

11-27-90 Minutes

A regular meeting of the Council of the City of Bedford, Virginia, was held at the Liberty Lake Park Community Building at 7:30 p.m., November 27, 1990.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Vice Mayor John M. Owen, III; Councilman Ronnie C. Rice; and Councilman James A. Vest.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on November 13, 1990, were approved as mailed.

Mayor Shelton stated he received a letter from the League of Women Voters in Lynchburg regarding a seminar to be held on December 6 at 7:30 p.m. at the Lynchburg Public Library dealing with the Dillon Rule.

Mayor Shelton stated that Council has been invited to the ground-breaking ceremony for the new Patrick Henry Girls Home to be located in Bedford County. The ceremony will be held on December 6 at 11:00 a.m.

Mayor Shelton reminded Council that the Christmas Parade will be held on December 1 at 2:00 p.m. He expressed appreciation to Scott & Bond for sponsoring the Christmas Parade this year.

On motion by Councilwoman Grahame, seconded by Councilman Brookshier, voted upon and carried unanimously, the following item was added to the agenda:

Authorization to Close City Operations on December 31, 1990

City Manager Gross stated that a letter had been received from Linda Kochendarfer, Executive Director of Bedford Main Street, Inc., requesting Council's permission to install a permanent directory on City property on or about the Centertown Park, with final location and design to be approved by Council. He stated that the directory is similar to those placed in shopping malls to direct shoppers to the various businesses. Mr. Gross said that Bedford Main Street will pay for the directory.

Councilman Vest moved that Council grant permission to Bedford Main Street, Inc., to locate a permanent business directory on City property on or about the Centertown Park. The motion was seconded by Councilman Brookshier, voted upon and carried unanimously.

City Manager Gross stated that a letter had been received from Linda Kochendarfer requesting that Council grant permission for the closing of South Bridge Street on December 1, 1990, immediately following the Christmas parade until 7:00 p.m. He stated that this request is being made in an effort to provide for the safety of pedestrians attending the events being held in the downtown area after the parade. Mr. Gross said that Bedford Main Street will obtain written permission from property owners in the area for the closing of this street.

Councilman Vest moved that Council grant permission for the closing of South Bridge Street on December 1, 1990, immediately following the Christmas parade until 7:00 p.m., contingent upon Bedford Main Street, Inc.'s furnishing the City with written permission from property owners. The motion was seconded by Councilwoman Grahame, voted upon and carried unanimously.

City Manager Gross stated that the Board of Directors of The Avenel Foundation has written a letter with reference to the possibility of obtaining tax exempt status for the Avenel real estate located in the City. Mr. Gross indicated that this property has an assessed value of \$142,700 and the City realizes \$1,013 in real estate tax revenue per year on this assessment. The City Manager stated that Council should also consider that if Avenel were operated as a business, it would be required to have a business license as a rental service business, and the City would not benefit from taxes if the status were granted.

Mr. Gross indicated that in 1983 the Sheltered Workshop of Bedford requested that a bill be introduced in the General Assembly to declare the property owned by it in the City to be exempted from local taxes, and he was directed by Council to prepare a resolution stating that Council did not support the request. Mr. Gross stated that since Council did not approve a similar request for tax relief, it was his recommendation that Council not set a precedent with this request. Mr. Gross brought to Council's attention that failure to act on this request would not preclude the Foundation from seeking tax exempt status from the General Assembly.

Mayor Shelton referred this request to the Finance Committee. The Finance Committee is asked to determine what operations will be conducted at Avenel; to further review the request as per the State Code; to review existing tax exempt property in the City to see the correlation between this request and other tax exempt property; to consider the potential for similar types of requests that may come before Council in the future as a result of positive action on this; and any other matters that the Committee may want to bring back to Council pertaining to this type of request; and report back to Council.

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

WHEREAS, Section 11 of the Charter of the City of Bedford requires that Council shall "fix the time and place of its meeting," and

WHEREAS, the City Code requires in Section 2-3 that meetings shall be on "the second and fourth Tuesday of each month," and

WHEREAS, the second regular Council meeting in December is scheduled for December 25, 1990, that date being Christmas Day;

NOW, THEREFORE, BE IT RESOLVED that the City Council meeting scheduled for December 25, 1990, be and the same hereby is canceled; and

BE IT FURTHER RESOLVED that the Council meeting of December 11, 1990, be adjourned to January 8, 1991.

Councilwoman Grahame moved that the resolution be adopted. The motion was seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote:

Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Mayor Shelton	aye

City Manager Gross stated that a request was received from a Roanoke newspaper to put newspaper vending machines on the street. He stated that the City Attorney has prepared a draft ordinance regulating location and use of newspaper vending machines. The City Manager suggested that before Council takes action on the ordinance, that copies of it be sent to the newspapers serving the local area with a request for their comments. It is suggested that the machines be located in the pedestrian walkway near North Bridge Street.

Councilwoman Grahame moved that Council authorize the City Manager to send copies of the proposed ordinance to the newspaper serving the local area with a request for their comment. The motion was seconded by Councilman Brookshier.

Discussion ensued. Vice Mayor Owen suggested that a section be added to the ordinance regarding abandonment of the machines. The City Attorney stated that he would add such a section.

The motion was then voted upon and carried unanimously.

Mayor Shelton stated that Governor Wilder has authorized the State offices and operations to be closed on December 24 and 31, and a number of other governments in this area are closing. He requested that Council close City operations on December 31 in keeping with the Governor's action and also as a means of expressing appreciation to City employees for their efforts and work.

On motion by Councilman Brookshier, seconded by Councilman Otey, voted upon and carried unanimously, Council authorized the closing of City operations, except for the continuous operations (Police Department, Hydro Plant, and Water and Sewer Departments).

Mayor Shelton adjourned the meeting at 8:00 p.m.