

10-4-95 Minutes

An adjourned meeting of the Council of the City of Bedford, Virginia, from the September 26, 1995, was held in the Council Hall of the Municipal Building at 7:30 p.m., October 4, 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.

On motion by Councilwoman Grahame, seconded by Vice Mayor Brookshier, voted upon and carried unanimously, the following items were added to the agenda:

Resolution Approving Membership of Halifax County in the Blue Ridge Regional Jail Authority

Resolution Approving Submitting of Application for Enterprise Zone Designation for Centertown Zone

Resolution Approving Submitting of Application for Enterprise Zone Designation for Industrial Park Zone

Councilwoman Grahame spoke of the successful "Centerfest '95" held this past weekend. Councilwoman Grahame reported on the results of a straw poll on consolidation taken at the City and County's booth during Centerfest:

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| County residents - | 25 yes | City residents - | 14 yes |
| 31 no | 14 no | | |

Vice Mayor Brookshier and Councilwoman Flood spoke of the success of the "Youth Connections Dance" held at the Bedford Science and Technology Center on September 30.

Discussion ensued regarding release of information on the proposed consolidation issue.

Mayor Shelton reported on the visit to the Bedford area of fifty-two French citizens on October 3. The Mayor indicated that several of the French citizens are strongly interested in the sister city program. The City Manager and staff are gathering information on the program and will report to Council at a future date.

Councilman Tharp spoke of a complaint he had received from a citizen on Valleyview Drive regarding the cleaning out of ditches by the City. The City Manager will investigate the matter.

Councilman Rice moved that Council adjourn into executive session pursuant to Section 2.1-344(a)(7), Code of Virginia of 1950, as amended, for consultation with legal counsel regarding lease of City-owned property. The motion was seconded by Councilwoman Grahame, voted upon and carried unanimously by the following roll call vote:

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| 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 7:49 p.m. Non-Council members attending were: City Manager Gross, City Attorney Berry, Clerk of the Council Hatcher, and Lynn Cunningham of Craddock Cunningham Architectural Partners of Lynchburg.

Council reconvened into open session at 8:55 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 Kochendarfer moved that the resolution be adopted. The motion was seconded by Councilwoman Flood, voted upon and carried unanimously by the following roll call vote:

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

On motion by Councilwoman Kochendarfer, seconded by Vice Mayor Brookshier, voted upon and carried unanimously, the following item was added to the agenda:

Consideration of Proposed Lease of the Wharton Building

Mayor Shelton asked that his following statement be recorded in the minutes: Previous interested parties in this issue are not in attendance at this meeting. The Mayor stated that this item has been widely publicized and discussed, and offers made, and meetings have been attended of City Council regarding anticipation of this issue and no one representing any organization or interest is here this evening.

Mayor Shelton declared a ten minute recess from 8:59 p.m. until 9:09 p.m.

Councilwoman Grahame, Chairman of the Library Committee, stated that Council had before them copies of the proposed lease on the Wharton Building.

Councilwoman Kochendarfer moved that Council direct the City staff and the City Attorney to prepare an appropriate legal advertisement to be run in the local papers for four weeks with any resulting offers to be opened at a subsequent council meeting as required by state statute relative to the proposed lease of the Wharton Building. The motion was seconded by Vice Mayor Brookshier, voted upon and carried, four members voting aye, three members voting nay (Tharp, Rice, Grahame).

Councilwoman Grahame explained her reasons for voting nay on the previous motion.

Councilman Tharp asked if this lease is non-negotiable.

Mayor Shelton stated that with Council's action on this lease, the City will advertise this lease as it is before Council, with the technical adjustments, based on discussion and consideration in the previous item on the agenda.

Councilman Tharp commended the Library Committee and the staff for its preparation of the proposed lease in such a short period of time.

As City Manager Gross will be in Richmond on October 6, discussion ensued regarding the City Manager meeting with the State Librarian and requesting release of the Library Services and Construction Act (L.S.C.A) grant funds in the amount of \$178,172.

Council directed the City Manager to meet with the State Librarian, inform him of Council's action, and reemphasize that the City is entitled to payment of the L.S.C.A. grant funds in the amount of \$178,172 as the City has originally contended.

City Manager Gross indicated that this is the second to last opportunity the City will have to withdraw from the Blue Ridge Regional Jail Authority. Mr. Gross recommended that the City continue to stay in the Authority until the ultimate resolution of Bedford County's position is known and the City has the opportunity to analyze the economic information about the regional jail versus staying with the Bedford County jail.

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

APPROVING MEMBERSHIP OF

HALIFAX COUNTY IN

THE BLUE RIDGE REGIONAL JAIL AUTHORITY

WHEREAS, the Blue Ridge Regional Jail Authority (the "Authority") was established in 1994 by the County of Appomattox, the County of Bedford, the City of Bedford, the County of Campbell and the City of Lynchburg for the purpose of constructing and operating a new regional jail in the City of Lynchburg and renovating the county jails; and

WHEREAS, a Service Agreement detailing the relative obligations of the parties was entered into on November 10, 1994 (the "Service Agreement"); and

WHEREAS, subsequent to that time the County of Bedford and the County of Appomattox, through action of their respective Boards of Supervisors, have withdrawn from the Authority; and

WHEREAS, by resolution dated September 12, 1995 the Halifax County Board of Supervisors adopted a Resolution of Intent to become a member of the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA that Halifax County be added as a member of the Authority, subject to the conditions of the Service Agreement, as it may hereafter be amended.

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

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

City Manager Gross stated that Council has received information on enterprise zone designations for two proposed zones, one encompassing the Centertown area and the other the proposed industrial park. The requirements for designation include the City's firm commitment to offer incentives intended to stimulate private sector investment or revitalization in the proposed enterprise zones. The City Manager indicated that Council has also received a listing of the incentives developed for each zone, along with a listing of incentives already in place. The application must be submitted by October 18, 1995, and a public hearing will have to be held on October 16 to solicit public comments.

Mr. Jay Scudder, Director of Planning & Community Development, reviewed the incentive packages for both proposed zones.

Discussion ensued.

Council directed Mr. Scudder to expand the boundaries of the proposed zone which encompasses the Centertown area to include as many businesses and industries as possible.

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

WHEREAS, the City of Bedford is aware of the Virginia Enterprise Zone Program; and

WHEREAS, the City of Bedford understands that such a designation will include State and local incentives for businesses in the designated zone; and

WHEREAS, the City of Bedford is interested in stimulating business and industrial growth and is committed to offering certain incentives intended to stimulate private sector investment or revitalization in the proposed enterprise zone; and having reviewed and considered the eligibility requirements,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Bedford endorses and supports such a program for the City of Bedford and is hereby authorizing the City Manager to submit all information needed to apply for enterprise zone designation for the Greater Centertown zone and to meet other program administrative and reporting requirements.

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

Councilwoman Kochendarfer aye

Councilman Rice aye

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| Councilman Tharp | aye |
| Vice Mayor Brookshier | aye |
| Councilwoman Flood | aye |
| Councilwoman Grahame | aye |
| Mayor Shelton | aye |

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

WHEREAS, the City of Bedford is aware of the Virginia Enterprise Zone Program; and

WHEREAS, the City of Bedford understands that such a designation will include State and local incentives for businesses in the designated zone; and

WHEREAS, the City of Bedford is interested in stimulating business and industrial growth and is committed to offering certain incentives intended to stimulate private sector investment or revitalization in the proposed enterprise zone; and having reviewed and considered the eligibility requirements,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Bedford endorses and supports such a program for the City of Bedford and is hereby authorizing the City Manager to submit all information needed to apply for enterprise zone designation for the City Industrial Park zone and to meet other program administrative and reporting requirements.

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

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| Councilman Rice | aye |
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Councilman Tharp aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Grahame aye

Councilwoman Kochendarfer aye

Mayor Shelton aye

Mayor Shelton adjourned the meeting at 9:59 p.m.