

4-9-91 Minutes

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., April 9, 1991.

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

Members absent: Councilman Ronnie C. Rice.

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 March 26, 1991, were approved as mailed.

Councilwoman Grahame asked about the status of beginning coverage of the City Council meetings on cable television. The City Manager stated that he had contacted the cable company regarding this.

Vice Mayor Owen reported on "Student Government Day" scheduled in May. One of the topics suggested for discussion by the students was mandatory recycling.

Mayor Shelton stated that members of Council received a invitation to the Region 2000 Status Report Fund Raising Kickoff Dinner to be held on April 18 in Lynchburg.

Council received a memorandum from the Chief of Police stating that on April 25 from 9:30 a.m. until 1:30 p.m. the "Dare Program" will be holding the first annual county-wide "Dare Day" at Liberty Lake Park.

Mayor Shelton read aloud a letter from Gunnery Sgt. Joe Dehart mailed March 19 from the Middle East thanking Council for its support.

Mayor Shelton stated that he attended the Department of Transportation Pre-allocation Hearing in Salem on the update to the Six Year Highway Improvement Plan. The Mayor stated that he spoke on behalf of the City's 122 North-South Connector Project.

On motion by Councilwoman Grahame, seconded by Councilman Otey, voted upon and carried, the agenda was amended by adding the following:

Executive Session - Appointment to Committee, discussion of specific individuals, pursuant to Section 2.1-344(a)(1) of the Code of Virginia of 1950, as amended.

Executive Session - Real Estate - pursuant to a land sale of property on Industrial Avenue,

pursuant to Section 2.1- 344(a)(3) of the Code of Virginia of 1950, as amended.

City Manager Gross stated that at the March 26th meeting, Council appropriated \$3,417.25 for the purchase of Bedford County's share of the recycling trailer which was purchased through a joint grant from the Department of Mines, Minerals and Energy. He stated that amount was in error, and the correct figure for purchase of the County's share is \$4,271.50. The City Manager asked Council to appropriate the difference between these two figures, \$1,304.25.

Councilman Vest moved that Council appropriate \$1,304.25 from the unappropriated contingency to Account No. 0808108107056044. The motion was seconded by Councilman Brookshier, voted upon and carried by the following roll call vote:

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

City Manager Gross stated that Council has received a draft of the preliminary budget for Fiscal Year 1991-92 for review. Mr. Gross then reviewed highlights of the proposed budget. Total revenue projected, \$20,238,002; total expenditures projected, \$19,229,104; contingency, \$1,008,898.

Barry Thompson, Assistant to the City Manger, reviewed a summary of the proposed budget.

Council scheduled a work session on the proposed 1991-92 budget for April 30 at 7:30 p.m.

Discussion ensued regarding pre-planning for funding of major projects in the future.

The City Manager is to take an in-house look at rate structures and tipping fees (for the landfill) and will report back to Council by January 1992.

The City Manager reported that in February the boiler at the Children's Library failed and had to be replaced. He stated that the City has received a memorandum from the Director of the Bedford Public Library requesting payment for the replacement boiler in the amount of \$2,750.

Councilman Brookshier moved that Council appropriate the sum of \$2,750 from the unappropriated contingency to Account No. 0707307302058040 for replacement of the boiler at the Children's Library. The motion was seconded by Councilman Vest, voted upon and carried by the following roll call vote:

Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye

Councilman Rice	absent
Councilman Vest	aye
Councilman Brookshier	aye
Mayor Shelton	aye

On motion by Councilman Brookshier, seconded by Councilman Otey, voted upon and carried by a roll call vote, Council adjourned into executive session for:

Evaluation of City Manager and City Attorney, and Appointment to Committee, discussion of specific individuals, pursuant to Section 2.1-344(a)(1) of the Code of Virginia of 1950, as amended.

Real Estate - pursuant to a land sale of property on Industrial Avenue, pursuant to Section 2.1-344(a)(3) of the Code of Virginia of 1950, as amended.

Roll call vote follows:

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

Council adjourned into executive session at 8:10 p.m. Non-council members attending were: City Manager Gross, City Attorney Berry, Clerk of the Council Hatcher, and Director of Community & Economic Development Jimmy English.

Council reconvened into open session at 10:15 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this

certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

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

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

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

Ordinance authorizing the Mayor to sign a contract for the sale of the City's industrial site on Industrial Avenue.

The City Attorney read aloud the following ordinance:

ORDINANCE

BE IT ORDAINED by the City Council of the City of Bedford:

1. That the City Council approves the sale to a prospective industrial corporation, which has not announced its interest in locating in the community, but the identity of which has been disclosed in a closed session held pursuant to the Virginia Freedom of Information Act, of that certain tract of land containing 5.190 acres and designated as Site B as shown on a plat of survey entitled "Plat Showing Survey of City of Bedford Industrial Sites," dated December 10, 1987, revised July 15, 1988, the sale to be for a price of \$35,000, \$34,500 of which is to be represented by a non-interest bearing note payable within one year and secured by a deed of trust.

2. The Mayor is authorized to execute on behalf of the City a sales contract with the prospective industry in substantially the same form and content as submitted in the closed session and as shall be approved by the City Manager and City Attorney and City Mayor.

3. The City Council pursuant to Section 2-30 of the City Code finds that due to the immediate needs of the prospective industry an emergency should be declared and that the

requirements of publication or postings normally required for passage of an ordinance should be waived.

4. The Mayor and Clerk are authorized to execute and deliver a deed in form approved by the City Attorney upon compliance by the purchaser with the terms of the contract of sale.

On motion by Councilman Brookshier, seconded by Councilwoman Grahame, voted upon and carried by the following roll call vote, Council adopted the ordinance:

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

Mayor Shelton adjourned the meeting at 10:20 p.m.