

6-27-95 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., June 27, 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 June 13, 1995, and the minutes of a called meeting held on June 20, 1995, were approved as distributed and corrected.

City Manager Gross stated that Council had received copies of a press release which was released jointly by Bedford County Administrator Bill Rolfe and himself on behalf of the Consolidation Committee. The press release announces that the Consolidation Plan received favorable review by the Commission on Local Government.

Councilwoman Grahame reported that the Library Committee has decided to investigate all the options available concerning the future of the Wharton House and will report back to Council at a later date.

Council discussed attending a presentation by Ericsson GE on June 29 regarding E 911.

Mayor Shelton stated that the following individuals have applied to Council for appointment to the City School Board: Lois Miller, G. E. Murray, Jr., and John Boardman.

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

NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to Section 22.1-29.1 of the Code of Virginia of 1950, as amended, the City Council of the City of Bedford will

hold a public hearing at 7:30 p.m. on June 27, 1995, in the Council Hall of the Municipal Building, for the purpose of receiving the views of citizens on the appointment of members to the City School Board.

Mayor Shelton opened the public hearing at 7:40 p.m. As there were no comments, Mayor Shelton closed the public hearing at 7:41 p.m.

Council decided to adjourn this meeting until July 11, 1995, at 6:00 p.m. for interviewing candidates for the City School Board. The City Manager is to set up the appointments and notify the candidates.

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

The Bedford City Council will hold a Public Hearing on Tuesday, June 27, 1995, at 7:30 o'clock, p.m., in the City Council Chamber, Municipal Building, 215 East Main Street, Bedford, Virginia, for the following purposes:

To close and adjourn the continued public hearing previously convened for the purpose of identifying the future cable related community needs and interests and reviewing the performance of Cable Equities of the Virginias, Ltd. under its current franchise agreement with the City of Bedford.

To consider adoption of an ordinance, with the short title of "Cable Television Franchise Ordinance," which is intended to establish the terms and conditions under which the City of Bedford may award cable television franchises and renew existing cable television franchises. Specific provisions of the said Cable Television Franchise Ordinance, as well as a summary thereof, are available for public review at the City Manager's Office.

To consider the approval of a Franchise Agreement between the City and Cable Equities of the Virginias, Ltd., which grants to said cable operator a renewal of its franchise to provide cable television service within the City of Bedford. Specific provisions of the said Franchise Agreement, as well as a summary thereof, are available for public review at the City Manager's Office.

Inquiries concerning the above may be addressed to the City Manager's Office at 215 East Main Street, Bedford, Virginia 24523, telephone (703) 586-7141.

Barry W. Thompson

Assistant City Manager

The City Manager stated that Council has received information concerning the ordinance and that the ordinance has been posted in accordance with provisions of Section 2-30 of the City Code. Mr. Gross indicated that a couple of minor technical changes have been made and Council has received copies of page 3 of the ordinance. These changes bring the ordinance into compliance with recent rulings of the Federal Communications Commission.

Mayor Shelton opened the public hearing at 7:46 p.m. As there were no comments, the Mayor closed both public hearings.

The Consent Agenda consisted of the following items:

Appointment of Marsha Melton to serve a four-year term on the Regional Library Board, said term to expire June 30, 1999.

Appointment of Robert F. Clark to serve a three-year term on the Recreation Advisory Committee, said term to expire June 30, 1998.

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

On motion by Councilwoman Grahame, seconded by Councilwoman Kochendarfer, voted upon and carried unanimously, Council waived the reading of the Cable Television Franchise Ordinance.

Councilman Rice moved that Council adopt the Cable Television Ordinance. The motion was seconded by Councilwoman Kochendarfer, 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

(The ordinance will be included in the permanent minute book)

Councilwoman Kochendarfer moved that the Franchise Agreement between the City and Cable Equities of the Virginias, Ltd., be approved. The motion was seconded by Councilwoman Grahame, 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

The City Manager stated that the City Parks, Recreation & Cemeteries Department is requesting that Council permit the closing of Bedford Avenue Extension from the Health Department to the Primary School during Dixie Baseball/Softball tournaments, on the following dates and times:

July 7	3:00 - 9:00 p.m.
July 8	3:00 - 9:00 p.m.
July 9	3:00 - 9:00 p.m.
July 10	5:00 - 9:00 p.m.
July 11	6:00 - 8:00 p.m.
July 14	3:00 - 9:00 p.m.
July 15	3:00 - 9:00 p.m.
July 16	3:00 - 9:00 p.m.
July 17	5:00 - 9:00 p.m.
July 18	6:00 - 8:00 p.m.

Mr. Gross indicated that the street closings are needed to control the entrance of teams and spectators at the recreation field. The Parks and Recreation Department will notify the Police Department, Fire Department, Bedford Life Saving Crew, and the Elks National Home.

Vice Mayor Brookshier moved that Council approve the closing of Bedford Avenue Extension from the Health Department to the Primary School on the dates and times mentioned. The motion was seconded by Councilwoman Kochendarfer, voted upon and carried unanimously.

City Manager Gross reported that the Commonwealth of Virginia has authorized closing State offices on July 3, 1995, and Council is being asked to consider authorizing City offices to observe that day as a holiday. Essential and ongoing governmental functions, such as the Police Department, Water and Wastewater Treatment plants, the pickup of trash and recyclables, and keeping the landfill open, will continue in operation, but all other nonessential offices would be authorized to close.

Councilman Rice moved that Council authorize City offices to observe July 3, 1995, as a holiday, with all offices authorized to close except those requiring a twenty-four-hour continuous operation and such others as the City Manager deems to continue. The motion was seconded by Councilwoman Flood, voted upon and carried unanimously.

Councilwoman Kochendarfer moved that Council adjourn into executive session pursuant to Section 2.1-344(a)(5) of the Code of Virginia of 1950, as amended, for discussion concerning a prospective business or industry and expansion of an existing business or industry. The motion was seconded by Councilwoman Grahame.

Councilwoman Kochendarfer amended her motion by adding the following: for consultation with legal counsel regarding purchase of property, pursuant to Section 2.1-344(a)(7) of the Code of Virginia of 1950, as amended. Councilwoman Grahame, who seconded the motion, agreed to the amendment. The motion was then voted upon and carried 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

Council adjourned into executive session at 7:55 p.m. Non-council members attending were: City Manager Gross, City Attorney Berry, Director of Planning & Community Development Jay Scudder, and Clerk of the Council Hatcher.

Mr. Scudder left the executive session at 8:55 p.m.

Council reconvened into open session at 9:10 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 the resolution be adopted. The motion was seconded by Councilman Rice, voted upon and carried by the following roll call vote:

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

Mayor Shelton adjourned the meeting at 9:11 p.m. until July 11, 1995, at 6:00 p.m. for the purpose of interviewing candidates for the City School Board.