

8-10-95 Minutes

A called meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 6:00 p.m., August 10, 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.

The Clerk of Council read aloud the following:

This is a special meeting called under Section 15 of the Charter to consider the L.S.C.A. (Library Services and Construction Act) Grant.

On motion by Vice Mayor Brookshier, seconded by Councilwoman Grahame, voted upon and carried unanimously by a roll call vote, Council adjourned into executive session pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a)(7) for consultation with legal counsel and staff regarding possible litigation on the L.S.C.A. grant. Roll call vote follows:

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

Council adjourned into executive session at 6:02 p.m. Non-council members attending were: City Manager Gross, City Attorney Berry, and Clerk of the Council Hatcher.

Council moved the executive session to the City Manager's office at 7:20 p.m. as another meeting had previously been scheduled for 7:30 p.m. in the Council Hall.

Council reconvened into open session in the Council Hall at 8:39 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.

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

Mayor Shelton read aloud the following:

The Bedford City Council this past Tuesday night, at its regular meeting, announced that it would hold a public comment session at its meeting on September 12 to consider views of citizens concerning the Wharton

building and adjacent properties. Today the Attorney General's office advised us that the state librarian intends to initiate a Section 106 hearing in Bedford to review the City's entitlement to release of the \$178,000 Library Services and Construction Act (L.S.C.A.) grant which has not been paid. Although the City Council and the City Attorney believe that the City has complied in full with all grant conditions and no further hearings are required, the City Council will cooperate with the State Library to assure that the correct facts and the whole picture concerning the Wharton building and the state grant are made available to the public through the Section 106 review. In order to avoid a duplication of public hearings, the September 12 public comment session before City Council will not be held.

Also due to potential litigation there will be no further comments from City Council. All questions should be directed to and all comments shall come from the City Attorney.

Mayor Shelton adjourned the meeting at 8:41 p.m.