

3-22-94 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., March 22, 1994.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Councilman Ronnie C. Rice; Councilman W. D. Tharp; and Vice Mayor 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 March 8, 1994, and an adjourned Council meeting held on March 11, 1994, were approved as distributed.

On motion by Councilman Rice, seconded by Councilman Otey, voted upon and carried unanimously, the following changes were made to the agenda:

"Vote on Plan for Refuse Collection" was removed from the agenda for consideration at the next regular meeting.

"Resolution - Federal Emergency Management Agency - Ice Storm of February 8-12, 1994, was added to the agenda.

"Executive Session - Discussion of City Manager Position, pursuant to Section 2.1-344(a)(1), personnel, of the Code of Virginia of 1950, as amended" was added to the agenda.

City Manager Gross reported that since the ice storm, crews have been working six days per week to collect brush and debris. It is planned to have all the debris collected prior to closing the landfill on April 7.

Councilman Otey requested that the debris be removed from Peaks Street. Mr. Otey also requested that a broken limb at a home on Longwood Avenue be removed.

Vice Mayor Vest presented to the Mayor a Community Improvement Award given to the City by the Bedford Area Chamber of Commerce.

Mayor Shelton stated that on March 16, Governor George Allen presented to the City of Bedford and Bedford County a certificate of Award of Certification for the joint Industrial Certification Program.

Mayor Shelton reported that a Candidates's (for City Council) Forum will be held in the Council Chamber on

April 5 at 7:00 p.m.

Mr. Scott Lansing, Greater Lynchburg Transit Company (GLTC) reviewed with Council benefits of a coordinated transportation system.

The Clerk of Council read aloud the following public hearing notice:

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Council of the City of Bedford on March 22, 1994, at 7:30 p.m., in the Council Hall of the Municipal Building, 215 East Main Street, Bedford, Virginia, for the purpose of soliciting input from the public as to the need for a public transportation system between the City of Bedford and the City of Lynchburg. All citizens who wish to address this issue will have an opportunity to express their views at this hearing.

By the Authority of the Council of the

City of Bedford

The following individuals spoke in favor of public transportation between the City of Bedford and the City of Lynchburg:

Mr. Leighton Langford, Jr., Director of Social Services in Bedford; Ms. Jo Nelson, Executive Director of the Central Virginia Area Agency on Aging; and Ms. Louise Welch, Central Virginia Community Services.

As there were no further comments, Mayor Shelton closed the public hearing at 8:05 p.m.

The Consent Agenda consisted of the following item:

Appointment of Mr. David Hedberg to serve a three-year term on the Central Virginia Air Pollution Control District Board, said term to expire March 31, 1997.

Appointment of Mr. O. P. Stancer to serve a four-year term on the City Planning Commission, said term to expire March 31, 1998.

Councilman Rice moved that the Consent Agenda be adopted. The motion was seconded by Councilman Tharp, voted upon and carried unanimously.

Mr. Jeff Taylor, Program Manager of Region 2000, presented the Region 2000 video "Building a Foundation for Success".

Mr. John Pool, Dean of Financial and Administrative Services of Central Virginia Community College, stated that Mr. Jim Patterson, Chairman of the Central Virginia Community College Board, would make a presentation to Council.

Mr. Patterson, stated that the College is requesting the City to share in funding of the site development cost

for a new building at the college to be called the Johnnie E. Merritt Manufacturing Technology Center. Mr. Patterson indicated that the City's share of the total cost is 2.94%, or \$23,116, scheduled to be paid over a three-year period, with \$3,758 being requested in fiscal year 1994-95. Funds in the amount of \$7,995 are requested for fiscal year 1995-96; and funds in the amount of \$11,364 are requested for fiscal year 1996-97.

Mayor Shelton indicated that Mr. Patterson's term on the Community College Board is expiring, and the Mayor acknowledged his service on the Board and expressed thanks for the fine job done by Mr. Patterson.

On motion by Councilwoman Grahame, seconded by Councilman Otey, voted upon and carried unanimously, Council approved the request of Central Virginia Community College to share in the funding of the site development cost for the new Johnnie E. Merritt Manufacturing Technology Center.

Mayor Shelton indicated that this motion is for the entire requested amount, which would be spread out over three budget years.

Ms. Fran Hart, Director of Parks, Recreation & Cemeteries, explained the process for applying for an Intermodal Surface Transportation Efficiency Act (ISTEA) Grant to construct a portion of a bicycle path in the City. Ms. Hart reviewed with Council the proposed bicycle routes within the City.

Discussion ensued.

The Clerk of Council read aloud the following proposed resolution:

## **RESOLUTION**

**WHEREAS**, the Council of the City of Bedford on September 13, 1993, adopted an approved bicycle plan to further the development of bicycling paths within the City of Bedford; and

**WHEREAS**, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program a partially funded enhancement project in the City of Bedford;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Bedford requests the Commonwealth Transportation Board to establish a project for the improvement and construction of a Bicycle Path as described in the application.

**BE IT FURTHER RESOLVED** that the City of Bedford hereby agrees to pay twenty per cent (20%) of the total cost for planning and design, right of way, and construction of this project, and that, if the City of Bedford subsequently elects to cancel this project, the City of Bedford hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

Councilman Tharp moved that the resolution be adopted. The motion was seconded by Councilwoman

Grahame, voted upon and carried by a roll call vote, as follows:

Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Councilman Rice	nay
Councilman Tharp	aye
Vice Mayor Vest	aye
Mayor Shelton	aye

City Manager Gross stated that a Federal Emergency Management Agency (FEMA) allocation to the area has been made because of damages sustained during the ice storm of February 8-12, 1994, and the City has become eligible for funds. Mr. Gross indicated that it does appear that the City will be able to receive funds from FEMA for emergency work performed during the storm.

The Clerk of Council read aloud the following proposed resolution:

## **RESOLUTION**

**WHEREAS**, the City of Bedford, along with the surrounding area, recently experienced extreme weather conditions involving an ice storm; and

**WHEREAS**, the Governor of the Commonwealth of Virginia declared an emergency relating to this weather event; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) is allowing partial reimbursement for certain costs associated with the ice storm of February 8-12, 1994;

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Bedford appoints City Manager Jack A. Gross or Chief of Police Milton H. Graham as the Governor's authorized representatives, and hereby authorizes them to execute and apply for these funds for and on behalf of the City of Bedford, a public entity established under the laws of the State of Virginia. This application shall be filed with the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund; and

**THAT** Jack A. Gross, City Manager, is hereby authorized to execute for and in behalf of the City of Bedford, a public entity established under the laws of the State of Virginia, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund; and

**BE IT FURTHER RESOLVED** that the City of Bedford, a public entity established under the laws of the State of Virginia, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side of the Designation of Applicant's Agent form.

Councilman Tharp moved that the resolution be adopted. The motion was seconded by Vice Mayor Vest, voted upon and carried unanimously by the following roll call vote:

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

Vice Mayor Vest moved that Council adjourn into executive session for discussion of the City Manager position, pursuant to Section 2.1-344(a)(1), personnel, of the Code of Virginia of 1950, as amended. The motion was seconded by Councilman Rice, voted upon and carried unanimously by the following roll call vote:

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

Council adjourned into executive session at 9:06 p.m., after a five minute recess declared by the Mayor.

Council reconvened into open session at 10:16 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.

On motion by Councilman Tharp, seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote, Council approved the resolution:

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

Mayor Shelton adjourned the meeting at 10:17 p.m.