

4-11-95 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 11, 1995.

Members present: Mayor G. Michael Shelton; Vice Mayor Larry D. Brookshier; Councilwoman Mary L. Flood; Councilwoman Joanne A. Grahame; Councilwoman Linda Kochendarfer; Councilman Ronnie C. Rice; and Councilman W. D. Tharp.

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 meeting held on March 28, 1995, were approved as distributed.

On motion by Councilman Rice, seconded by Councilwoman Kochendarfer, voted upon and carried unanimously, the following item was added to the consent agenda:
Appointment of Council Representative on Negotiating Committee for Radio Contract.

Members of Council made various remarks during the "Council Comments" portion of the agenda.

The City Manager stated that due to a conflict Mr. Ewell Barr, President of the Roanoke River Basin Association, would be unable to make his scheduled presentation.

The Consent Agenda consisted of the following items:

Appointment of Mr. Garnett E. "Jack" Coleman to a four-year term on the Industrial Development Authority, said term to expire November 30, 1998.

Appointment of Mr. Malcolm G. Deacon to a four-year term on the Redevelopment and Housing Authority, said term to expire October 13, 1998.

Appointment of Councilwoman Joanne Grahame to serve as Council's representative on the negotiating team for the E911 radio system.

On motion by Councilman Rice, seconded by Councilman Tharp, voted upon and carried unanimously, the Consent Agenda was approved.

Mr. Augustine J. Fagan, Executive Director of the Central Virginia Community Services Board, made a presentation regarding justification for the Board's request for an increase of 8.46% in funding for Fiscal Year 1995-96.

Mayor Shelton indicated that the Community Services Board's request will be considered during the budget process.

The City Manager stated that the City Planning Commission is recommending that Council approve the naming of the proposed future street in The Homeplace development from the end of Baltimore Avenue to Independence Boulevard, with a small portion now named Shady Knoll being renamed "Homeplace Drive." The Planning Commission is also recommending that distinctive markers to define the subdivision entrances be installed and built by the developer. It was understood that the marker at the intersection of Baltimore Avenue would not be built until that portion was developed. Mr. Gross reported that the Commission also concurred with the developer's request that the marker be permitted on the City right of way. Mr. Gross stated that it was the consensus that the final design and location be negotiated with the City staff.

On motion by Vice Mayor Brookshier, seconded by Councilman Rice, voted upon and carried, six members voting aye, one member abstaining (Grahame), Council approved the naming of the proposed future street in The Homeplace development "Homeplace Drive," with the conditions recommended by the Planning Commission (as reviewed previously by the City Manager).

City Manager Gross stated that Council had received information regarding the bids received for demolishing unsafe structures at 407 West Franklin Street and 418 West King Street. The low bid was \$5,540 and the Department of Planning and Community Development is recommending that this amount be appropriated to Account No. 103428.3150 for the demolition of these structures. The Treasurer's Office will collect the cost of the demolition, bill it as taxes, and, if necessary, place a lien on the properties.

Councilwoman Kochendarfer moved that Council appropriate \$5,540 from the unappropriated contingency to Account No. 103428.3150 for the demolition of unsafe structures at 407 West Franklin Street and 418 West King Street. The motion was seconded by Councilwoman Grahame, voted upon and carried unanimously by the following roll call vote:

Vice Mayor Brookshier	aye
Councilwoman Flood	aye
Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Councilman Rice	aye

Councilman Tharp

aye

Mayor Shelton

aye

City Manager Gross stated that a resolution has been prepared for street vacations at the request of Petroleum Marketers, the corporation that recently acquired the Big Orange Market. Petroleum Marketers plans to develop the property into a gas station, convenience store and Burger King complex. This development plan will require the vacation of two street rights-of-way. The first right of way is a paper street owned by the City, identified as Claytor Avenue. The second right of way is the property of the Virginia Department of Transportation and is a parcel associated with the construction of Independence Boulevard. Both parcels will provide for the ingress and egress to the facility from Independence Boulevard. In order to complete this request, it is necessary for the City to request ownership of the right of way from the Virginia Department of Transportation with the understanding that it will then be requested that the property be vacated.

The Clerk of the Council read aloud the following proposed resolution:

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION
TO CONVEY RIGHT OF WAY, INCLUDING RESIDUE PARCEL
ASSOCIATED WITH THE ROUTE 122, INDEPENDENCE
BOULEVARD PROJECT, TO THE CITY**

WHEREAS, by this Resolution the City of Bedford is requesting the Virginia Department of Transportation to convey a right of way associated with the Route 122, Independence Boulevard project to the City of Bedford; and

WHEREAS, said project was completed in December 1993, and residue parcels remain titled in the name of the Commonwealth of Virginia; and

WHEREAS, the Virginia Department of Transportation has agreed to convey one of those residue parcels at no cost to the City;

NOW, THEREFORE, BE IT RESOLVED that the City of Bedford hereby authorizes the City Manager to request the Virginia Department of

Transportation to convey the right of way associated with Route 122 identified as Independence Boulevard Project 0122-141-103, RW-203 to the City of Bedford.

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

Councilwoman Flood	aye
Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Brookshier	aye
Mayor Shelton	aye

City Manager Gross reported that Council has received a letter from Carolyn Overstreet, President of Christmas in April of Bedford, Inc., requesting that Council authorize the waiving of building permit fees in connection with the group's three scheduled projects within the City, as well as any landfill tipping fees that might be applicable. Christmas in April is a volunteer, non-profit organization committed to helping home owners who are either financially or physically unable to repair or refurbish their homes by their own means. The estimated total cost for materials for the projects within the City is \$4,500; the permit fees would amount to \$30.30. The staff has recommended the waiving of the fees; however, it is also recommended that the permits should be required for both zoning and building code purposes. In addition, it should be understood by the group that any removal of asbestos must be done under EPA guidelines.

Councilwoman Grahame moved that Council waive the building permit fees and landfill tipping fees for projects to be undertaken by Christmas in April of Bedford, Inc., within the City. The motion was seconded by Councilman Tharp, voted upon and carried unanimously.

Mayor Shelton stated that the agenda item "Presentation - Roanoke River Basin Association" will be carried over until the next regular meeting.

Mayor Shelton read aloud the following resolution:

RESOLUTION

WHEREAS, Teresa W. Hatcher has served the Council of the City of Bedford as Acting Clerk of the Council from November 1975 to March 1977 and as Clerk of the Council from March 1977 to September 1978 and again from January 1980 to the present; and

WHEREAS, she has always performed her duties faithfully and diligently; and

WHEREAS, she has brought to the position of Clerk of the Council the skills and knowledge required to maintain an accurate record of the Council's proceedings and to handle the other duties assigned to her as Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Bedford hereby recognizes Teresa W. Hatcher and hereby expresses its appreciation to her for her years of dedicated and proficient service.

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

Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Brookshier	aye
Councilwoman Flood	aye
Mayor Shelton	aye

The City Manager explained the minus figure in the C.A.S.E. Report. Mr. Gross stated that the negative deficits are applied against the \$8,000 appropriated by Council for the C.A.S.E. Program. The City Manager indicated that it is expected that all of the \$8,000 will not be expended as it is intended that the program become self-sufficient.

Mayor Shelton adjourned the meeting at 8:12 p.m.