

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., July 9, 1996.

Members present: Mayor G. Michael Shelton; Councilman H. Davis Ballard; Vice Mayor Larry D. Brookshier; Councilwoman Mary L. Flood; Councilwoman Linda Kochendarfer; Councilman W. D. Tharp; and Councilman Robert T. Wandrei.

Members absent: None.

Staff present: City Manager Jack A. Gross and Deputy Clerk of the Council Dianne Flake.

Staff absent: City Attorney W.W. Berry, IV.

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 an adjourned Council meeting held on June 25, 1996, the minutes of a regular Council meeting held on June 25, 1996, and the minutes of an adjourned Council meeting held on July 1, 1996, were approved as distributed.

City Manager Gross reported that he is working with the Bedford County Administrator to set up joint committee meetings regarding E911 and Wastewater Treatment Plant expansion.

The City Manager called Council's attention to a sign designating Bedford as Home of the Liberty High School Minutemen in recognition of state championship teams. He stated that these signs will be installed at the entrances to the city and that similar signs have been presented to the school.

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Flood, voted upon and carried unanimously, the following item was added to the agenda as the first item of old business:

Executive Session pursuant to Code of Virginia of 1950, as amended, Section 2.1-344(A)(3) for Discussion and Consideration of Acquisition of Real Estate, Property Held by Ms. Jennie Allman

and the items of old business were moved to the bottom of the agenda and the items of new business moved up.

City Manager Gross stated that the Virginia Department of Transportation plans to improve and hardsurface Route 890 in Bedford County. The site of the old City landfill adjoins this road and VDOT is asking the City to donate 35 feet of right of way to make up the required 50 feet of right of way needed for construction and maintenance. Mr. Gross reported that the Streets Committee met this evening and recommended that Council approve this request.

Mr. Jeff Kessler, Resident Engineer of the Bedford VDOT office, stated that this project is one of the top priorities of both VDOT and the Bedford County Board of Supervisors for the 1997-98 biennium.

On motion by Vice Mayor Brookshier, seconded by Councilwoman Kochendarfer, voted upon and carried unanimously, Council approved donating to the Virginia Department of Transportation 35 feet of right of way from the City-owned tract of land adjoining Route 890.

The City Manager stated that Council has received a memorandum from the Chief of Police requesting that

he be appointed to the Regional Radio Board which will oversee the installation of the radio system and set rules for the operation of the system. Each participating locality will have one member on this Board who is familiar with the locality's needs and operations. Mr. Gross reported that the Chief plans to form a committee within the City to review the Board's actions.

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Flood, voted upon and carried unanimously, Council appointed Chief of Police M. H. Graham to the Regional Radio Board.

On motion by Councilwoman Kochendarfer, seconded by Councilman Wandrei, voted upon and carried unanimously by a roll call vote, Council adjourned into executive session for the following:

Pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(A)(3) for Discussion and Consideration of Acquisition of Real Estate, Property Held by Ms. Jennie Allman.

Roll call vote follows:

Councilman Ballard aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Mayor Shelton aye

Council adjourned into executive session at 7:40 p.m. Non-council members attending were: City Manager Gross, Assistant City Manager Barry Thompson, Director of Planning and Community Development Jay Scudder, Director of Public Works Clarke Gibson, and Deputy Clerk of the Council Flake.

Council reconvened into open session at 8:24 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 Councilman Tharp, voted upon and carried unanimously by the following roll call vote:

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye

Mayor Shelton aye

City Manager Gross stated that on July 11, 1995 the City entered into an option agreement with the owner of a 54.88-acre tract of land located off Independence Boulevard known as the Dean property for possible use as an industrial park. The purchase price of the property as set out in the option agreement was \$175,000. Mr. Gross further stated that the agreement was amended on July 26, 1995, to allow for the purchase price to be paid over a period of five years. According to the terms of the option agreement, the City may exercise this option prior to 5:00 p.m. on July 11, 1996.

Councilman Wandrei moved to exercise the option on the Dean property. The motion was seconded by Councilman Ballard, voted upon and carried unanimously.

The City Manager stated that, since Council agrees to exercise the option on the Dean property, it will be necessary to appropriate funds in the amount of \$40,000 from the unappropriated contingency to make the first installment on the purchase price.

On motion by Councilman Tharp, seconded by Councilman Ballard, voted upon and carried unanimously by roll call vote, Council appropriated \$40,000 from the unappropriated contingency to Account No. 108161.4201, Industrial Site Development, for the first installment on the Dean property.

Roll call vote follows:

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye

Vice Mayor Brookshier aye

Mayor Shelton aye

Councilman Tharp asked that asphalt at the property owned by the City adjacent to the library property be dug up and the land stabilized. He suggested involving the Wharton Foundation in the plans. The City Manager stated that there is contingency money in the Library Fund that could be used for that project. Mayor Shelton suggested that the Property Committee, with input from the Library Director, determine how the remaining contingency money could best be distributed and, if necessary, come back to Council.

City Manager Gross stated that the former Joint Library Committee had authority to make change orders as necessary without Council's approval. He reported that there are several items that require immediate

attention. It was the concurrence of Council that the Property Committee be authorized to make expenditures from the contingency in the Library Fund.

Mayor Shelton presented a Key to the City to Dave Curley, reporter with the News and Advance, who will no longer be covering the City of Bedford.

Mayor Shelton adjourned the meeting at 8:34 p.m.