

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 8:05 p.m., June 25, 1996.

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 Council meeting held on June 11, 1996, were approved as distributed.

Vice Mayor Brookshier reported that the Education Subcommittee of the Middle School Utilization Review Committee met on June 24.

The Mayor indicated that the first meeting of the Middle School Utilization Review Committee was held on June 18, and the subcommittees are to complete their tasks and come back together as a full group to bring a report back to City Council at the first regular meeting in September.

Vice Mayor Brookshier spoke about the opposition by some citizens regarding the designation of bike routes through the City.

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

#### Discussion of the ISTEA Funding for Bicycle Routes

Councilman Tharp indicated that the subcommittee of the Middle School Utilization Review Committee on which he is serving has met and will tour the Brambleton Teen Center on July 11.

On behalf of Council, Mayor Shelton presented Jefferson Cups to Councilwoman Grahame and Councilman Rice in appreciation of their years of service to the City as members of City Council.

Councilwoman Grahame indicated that it had been a pleasure to serve on City Council.

Councilman Rice stated that it had been an honor and pleasure to serve on City Council for twelve years.

The Consent Agenda consisted of the following items:

Appointment of Ms. Charlene D. McFall to fill an unexpired term on the City Planning Commission, said term to expire March 31, 1997.

Appointment of Mrs. Edna Hayden to serve a four-year term on the Redevelopment and Housing Authority, said term to expire October 13, 1999.

Appointment of Dr. Brian D. Buchanan to serve a three-year term on the Recreation Advisory Committee, said term to expire June 30, 1999.

Appointment of Mr. Billy Hackworth, Mr. Ben Hurd, and Mr. Clarence Stanley to serve five-year terms on the Local Building Code Board of Appeals, said terms to expire June 11, 2001.

Appointment of Ms. Penny Carter to the Regional Library Board for a four-year term expiring June 30, 2000.

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

On motion by Councilwoman Grahame, seconded by Vice Mayor Brookshier, voted upon and carried unanimously, Council made the following appointments to the City School Board:

Diana Bare to fill an unexpired term, said term expiring June 30, 1997

Debora Spinner, Molly Thompson, and Mickey VanDerwerker for terms expiring June 30, 1999

The following members of the Bedford Visioning Committee reviewed a report entitled *Bedford Visioning - Strategic Planning for the Future*: Elizabeth Berry-Mosely, Executive Director of Bedford Main Street, Bill Pickett, Bill Johnson, Rev. Glen Langston, and Molly Thompson.

City Manager Gross stated that the City has received a memorandum from the Director of the Virginia Retirement System regarding prefunding of the cost of living allowances (COLAs) for retirees. Two options are available to local governments. The first option is to immediately begin to prefund the COLAs in Fiscal Year 1998 by paying a level employer contribution rate. The City Manager indicated that the second option is to begin phasing in the prefunding of the COLAs over a five-year period beginning in FY98. The staff is recommending Option 1, as the estimated cost savings over the 30-year funding period would be approximately \$102,322.

The Clerk of Council read aloud the following proposed resolution:

## **RESOLUTION**

**WHEREAS**, the Virginia General Assembly, the Governor, and the Board of Trustees of the Virginia Retirement System recognize the growing liability of all employers participating in the Virginia Retirement System as a result of the current practice of funding annual cost of living increases to retirees on a pay-as-you-go basis; and

**WHEREAS**, the Virginia General Assembly and the Governor have provided, in the budget for the 1996-98 biennium, funds to reach a level that would fully fund the cost of living increases over a five-year period beginning in fiscal year 1998 for state employees and public school teachers; and

**WHEREAS**, pursuant to their authority as set forth in Section 51.1-145 of the Code of Virginia, the Board of Trustees of the Virginia Retirement System has agreed to allow political subdivisions the option of making contributions beginning in fiscal year 1998 that would either (1) begin to fully fund the cost of living increases for their employees immediately, or (2) to reach a level to fully fund the cost of living increases over a five-year period.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bedford, Virginia:

That it hereby elects to begin to fully fund the cost of living increases for its retirees immediately beginning on July 1, 1997.

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:

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 stated that on November 10, 1994, the City entered into the Blue Ridge Regional Jail Authority Service Agreement, along with the City of Lynchburg and the Counties of Appomattox, Bedford and Campbell. Subsequently, by an amendment to the Agreement, Bedford County and Appomattox County withdrew as members of the Authority and Halifax County became a member of the Authority. Council has received the Second Amendment to the Agreement which provides for Bedford County to rejoin the Authority as a member, subject to the provisions of the Service Agreement as amended.

Vice Mayor Brookshier moved that Council approve the Second Amendment to the Blue Ridge Regional Jail Authority Service Agreement and authorize the City Manager to sign the Second Amendment on behalf of the City. The motion was seconded by Councilman Tharp, voted upon and carried unanimously.

The City Manager stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council annually levy a tax on all real estate located within the City. Mr. Gross indicated that Council had received a proposed ordinance which establishes a tax rate for Fiscal Year 1996-97 of \$.71 per one hundred dollars of assessed valuation, which is the same rate as for FY 1995-96.

The Clerk of Council read aloud the following proposed ordinance:

## **ORDINANCE**

**BE IT ORDAINED** by the Council of the City of Bedford, Virginia, that there be, and is hereby levied for the fiscal year 1996-97, a tax of \$.71 per one hundred dollars of assessed valuation on all taxable real estate located in the City, the respective levy hereby ordered being also applicable to the real estate and tangible personal property of public service corporations within the limitations specified by Section 58.1-2606 of the Code of Virginia of 1950, as amended, based upon the assessment thereof fixed by the State Corporation Commission and duly certified.

Councilman Rice moved that the ordinance 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

Councilman Tharp aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Grahame aye

Mayor Shelton aye

City Manager Gross stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council shall annually levy a tax on tangible personal property located within the City. The City Manager stated that Council had received a proposed ordinance establishing the personal property tax rate for calendar year 1996.

The Clerk of Council read aloud the following proposed ordinance:

## **ORDINANCE**

**BE IT ORDAINED** by the Council of the City of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 1996, a tax of \$1.50 per one hundred dollars of one hundred per centum (100%) of assessed value on all taxable tangible personal property, including property separately classified in Section 58.1-3503 of the Code of Virginia of 1950, as amended, unless exempted from taxation or subject to a different rate under this ordinance. Household goods and personal effects as classified in Section 58.1-3504 and horses, mules and other kindred animals, hogs, poultry, grains and other feeds used for the nurture of farm animals, grain and tobacco as such items are classified in Section 58.1-3505 are exempted in whole from tangible personal property taxation. The following items are taxed at a levy of \$1.30 per one hundred dollars of one hundred per centum (100%) of the assessed valuation: (a) cattle, sheep and goats, and farm machinery and farm implements as separately classified in Section 58.1-3505; and (b) machinery and tools as separately classified in Section 58.1-3507.

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

Councilman Rice aye

Councilman Tharp aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Grahame aye

Councilwoman Kochendarfer aye

Mayor Shelton aye

The City Manager stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, required that Council shall, on a regular basis, make an appropriation of funds for expenditure by the City. Mr. Gross indicated that Council has received a proposed ordinance which directs that the funds as set out in the budget for Fiscal Year 1996-97 be appropriated and set aside to the appropriate funds, and authorizes the City Manager to expend the funds in accordance with said budget and in accordance with prior appropriations.

The Clerk of Council read aloud the following proposed ordinance:

## **ORDINANCE**

**BE IT ORDAINED** that the City Council of the City of Bedford, Virginia, hereby directs that the funds as set out in the budget for Fiscal Year 1996-97 for the City of Bedford are appropriated and set aside to the General Fund, to the Water and Sewer Fund, to the Electric Fund, and to the Contingency Fund as shown in said budget, and that the City Manager is authorized to expend the funds in the General Fund, Water and Sewer Fund, and Electric Fund in accordance with said budget and in accordance with prior appropriations.

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

Councilman Tharp aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Grahame aye

Councilwoman Kochendarfer aye

Councilman Rice aye

Mayor Shelton aye

On motion by Councilwoman Kochendarfer, seconded by Councilman Rice, voted upon and carried by a roll call vote, Council adjourned into executive pursuant to Section 2.1-344(a)(7) and Section 2.1-344(a)(3) for Consultation with Legal Counsel and Briefings by Staff Concerning Economic Development Incentives for Existing Industries and Acquisition of Real Property for Industrial Development. 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 9:15 p.m. Non-council members attending: City Manager Gross, City Attorney Berry, Director of Planning & Community Development Scudder, Council-members elect Dave Ballard and Robert Wandrei, and Harry Schickling.

Council reconvened into open session at 10:48 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 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

Mayor Shelton indicated that the agenda items "Consider Exercising Option on Dean Property and Appropriation of Funds for Payment of First Installment on Dean Property" would be carried over until the adjourned meeting on July 1, 1996, at 8:00 a.m.

Discussion ensued regarding designating bicycle routes throughout the City using the ISTEA funds in the amount of \$164,400. It was noted that citizens in several neighborhoods have expressed opposition to having a bicycle route pass through their neighborhood.

On motion by Councilman Tharp, seconded by Councilwoman Kochendarfer, voted upon and carried, six members voting aye, one member voting nay (Rice), Council set the following criteria for use of the ISTEA funds:

1. Use of signage to set out the route of the bike path.
2. Utilize the funds for beautification of entrances to the City.
3. Actual construction will not occur in existing residential neighborhoods.
4. Public hearings will be held by the Council and the staff on any proposed bike route construction project.

Mayor Shelton adjourned the meeting at 11:25 p.m. until 8:00 a.m., July 1, 1996, for the swearing-in ceremony, reorganization of Council, consideration of exercising option on Dean property, and appropriation of funds for payment of first installment on Dean Property.