

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:40 p.m., May 27, 1997.

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; 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 May 13, 1997, were approved as distributed.

The City Manager reported that a final copy of the Blue Ridge Regional Jail Authority amended and restated service agreement has not been received and this item should be removed from the agenda.

City Manager Gross stated that the applications for the Virginia Municipal League Achievement Awards have been completed by Fran Hart, Director of Parks, Recreation & Cemeteries.

A brief discussion ensued between Councilman Ballard and Mayor Shelton regarding arrangements for the twinning of the City of Bedford and Bedford County with the Omaha Beach communities of France. The Mayor reported that Council and the Board of Supervisors will be considering a resolution within the next ten days regarding the twinning issue.

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

Work Session on Proposed 1997-98 Budget

Councilwoman Kochendarfer expressed appreciation to the City staff for their help with Local Government Day.

Councilman Wandrei suggested that the City's representative to the County School Board be a member of the City School Board.

Mayor Shelton reported that Council will hold two joint meetings with the Bedford County Board of Supervisors as follows:

Monday, June 2, 1997, at 7:30 p.m. in the County Administration Building regarding a revenue sharing and economic development agreement

Thursday, June 5, 1997 (time and location to be determined) regarding the twinning of the City and County with the Omaha Beach communities of France, and a presentation by representatives of the Sedalia Center concerning their plans for an outdoor drama pertaining to Bedford history. The Deputy Mayor of Vierville-sur-Mer, Mr. Philippe YGouf, and his wife will also attend the joint meeting.

The Consent Agenda consisted of the following item: Request to Block Street for Softball Tournament and

Bedford Fair - City of Bedford Parks, Recreation & Cemeteries Department. The request is for permission to block Bedford Avenue Extension from 5:00 to 9:00 p.m., July 18 through July 26.

On motion by Councilwoman Kochendarfer, seconded by Councilman Tharp, voted upon and carried unanimously, the Consent Agenda was adopted.

Mr. Casey Wood, Local Government Day Mayor, gave a presentation regarding the mentoring program which is recommended for implementation by the Local Government Day City Council. Mr. Wood reviewed results of a survey sent to local businesses and industries.

Mayor Shelton commended the Local Government Day Council for the great job they did.

The City Manager stated the City and the National D-Day Memorial Foundation in September 1996 entered into an agreement for development of the National D-Day Memorial. Under the terms of that agreement, all properties needed for the memorial and the surrounding buffer zones will be acquired in the name of the City with funds provided by the Foundation. Closings under the options are to occur within 90 days of the date that each is exercised.

City Manager Gross indicated that the option on the Saunders property expires if not exercised by May 30, 1997. The Foundation has notified the City that it is ready to proceed and has the necessary funds for purchase of the property.

Councilman Tharp moved that Council authorize the City Manager to exercise the option on the Saunders property with funds provided by the National D-Day Memorial Foundation. The motion was seconded by Councilman Ballard, voted upon and carried unanimously.

City Manager Gross stated that the City of Bedford and Bedford County prepared a joint Request for Proposals for reassessment services during Fiscal Year 1997-98. It is recommended by the Assistant City Manager and Commissioner of the Revenue that the City enter into a contract with Wingate Appraisal Services to conduct the City's reassessment, which will be

effective July 1, 1998. Wingate has agreed to perform the reassessment for a price per parcel of \$17.25. The total price for the contract will be approximately \$59,685. Funds to cover the cost of the reassessment are included in the FY 97-98 budget.

On motion by Vice Mayor Brookshier, seconded by Councilwoman Kochendarfer, voted upon and carried unanimously, Council accepted the proposal of Wingate Appraisal Services to conduct the 1997-98 general reassessment of real estate at a cost of \$17.25 per parcel and authorized the City Manager to contract with Wingate Appraisal Service.

Council proceeded to hold a work session on the proposed FY 1997-98 budget.

Discussion ensued regarding the proposed cigarette tax, funds for Reynolds Park, merit raises for City employees, the cash carryover, and the contingency fund.

Mr. Wendal Dawson presented a petition to Council in opposition of the proposed cigarette tax.

On motion by Councilman Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously, Council waived the reading of the proposed ordinance establishing the real estate tax rate for fiscal year 1997-98.

On motion by Councilman Tharp, seconded by Councilwoman Kochendarfer, voted upon and carried by a

roll call vote, Council adopted the ordinance establishing the real estate tax rate. 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

(*Councilman Ballard originally voted "nay"; however, later in the meeting he stated he had made an error and wished to change his vote to "aye"; there were no objections to this from the other members of Council.)

The ordinance establishing the real estate tax rate for FY 1997-98 follows as adopted:

ORDINANCE

BE IT ORDAINED by the Council of the City of Bedford, Virginia, that there be, and is hereby levied for the fiscal year 1997-98, a tax of \$.76 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.

On motion by Councilman Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously, Council waived the reading of the proposed ordinance establishing the personal property tax rate for the calendar year 1997.

Councilman Tharp moved that the ordinance establishing the personal property tax rate be adopted. The motion was seconded by Councilwoman Flood, 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

The ordinance follows as adopted:

ORDINANCE

BE IT ORDAINED by the Council of the City of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 1997, a tax of \$1.80 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. All tangible personal property employed in a trade or business other than that described in subdivisions 1 through 16 of Section 58.1-3503 is taxed at a levy of \$1.50 per one hundred dollars of one hundred per centum (100%) of the assessed valuation. 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.

On motion by Councilman Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously, Council waived the reading of the proposed ordinance regarding the vehicle license fees.

On motion by Councilman Tharp, seconded by Councilman Ballard, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance to amend and readopt Section 13-58 of the Bedford City Code. 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

The ordinance follows as adopted:

AN ORDINANCE TO AMEND AND READOPT

SECTION 13-58 OF THE

BEDFORD CITY CODE

There is hereby levied an annual registration and license fee on every motor vehicle owned, maintained or kept on the streets in the city by a resident of the city in the amount of twenty dollars (\$20.00) on a motor vehicle with four (4) wheels and in the amount of twelve dollars (\$12.00) on a motorcycle, motor-driven bicycle or a motor vehicle with less than four (4) wheels. Transfers must be reported to the commissioner of the revenue and a replacement decal must be obtained from the city treasurer for the amount of one dollar (\$1.00) on all above stated vehicles.

City Attorney Berry suggested that the ordinance imposing a cigarette tax be amended by changing the effective date of the ordinance from July 1, 1997, to August 15, 1997, so that certain administrative matters can be put in place. Mr. Berry also reviewed several minor corrections in the proposed ordinance due to typographical errors.

On motion by Councilman Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously, Council waived the reading of the proposed ordinance establishing a cigarette tax.

On motion by Councilman Wandrei, seconded by Councilwoman Kochendarfer, voted upon and carried unanimously, Council accepted the following recommended amendment suggested by the City Attorney to the proposed ordinance imposing a cigarette tax:

"This ordinance shall become effective on August 15, 1997."

On motion by Councilman Tharp, seconded by Vice Mayor Brookshier, voted upon and carried by a roll call vote, Council adopted the ordinance establishing a cigarette tax rate. Roll call vote follows:

Councilwoman Kochendarfer nay

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard nay

Vice Mayor Brookshier aye

Councilwoman Flood aye

Mayor Shelton aye

The ordinance follows as adopted:

(The ordinance will be included in the permanent minute book)

Councilman Ballard stated he had made an error in his vote for the real estate tax as he believed he was voting for the cigarette tax ordinance and wished to change his vote to "aye" - there were no objections to this from the other members of Council.

Councilman Tharp moved that Council waive the reading of the proposed ordinance appropriating funds for fiscal year 1997-98. The motion was seconded by Councilwoman Kochendarfer, voted upon and carried unanimously.

Councilman Wandrei moved that Council adopt the ordinance appropriating funds for fiscal year 1997-98. The motion was seconded by Councilwoman Kochendarfer.

Councilman Wandrei moved that the ordinance be amended by increasing the expenditures by \$25,000 for merit raises for City employees.

Councilman Ballard seconded the motion to amend the ordinance.

Councilman Wandrei added to his motion to amend the ordinance as follows: by reducing the contingency fund. Councilman Ballard, who seconded the motion, agreed to the addition.

Councilman Ballard suggested that the motion be changed to exclude the department heads.

Councilman Wandrei further amended the motion as follows: that the department heads be excluded from the merit increases. Councilman Ballard, who seconded the motion, agreed to the amendment.

Mayor Shelton clarified that the department heads are those that report directly to the City Manager.

Discussion ensued.

Mayor Shelton clarified Councilman Wandrei's motion: to amend the ordinance to provide \$25,000 on the expenditure side of the budget for merit raises for employees below the department head level with funds to be taken from the contingency.

The amended motion was then voted upon and did not pass, three members voting aye (Ballard, Shelton, Wandrei) and four members voting nay (Brookshier, Flood, Kochendarfer, Tharp).

Discussion ensued regarding a suggestion by the Mayor that Council provide the funds not to exceed \$25,000 for merit increases that would start January 1, 1998, through the final six months of the fiscal year.

On motion by Councilman Wandrei, seconded by Councilman Ballard, voted upon and carried, four members voting aye (Ballard, Flood, Shelton, Wandrei), three members voting nay (Brookshier, Kochendarfer, and Tharp), Council amended the ordinance to include an appropriation of funds not to exceed \$25,000 for merit increases for City employees effective January 1, 1998, for the final six months of the fiscal year.

Council then voted on the adoption of the amended ordinance appropriating funds for fiscal year 1997-98. The motion did not pass. Roll call vote follows:

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard nay

Vice Mayor Brookshier nay

Councilwoman Flood aye

Councilwoman Kochendarfer nay

Mayor Shelton aye

Discussion ensued.

Councilwoman Kochendarfer indicated that she was confused when the vote was taken and meant to vote in favor of the budget.

Councilman Wandrei moved to reconsider the last vote. The motion was seconded by Councilman Tharp, voted upon and carried unanimously.

On motion by Councilwoman Kochendarfer, seconded by Councilman Ballard, voted upon and carried by a roll call vote, Council adopted the ordinance appropriating funds for fiscal year 1997-98, as amended. Roll call vote follows:

Councilman Wandrei aye

Councilman Ballard nay

Vice Mayor Brookshier nay

Councilwoman Flood aye

Councilwoman Kochendarfer aye

Councilman Tharp aye

Mayor Shelton aye

The amended ordinance follows as adopted:

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 1997-98 for the City of Bedford are appropriated and set aside to the General Fund, to the Solid Waste Fund, to the Water and Sewer Fund, to the Electric Funds, 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, Solid Waste Fund, Water and Sewer Fund, and Electric Fund in accordance with said budget and in accordance with prior appropriations; however, Council appropriates funds not to exceed \$25,000 for merit increases for City employees effective January 1, 1998, for the final six

months of the fiscal year.

Mayor Shelton adjourned the meeting at 9:08 p.m. until June 2, 1997, at 7:30 p.m. in the County Administration Building to meet with the Bedford County Board of Supervisors.