

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., August 13, 1996.

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

Members absent: Vice Mayor Larry D. Brookshier.

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 July 9, 1996, were approved as distributed.

On motion by Councilwoman Flood, seconded by Councilwoman Kochendarfer, voted upon and carried, the agenda was amended to include the following as the final item of new business:

Executive session pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a) (3), regarding real estate for industrial property.

Mayor Shelton stated a letter had been received from Mr. Bolling Lambeth, Chairman of the City Electoral Board. The Electoral Board is requesting Council to consider changing the voting precinct location for Ward II from Bedford Elementary School to the Bedford Armory.

It was the concurrence of Council to proceed with the actions required to change the Ward II voting precinct.

The City Manager is to advise Council of the timetable concerning the action it would have to take to change the voting precinct.

The Consent Agenda consisted of the following items:

Appointment of Mrs. Eileen Miller, 1638-A Shady Knoll Avenue; and Mrs. Jane Amnott, 128 Mockingbird Circle, to the Advisory Council of the Central Virginia Area Agency on Aging for terms expiring September 30, 1997, and September 30, 1998, respectively.

Appointment of Hazel Otey, Youtha Porter, Rosemary Meyers, Mary Johnson, and Louise Robertson to the Keep Bedford Beautiful Commission for three-year terms, said terms to expire June 30, 1999.

Approve the blocking of the following streets from 1:00 p.m. to 10:00 p.m. on August 17, 1996, for the Fifth Annual Go Kart Race:

East and West Main Street from Court Street to Ballard Street; Center Street; Washington Street from Center Street to Otey Street; South Street from Washington to East Main Street; North Bridge Street from Main to Depot Street; and Market Square.

Approve the closing of the following streets for the Eighth Annual Peaks of Otter Christmas

Classic Foot Race from 10:00 a.m. to 12:00 noon on December 7, 1996:

Ashland Avenue from the Primary School to Lake Drive; Lake Drive to Peaks Street; Mountain Avenue and College Street.

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

Mayor Shelton stated that a vacancy currently exists on the City Planning Commission for a term expiring March 31, 2000. The following individuals have asked to be considered for appointment: Mr. Ronnie C. Rice, 1802 North Hills Drive, and Mr. Donald A. Owen, 816 Helm Avenue.

Councilman Ballard moved that Council appoint Don Owen to the City Planning Commission. The motion was seconded by Councilman Wandrei. The motion was voted upon and did not carry, two members voting aye (Ballard and Wandrei), four members voting nay (Flood, Kochendarfer, Tharp, and Shelton), and one member absent (Brookshier).

On motion by Councilwoman Kochendarfer, seconded by Councilwoman Flood, voted upon and carried, four members voting aye (Flood, Kochendarfer, Tharp, and Shelton), two members voting nay (Ballard and Wandrei), and one member absent (Brookshier), Council appointed Mr. Ronnie C. Rice to fill the current vacancy that exists on the City Planning Commission for a term expiring March 31, 2000.

The next agenda item "Presentation - Christopher Webb, Administrator, Blue Ridge Regional Jail" was passed over until the arrival of Mr. Webb.

The City Manager stated that Council had received copies of a proposed ordinance which readopts and reenacts Section 13-2 of the City Code, incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation. The City Manager stated that the ordinance has been posted in three locations in the City in accordance with Section 2-30 of the City Code.

On motion by Councilman Tharp, seconded by Councilwoman Kochendarfer, voted upon and carried, Council waived the reading of the proposed ordinance readopting and reenacting code provisions dealing with traffic laws.

On motion by Councilwoman Kochendarfer, seconded by Councilman Tharp, voted upon and carried by a roll call vote, Council adopted the ordinance readopting and reenacting code provisions dealing with traffic laws. Roll call vote follows:

Councilman Ballard aye

Vice Mayor Brookshier absent

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Mayor Shelton aye

The ordinance follows as adopted:

**AN ORDINANCE TO READOPT AND REENACT SECTION 13.2
OF THE CITY CODE INCORPORATING BY REFERENCE
CURRENT PROVISIONS OF THE CODE OF VIRGINIA
DEALING WITH TRAFFIC LAWS AND
MOTOR VEHICLE OPERATION**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

Section 1. Section 13-2 of the City Code is hereby readopted and reenacted as follows:

Pursuant to the authority of Section 46-2.1313 of the Code of Virginia, the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 in Article 9 (Section 16.1-278 et seq) of Chapter 11 of Title 16.1, and in Article 2 (Sec. 18.2-266 et seq) of Chapter 7 of Title 18.2, of the Code of Virginia, except those provisions and requirements the violation of which constitute a felony, and except those provisions and requirements which by their very nature can have no application to or within the City, are hereby adopted and incorporated herein by reference and made applicable within the City. References to "Highways of the State" contained in such provisions and requirements hereby adopted, shall be deemed to refer to streets, highways and other public ways within the City. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as those set forth at length herein, and it shall be unlawful for any person, within the City, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 9 of Chapter 11 of Title 16.1 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which are adopted by this Section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under such titles of the Code of Virginia.

Section 2. This Ordinance shall become effective upon publication one time, immediately following its passage, in some newspaper published in the City or upon posting at three or more public places in the City for one week, as required by Section 19 of the City Charter.

City Manager Gross stated that at a press conference on August 1, the Blue Ridge Regional Jail Authority announced the appointment of Christopher Webb as the Authority's Jail Administrator. Mr. Webb was chosen from a field of sixty-seven candidates. He is a resident of Lynchburg, has been employed as the Superintendent of the Rustburg Correctional Unit for six years, and has a total of twenty-one years of experience with the Virginia Department of Corrections.

Mr. Webb indicated that he was looking forward to working with Council and asked members of Council to contact him if they had any questions about the regional jail.

Councilman Tharp moved that Council adjourn into executive session pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a)(3), regarding real estate for industrial property. The motion was seconded by Councilman Ballard, voted upon and carried by the following roll call vote:

Vice Mayor Brookshier absent

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye Mayor Shelton aye

Council adjourned into executive session at 7:46 p.m.

Council reconvened into open session at 8:11 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 by the following roll call vote:

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye

Vice Mayor Brookshier absent Mayor Shelton aye

Mayor Shelton adjourned the meeting at 8:12 p.m.