

## 11-12-91 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., November 12, 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; 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 October 22, 1991, were approved as mailed.

The City Manager reported that with the rain the area received recently, the City reservoir is recharging; however, the City is still asking for voluntary conservation.

Councilman Rice stated that the Central Virginia Planning District Commission has hired Dennis E. Gragg as its new executive director.

Councilman Vest stated that he has received several telephone calls regarding the proposed animal ordinance. Mr. Vest asked for a map showing the areas that are zoned for livestock.

Mr. Jim McGowen, representing the Marine Corps League, presented the City of Bedford a certificate of appreciation for flying the American flag.

Mayor Shelton stated that Mr. Billy Cutshaw has recently retired from city service, after nine years in the Public Works Department.

Mr. Steve Shurbutt, GDS Associates, Inc., reviewed with Council a report on the Rate of Return Study for the Electric Department.

Discussion ensued.

The City Manager recommended that Council adopt the revised electric tariff and rate schedule reflecting a 1.0 mill/kWh adder to the electric rate effective January 1, 1992. Mr. Gross stated that this would be the first rate increase since 1986.

Further discussion ensued.

Mr. Jackson Overstreet, representing Rubatex Corporation, stated that Rubatex is opposed to any electric rate increase. Mr. Overstreet stated that Rubatex requests Council to give serious consideration to the financial impact a rate increase would have on Rubatex, and also requests that Council oppose any rate increase.

Discussion ensued.

Councilman Brookshier stated that Mr. Phil Garbarini, Bedford Weaving Mills, Inc., suggested that Council hold a public hearing on this matter.

Councilwoman Grahame moved that Council adopt the revised electric tariff and rate schedule to be effective January 1, 1992. The motion was seconded by Councilman Otey.

Further discussion ensued.

The motion was then voted upon, four members voting aye, (Grahame, Otey, Shelton, Vest); three members voting nay, (Brookshier, Owen, Rice).

The City Manager stated that the City has received a request from Peakview Motors to tie into the City sewer line. Mr. Gross reported that since the sewer line is on the opposite side of the street (Route 460), the most feasible route to connect Peakview Motors and the small brick house to the west is to run a line across the highway. The total estimated cost for boring and casing of the highway, sewer pipe, manhole and labor is \$15,000. Mr. Gross indicated that the City will receive a total of \$1,000 in connection fees from Peakview Motors and the owners of the brick house.

The City Manager stated that Water and Sewer Committee has agreed that the City should make this connection, provided Peakview Motors agrees to install a holding tank for its car wash facilities, which would minimize any contaminates coming in to the City's sanitary sewer system.

Councilman Brookshier moved that Council appropriate up to \$15,000 from the unappropriated contingency to Account No. 1800018050070092 to cover the total estimated cost to connect Peakview Motors and the adjacent house to the City sewer line. The motion was seconded by Vice Mayor Owen.

Discussion ensued regarding changing the City Code to allow the City to recover costs for such connections. The City Manager is to study this with the Water and Sewer Committee and come back with a recommendation.

Councilman Brookshier amended the motion by adding the following: subject to Peakview Motors constructing the holding tank necessary to handle the discharge. Vice Mayor Owen, who seconded the motion agreed to the amendment.

The motion was then 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	nay
Councilman Vest	nay
Mayor Shelton	aye

Councilman Vest gave a report from the Solid Waste Committee on the proposed Landfill Tipping Fees.

### Proposed Landfill Tipping Fees

1. Wastes generated by homeowners/renters of 250 pounds or less be allowed to dump their waste free of charge.
2. Wastes generated by homeowners/renters of 250-500 pounds be charged a flat rate fee of \$2.50.
3. All industrial, commercial and business waste of 0-500 pounds be charged a flat rate fee of \$2.50.
4. All over 500 pounds will be charged at the rate of \$30.00 per ton, i.e., 520 pounds @ .015 = \$7.80.

The City Manager is to make a correction to the November 6, 1991, minutes of the Solid Waste Committee.

Councilman Vest moved that the proposed Landfill Tipping Fees be adopted. The motion was seconded by Councilwoman Grahame.

The motion was then amended by Councilman Vest by adding: to be effective January 1, 1992. Councilwoman Grahame, who seconded the motion agreed to the amendment.

Discussion ensued.

The motion was then voted upon and carried unanimously.

On motion by Councilman Rice, seconded by Councilman Brookshier, voted upon and carried unanimously by a roll call vote, Council adjourned into executive session for discussion of buffer zone for the Wastewater Treatment Plant, pursuant to Section 2.1-344(a)(3), real estate, of the Code of Virginia of 1950, as amended:

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

Councilman Brookshier      aye

Mayor Shelton                      aye

Council adjourned into executive session at 9:19 p.m., after a five minute recess which was declared by the Mayor. Non-council members attending were: City Manager Gross, City Attorney Berry, and Clerk of the Council Hatcher.

Council reconvened into open session at 9:30 p.m.

The Clerk of Council read aloud the following proposed 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 Council adopt the resolution as read. The motion was seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote:

Councilman Otey                      aye

Vice Mayor Owen                      aye

Councilman Rice                      aye

Councilman Vest                      aye

Councilman Brookshier              aye

Councilwoman Grahame              aye

Mayor Shelton                      aye

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

Authorization for City Manager to Purchase Property for the Buffer Zone for Wastewater Treatment Plant

On motion by Councilwoman Grahame, seconded by Councilman Brookshier, voted upon and carried unanimously by a roll call vote, Council authorized the City Manager to exercise the option to purchase the Hylton property on Orange Street to serve as a buffer zone for the Wastewater Treatment Plant project for the full purchase price of \$125,000, and further that Council appropriate at this time, \$62,600 from the unappropriated surplus for first payment and authorize the Mayor to sign a promissory note for the remaining amount to be paid July 1, 1992:

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

Mayor Shelton adjourned the meeting at 9:35 p.m.