Fund.
11. **Ordinance No. 173 of 2005**: An ordinance adopting the 2006 Budget for the Golf Enterprise Fund.
12. **Ordinance No. 174 of 2005**: An ordinance adopting the 2006 Budget for the Metropolitan Planning Commission Special Revenue Fund.
13. **Ordinance No. 175 of 2005**: An ordinance adopting the 2006 Budget for the Police Grants Special Revenue Fund.
14. **Ordinance No. 176 of 2005**: An ordinance adopting the 2006 Budget for the Shreveport Redevelopment Agency Special Revenue Fund.
15. **Ordinance No. 177 of 2005**: An ordinance adopting the 2006 Budget for the Retained Risk Internal Service Fund.
16. **Ordinance No. 178 of 2005**: An ordinance adopting the 2006 Budget for the Riverfront Development Special Revenue Fund.
17. **Ordinance No. 179 of 2005**: An ordinance adopting the 2006 Budget funding contractual Services provided to Sportran By Metro Management Associates, Inc.
18. **Ordinance No. 180 of 2005**: An ordinance adopting the 2006 Budget for the Water and Sewerage Enterprise Fund.

Read by title and as read, motion by Councilman Carmody, seconded by Councilman Jackson to table Ordinance Nos. 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, and 180 to lay over until December 13, 2005 meeting.

Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

ORDINANCES ON SECOND READING AND FINAL PASSAGE (Numbers are assigned Ordinance Numbers)

1. **Ordinance No. 101 of 2005**: ANNEXATION B Tag No. 04-03. An ordinance 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) (Postponed – September 27, 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 Jackson, seconded by Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

2. **Ordinance No. 140 of 2005**: ANNEXATION – Tag No. 05-08: An ordinance enlarging the limits and boundaries of the City of Shreveport – A tract of land located east of Woolworth Road and south of Buncombe Road in Section 10 (T16N-R15W), Caddo Parish, Louisiana, and to otherwise provide with respect thereto. (G/Jackson)(Postponed September 27, 2005)

Having passed first reading on September 13, 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, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

3. **Ordinance No. 150 of 2005**: An ordinance authorizing the Mayor to execute an addendum to the Lease Purchase Agreement with U.S. Support Company and to otherwise provide with respect thereto. (E/Hogan) (Postponed September 27, 2005)

Having passed first reading on September 13, 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 Hogan, seconded by Councilman Jackson to adopt. Motion approved by the following vote: Ayes: Councilmen Walford, Carmody, Hogan, Green, and Jackson. 5. Nays: Councilman Lester. 1. District D – Vacant.

4. **Ordinance No. 155 of 2005**: An Ordinance to amend Section 106-1172 of the City of Shreveport Code of Ordinances, the Zoning Ordinance, relative to supplementary yard regulations and to otherwise provide with respect thereto.

Having passed first reading on September 27, 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, Carmody, Hogan, Green, and

Jackson. 6. Nays: None. District D – Vacant.

5. **Ordinance No. 152 of 2005**: ZONING – C-52-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on north side of the extension of Freddie Street, 500 feet west of Caldwell, Shreveport, Caddo Parish Louisiana, from R-1D, Urban, One-Family Residence District, to R-1D-E, Urban, One-Family Residence/Extended use District, Limited to “A Leasing Office and Community Center”, only, and to otherwise provide with respect thereto. (A/Lester)

Having passed first reading on September 27, 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 postpone. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Hogan, Green, and Jackson. 5. Nays: Councilman Carmody. 1. District D – Vacant.

6. **Ordinance No. 153 of 2005**: ZONING – C-71-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance, by rezoning property located on northeast corner of Barrett and Kings Highway, Shreveport, Caddo Parish, Louisiana, From B-1 Buffer Business District, B-2, Neighborhood Business District, and SPI-1 Highland Urban Conservation District, to B-1-E, Buffer Business/Extended Use District, Limited to “A Restaurant as applied for, only with a Drive-Thru Window.” and to other wise provide with respect thereto. (B/Walford)

Having passed first reading on September 27, 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 Carmody to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

7. **Ordinance No. 154 of 2005**: ZONING – C-73-05: An ordinance amending Chapter 106 of the Code of Ordinances, the City of Shreveport Zoning Ordinance by rezoning property located on East side of Line Avenue 100 feet south of 68th Street, Shreveport, Caddo Parish, Louisiana, from B-2-E Neighborhood Business/Extended Use District, limited to Wholesale and Warehousing, to B-2-E, Neighborhood Business/Extended Use District, Limited to Wholesale, Warehousing, and the addition of Auto Collision Repair, only,” and to otherwise provide with respect thereto. (C/Carmody)

Having passed first reading on September 27, 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 Councilman Green to adopt. Motion approved by the following vote: Ayes: Councilmen Lester, Walford, Carmody, Hogan, Green, and Jackson. 6. Nays: None. District D – Vacant.

The adopted ordinances and amendments follow:

ORDINANCE NO. 101 OF 2005

AN ORDINANCE TO ENLARGE THE LIMITS AND BOUNDARIES OF THE CITY OF SHREVEPORT - 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.

TAG NO. 04-03

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

WHEREAS, petitions signed by more than the required percentage in number of registered voters and in number of resident property owners and by more than the required percentage in property value of resident owners of the area described below have been filed with the City Council to annex and bring within the corporate limits of the City of Shreveport, Louisiana, the following described property, to wit:

Begin at a point on the east-west centerline of Section 4 (T16N-R15W), Caddo Parish, Louisiana located 750.00 ft. west of the west right-of-way line of the 80 foot-wide Woolworth Road and being a point on the present City limits line as established by Annexation Ordinance No. 402 of 1982 (Note: Said point of beginning is also described as being the southwest corner of the south 250 feet of the west 750 feet of the east 790 feet of the NE/4 of Section 4); run thence, from said point of beginning, north 89_ 45' 30" east along the east-west centerline of Section 4 a distance of 130.00 feet, more or less, to the west line of the E/2 of the E/2 of the SE/4 of Section 4; run thence south along the west line of the E/2 of the E/2 of the SE/4 of Section 4 a distance of 2439.00 feet, more or less, to an intersection with the northwesterly right-of-way line of the 80 foot-wide Buncombe Road; run thence in a northeasterly direction along the northwesterly line of the Buncombe Road a distance of 691.00 feet, more or less, as per existing map records to an intersection with the said west right-of-way line of the 80 foot-wide Woolworth Road; run thence south across the 80 foot-wide Buncombe Road and along the west side of the 80 foot-wide Woolworth Road to the intersection with the south line of said Section 4 and to the north line of Section 9 (T16N-R15W) (Note: The right -of-way for Woolworth Road in the SE/4 of Section 4 lying south and east of Buncombe Road is 40 feet-wide per public dedications in Book 240, Page 75, in 1927 and in Book 284, Page 222, in 1929 of the Conveyance Records of Caddo Parish); continue thence running south along the west right-of-way line of Woolworth Road in Section 9 (T16N-R15W) a distance of 2640.00 feet to the intersection with the north line of the E/2 of the SE/4 of Section 9 (Note: The right-of-way for Woolworth Road is 40 feet-wide in Section 9 per public dedications in Book 240, Pages 11 and 75, and in Book 284, Page 238, of the Records); run thence west a distance of 1280.00 feet, more or less, along the north line of the SE/4 to the intersection with the west line of the E/2 of the SE/4 of Section 9; run thence south along the said west line a distance of 2640.00 feet to the south line of Section 9; run thence east along the south line of Section 9 and along the south line of Section 10 (T16N-R15W) a distance of 1360.00 feet, more or less, to and across the 80 foot-wide Woolworth Road to a point on the east right-of-way line thereof in the SW/4 of Section 10; run thence north along the east right-of-way line of the 80 foot-wide Woolworth Road in

Section 10 a distance of 2640 feet to the intersection with the east-west centerline of Section 10; run thence east along the east-west centerline and along a portion of the south line of the Walnut Hills, Unit No.2 , Subdivision as per plat map in Book 800, Page 237, a distance of 1102.30 feet; continue thence running along the south line of the Walnut Hills, Unit No. 2 , Subdivision north 87_ 39' east a distance of 873.00 feet to the southeast corner of said subdivision; run thence north along the east line of the subdivision a distance of 641.00 feet to the northeast corner thereof; run thence north 89_ 53' west along the north line of the Walnut Hills, Unit No. 2, Subdivision a distance of 1982.00 feet, more or less, to the intersection with the east right-of-way line of the 80 foot-wide Woolworth Road in the NW/4 of Section 10 (T16N-R15W); run thence north along the east line of the 80 foot-wide Woolworth Road a distance of 775.57 feet to the southwest corner of Lot 8 of the Carmel Woods Subdivision as per plat map in Book 2000, Page 133, of the Records; run thence south 89_ 49' 26" east along the south line of Lot 8 of Carmel Woods a distance of 1276.70 feet to the east line of the subdivision; run thence north 00_ 35' 24" west along the east line of the Carmel Woods a distance of 1173.33 feet to the northeast corner of the subdivision and to the north line of said Section 10 and to the south line of Section 3 (T16N-R15W); run thence north 89_ 49' 26" west along the common line of Sections 3 and 10 a distance of 896.70 feet to the southeast corner of the Carmel Business Park Subdivision as per plat map in Book 2050, Page 31, in the SW/4 of the SW/4 of said Section 3 (T16N-R15W), and being a point on the present City limits line as established by Annexation Ordinance No. 335 of 1986; run thence northerly along the east line of the Carmel Business Park, and along an extension thereof, and along the existing City limits line of Annexation Ordinance No. 335 of 1986 a distance of 896.17 feet to the intersection with the southeasterly right-of-way line of the 80 foot-wide Buncombe Road; continue thence northerly across the Buncombe Road and along the City limits line to a point on the northwesterly right-of-way line thereof and to a point on the present City limits line established by said Annexation Ordinance No. 402 of 1982; run thence in a southwesterly direction along the northwesterly line of the 80 foot-wide Buncombe Road and along the existing City limits line to the intersection with the east right-of-way line of the 80 foot-wide Woolworth Road; run thence north along the east line of the Woolworth Road and along the City limits line a distance of 2309.66 feet, more or less, to a point on the east line of the road located 250.00 feet north of the east-west centerline of said Section 3 (T16N-R15W); run thence west across the Woolworth Road and along a line parallel to and located 250.00 feet north of the east-west centerlines of Section 3 and of Section 4 (T16N-R15W) and along the City limits line of Annexation Ordinance No. 402 of 1982 a distance of 830.00 feet to a point in the NE/4 of Section 4; run thence south a distance of 250.00 feet to the said southwest corner of the south 250.00 feet of the west 750.00 feet of the east 790.00 feet of the NE/4 of Section 4 (T16N-R15W), Caddo Parish, Louisiana , the point of beginning, and containing 202.373 acres, more or less.

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

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

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to file,

within ten(10) days of the final passage of this ordinance, with the Clerk of the District Court for Caddo Parish a description of the entire boundary of the municipality as changed by this ordinance.

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to record a certified copy of this ordinance in the official records of the District Court for Caddo Parish, Louisiana.

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

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

ORDINANCE NO. 140 OF 2005

AN ORDINANCE TO ENLARGE THE LIMITS AND BOUNDARIES OF THE CITY OF SHREVEPORT - A TRACT OF LAND LOCATED EAST OF WOOLWORTH ROAD AND SOUTH OF BUNCOMBE ROAD IN SECTION 10 (T16N-R15W), CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

TAG NO. 05-08

BY: COUNCILMAN

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

WHEREAS, a petition signed by more than the required percentage in property value of the area described below has been filed with the City Council to annex and bring within the corporate limits of the City of Shreveport, Louisiana, the following described property, to-wit: Begin at the southeast corner of the Walnut Hills, Unit No. 2, Subdivision as per plat map in Book 800, Page 237, of the Records in Section 10 (T16N-R15W), Caddo Parish, Louisiana; run thence, from said point of beginning, north 87 E 39' east along an extension of the south line of Walnut Hills, Unit No. 2, a distance of 497.20 feet; run thence south a distance of 514.18 feet; run thence east a distance of 640.00 feet; run thence north a distance of 589.30 feet to the south line of old Lot "C" of the Dockery-Metcalf Partition as described in that certain Act of Partition and plat attached thereto recorded in 1939 in Conveyance Book 412, Page 162, of the Records; run thence north 87E 39' east a distance of 790.95 feet, more or less, to the southeast corner of Lot "C" of the partition and to a point on the west line of the SE/4 of the NE/4 of Section 10(T16N-R15W); run thence north along the west line of the SE/4 of the NE/4 a distance of 1155.00 feet to the intersection with the south line of the N/2 of the NE/4 of Section 10; run thence north 89E 53' west along the south line of the N/2 of the NE/4 a distance of 1317.50 feet to the north-south centerline of Section 10 (T16N-R15W); run thence north along the north-south centerline a distance of 1320.00 feet to the north line of Section 10; run thence north 89E 53' west along the north line of Section 10 a distance of 612.60 feet to the intersection with the west line of Lot "B" of the said Dockery-Metcalf Partition; run thence south along the west line of Lot "B" and along an extension thereof a distance of 2589.70 feet, more or less, to the intersection with the said southeast corner of the Walnut Hills, Unit No. 2, Subdivision, the point of beginning, and containing

80.19 acres, more or less.

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

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

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to file, within ten(10) days of the final passage of this ordinance, with the Clerk of the District

Court for Caddo Parish a description of the entire boundary of the municipality as changed by this ordinance.

BE IT FURTHER ORDAINED that the Clerk of Council be and is hereby authorized to record a certified copy of this ordinance in the official records of the District Court for Caddo Parish, Louisiana.

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

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

ORDINANCE NUMBER 150 of 2005

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE LEASE PURCHASE AGREEMENT WITH U.S. SUPPORT COMPANY AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY:

WHEREAS, U.S. Support Company applied for and received a grant from the Louisiana Department of Economic Development (Governor's Rapid Response Program) for infrastructure improvements to property located at 5800 Bert Kouns, Shreveport, Louisiana, where U.S. Support Company operates a call center; and

WHEREAS, U.S. Support Company, the State of Louisiana and the City of Shreveport entered into a Cooperative Endeavor Agreement related to the grant and;

WHEREAS, the terms of that agreement require the City of Shreveport to receive the grant monies on behalf of U.S. Support Company and to purchase the infrastructure improvements and;

WHEREAS, further, the terms of the contract require the City of Shreveport to retain ownership of the improvements for the duration of the contract which expires on January 31, 2007 and ;

WHEREAS, the City of Shreveport owns a undivided thirty percent interest in the land, building and improvements located at 5800 Bert Kouns which is currently leased to U.S. Support Company; and subject to an option to purchase upon expiration of the lease; and,

WHEREAS, the current lease agreement expires on April 30, 2006, but under the terms of the grant referenced herein, the City must retain an ownership interest until January 31, 2007

WHEREAS, in order to retain ownership of the property, the lease must be extended to January 31, 2007 and cover an interest equal to \$700,000.00.

THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due regular and legal session convened, that the Mayor be and is hereby authorized to execute an addendum to the lease agreement between the City of Shreveport and U.S. Support Company extending the terms of the lease until January 31, 2007, over a portion of the land, buildings and improvements equal to \$700,000.00, effective October 11, 2005, substantially the same as the document filed in the Office of the Clerk of Council on September 13, 2005.

BE IT FURTHER RESOLVED that if any provision of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or application of this Resolution which can be given affect without the invalid provisions, items or application and to this end the provisions of this Resolution are hereby declared severable. BE IT FURTHER RESOLVED that all resolutions or parts in conflict herewith are hereby repealed.

ORDINANCE NO. 152 OF 2005

BY:

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON NORTH SIDE OF THE EXTENSION OF FREDDIE STREET, 500 FEET WEST OF CALDWELL, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM R-1D, URBAN, ONE-FAMILY RESIDENCE DISTRICT, TO R-1D-E, URBAN, ONE-FAMILY RESIDENCE/EXTENDED USE DISTRICT, LIMITED TO "A LEASING OFFICE AND COMMUNITY CENTER", 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 north side of the extension of Freddie Street, 500 feet west of Caldwell, Shreveport, Caddo Parish, Louisiana, legally described below, **be and the same is hereby changed from R-1D, Urban, One-Family Residence District, to R-1D-E, Urban, One-Family Residence/Extended Use District, limited to "a leasing office and community center", only.**

Commencing at the SW corner of the S450 feet of the SE/4 of the SW/4 of the NE/4, Section 17, T18N-R14W, Shreveport, Caddo Parish, Louisiana, thence N along the E line of said SW/4 of the NE/4 of 30 feet, M/L to the N R-O-W line of Freddie Street for the P-O- B; thence W along the N R-O-W line of Freddie Street 144 feet; thence N 50 feet; thence E 144 feet to the E line of said SW/4 of the NE/4; thence S 50 feet to 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 substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**
- 2. in the event that management/leasing of these housing units at this location ceases, the rights prescribed herein will terminate.**

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. 153 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON NORTHEAST CORNER OF BARRETT AND KINGS HIGHWAY, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-1, BUFFER BUSINESS DISTRICT, B-2, NEIGHBORHOOD BUSINESS DISTRICT, AND SPI-1, HIGHLAND URBAN CONSERVATION DISTRICT, TO B-1-E, BUFFER BUSINESS/EXTENDED USE DISTRICT, LIMITED TO “A RESTAURANT AS APPLIED FOR, ONLY, WITH A DRIVE-THRU WINDOW,” 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 Lots 5-8, Rutherford Place Block 2, less and except R-O-W, for I-49, located on the northeast corner of Barrett and Kings Highway, Shreveport, Caddo Parish, Louisiana, **be and the same is hereby changed from B-1, Buffer Business District, B-2, Neighborhood Business District, and SPI-1, Highland Urban Conservation District to B-1-E, Buffer Business/Extended Use District, limited to “a restaurant as applied for, only, with a drive-thru window”.**

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 substantial accord with site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.**
- 2. Landscaping on the northwest corner shall be subject to specific review for line of sight by MPC Staff.**
- 3. Lots shall be re-platted into one lot. No permits shall be issued until the replatting of lots has been approved by the MPC Director or the Planning Commission.**

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

ORDINANCE NO. 154 OF 2005

AN ORDINANCE AMENDING CHAPTER 106 OF THE CODE OF ORDINANCES, THE CITY OF SHREVEPORT ZONING ORDINANCE, BY REZONING PROPERTY LOCATED ON EAST SIDE OF LINE AVENUE 100 FEET SOUTH OF 68TH STREET, SHREVEPORT, CADDO PARISH, LOUISIANA, FROM B-2-E,

NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT, LIMITED TO WHOLESALE AND WAREHOUSING, TO B-2-E, NEIGHBORHOOD BUSINESS/EXTENDED USE DISTRICT, LIMITED TO ‘WHOLESALE, WAREHOUSING, AND THE ADDITION OF AUTO COLLISION REPAIR, 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 east side of Line Avenue 100 feet south of 68th Street, Shreveport, Caddo Parish, Louisiana, legally described below, be and the same is hereby changed from B-2-E, Neighborhood Business/Extended Use District, “limited to wholesale and warehousing”, to B-2-E, Neighborhood Business/Extended Use District, “limited to wholesale, warehousing, and the addition of auto collision repair, only”.

S82.5 feet of Lot 15, Kane Agricultural & Industrial School Subdivision, less S 72 feet of E 133 feet thereof; N 71.87 feet of S 154.37 feet of E 136 feet of W 166 feet of Lot 15, Kane Agricultural & Industrial School Subdivision; E 236 feet of W 266 feet of N 81.87 feet of S 164.37 feet of Lot 15, Kane Agricultural & Industrial Subdivision, less S 71.87 feet of W 136 feet thereof; N 12 feet of S 94.5 feet of E 266 feet of Lot 15, Kane Agricultural & Industrial Subdivision, the N 20 feet of Lot D, Lucindy Johnson Partition of Lot 16, Kane Agricultural & Industrial Subdivision.

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 substantial accord with the site plan submitted with any significant changes or additions requiring further review and approval by the Planning Commission.
2. No more than 5 vehicles at one time shall be stored in the outside designated location while awaiting repair. All vehicles shall remain behind the fence.
3. Hours of operation shall be from 7 a.m. to 7 p.m., Monday thru Saturday.

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. 155 OF 2005

AN ORDINANCE TO AMEND SECTION 106-1172 OF THE CITY OF SHREVEPORT CODE OF ORDINANCES, THE ZONING ORDINANCE, RELATIVE TO SUPPLEMENTARY YARD REGULATIONS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that Section 106-1172 of the City of Shreveport Code of Ordinances, the Zoning Ordinance, is hereby amended to now read as follows:

Sec. 106-1172. Side and rear yard adjacent to residential districts.

(a) Except as otherwise provided by Section 106-1179, when a building site in a business or industry district is adjacent to a residential district, there shall be provided and maintained on such business or industrial building sites:

(i) A side yard and rear yard, in the case of a corner lot, adjacent to the residential district at least 25 feet wide; provided, however, that such yard may be of lesser width if there are no windows or other openings in the wall of the building facing such yard and, provided further, that in such case the width of the yard shall be at least equal to the height of the building, but in no case less than 15 feet.

(ii) A six-foot to eight-foot-high solid fence of cedar, redwood, or durable pressure-treated wood materials or solid wall of masonry or concrete shall be located along the side or rear property line that is adjacent to a residential district. The screening shall be adequate to obstruct views, reduce noise, divert emissions, or lessen other potential land use conflicts with adjacent properties and shall be continuously maintained and present an attractive appearance to the adjacent properties. The fence or wall shall also conform to the height restriction in section 106-1142, "Visibility at inter- sections" and section 106-1179, "Fences and walls."

(iii) The above requirements may be modified or waived by the planning commission where future business or industrial expansion to adjacent properties in the residential district may be reasonably anticipated or where no practical benefit to adjacent properties may be derived by the specified screening or yard requirement.

(b) Except as otherwise provided by Section 106-1179, when a building site for a mobile home park, townhouse, apartment or multi-family development is adjacent to a residential district that has been subdivided into lots for single-family units, there shall be provided and maintained on such building sites:

(i) A side yard and rear yard, in the case of a corner lot, adjacent to the residential district at least 25 feet wide; provided, however, that such yard may be of lesser width if there are not windows or other openings in the wall of the building facing such yard and, provided further, except in the B-4 or R-4 district that the width of the yard shall be at least equal to the height of the building, but in no case less than 15 feet.

(ii) A six-foot to eight-foot high security fence of durable materials or solid wall of masonry or concrete shall be located along the side or rear property line that is adjacent to single-family or two-family residential lots of record or building sites. The screening shall be adequate to restrict access, obstruct views, reduce noise, or lessen other potential land use conflicts with adjacent properties and shall be continuously maintained and present an attractive appearance to the adjacent properties. Absent a variance, the fence or wall shall also conform to the height restriction in section 106-1142, "Visibility at intersections" and section 106-1179, "Fences and walls."

(iii) Existing building sites rendered non-conforming by the requirements of this section shall be required to comply with the provisions of this section upon any modification to the development site which requires a building permit.

(iv) The above requirements may be modified or waived by the planning commission where future business, industrial or multi-family residential expansion to adjacent properties may be reasonably anticipated or where no practical benefit to adjacent properties may be derived by the specific security, screening or yard requirement.

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.

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:

REPORTS FROM OFFICERS, BOARDS, AND COMMITTEES:

CLERK'S REPORT:

Employee Recognition is scheduled for 4 p.m. October 10, 2005.

ADJOURNMENT. There being no further business to come before the Council, the meeting adjourned at approximately 3:55 p.m.

//s// James E. Green, Chairman

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