

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., October 14, 1997.

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

Members absent: Councilwoman Mary L. Flood.

Staff present: Assistant City Manager Barry Thompson, City Attorney W. W. Berry, IV, and Clerk of the Council Teresa W. Hatcher.

Staff absent: City Manager Jack A. Gross

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton presented a certificate of retirement and gifts to Dianne Flake, former Administrative Assistant to the City Manager and Deputy Clerk of City Council, upon her retirement after 17 years of service to the City.

Mayor Shelton declared that the minutes of a regular Council meeting held on September 23, 1997, were approved as distributed.

Vice Mayor Brookshier commented on the Chamber of Commerce Prom and the Volunteer Day at Reynolds Park. The Vice Mayor recognized Fran Hart, Director of Parks, Recreation, and Cemeteries, for the work she did in organizing the Volunteer Day at Reynolds Park.

Councilman Tharp spoke regarding his upcoming trip to the Normandy region of France and the involvement of local school children in the twinning process.

Mayor Shelton indicated that Council had been given copies of correspondence from the Mayor of Vierville-sur-Mer, France.

Council chose the date of November 22 to hold a planning retreat, with the location, time, and agenda items to be determined.

The Clerk of Council read aloud the following Public Hearing Notice:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the City Planning Commission at 5:30 p.m. on Thursday, October 2, 1997, and the City Council at 7:30 p.m. on Tuesday, October 14, 1997, at the City Municipal Building, 215 East Main Street, Council Hall, for the purpose of considering a request for the following:

To consider a conditional use request to allow a propane gas distribution facility which will include one (1) 30,000 gallon storage tank. The site is located in the Commercial/Light Industrial District (CLI), Tax Map #195-A-38 & #195-A-39

on Plunkett Street.

Information regarding this request is on file in the office of Planning & Community Development.

The request is being made by Watts Petroleum Corporation, 1505 Rutherford Street, Lynchburg, VA.

Anyone who is in favor of or opposed to the request will have an opportunity to express their view at this hearing.

By the Authority of the City of Bedford

Planning Commission

Mayor Shelton opened the public hearing at 7:49 p.m.

Mr. John Watts, President of Watts Petroleum, spoke regarding the request.

As there were no further comments, Mayor Shelton adjourned the public hearing at 7:50 p.m.

The Consent Agenda consisted of the following items:

Appointment of Mr. Barry W. Thompson to a three-year term on the Central Virginia Disability Services Board, said term to expire October 31, 2000.

Appointment of Mr. Jonathan D. Buttram and Mr. Harvey R. Johnson, Sr., to fill the current vacancies on the Local Building Code Board of Appeals. Mr. Buttram's term will expire June 11, 2000, and Mr. Johnson's term will expire June 11, 2002.

Authorize the closing of the following streets for the Christmas Parade on Saturday, December 6, 1997 (rain date Saturday, December 13):

From 11:30 a.m. to 2:00 p.m., College Street and Ashland Avenue near the Recreation Field and, if necessary, Ashland Avenue in the vicinity of the Elks National Home.

From approximately 2:00 p.m. to 4:00 p.m., Peaks Street from College Street to North Bridge Street, North Bridge Street to West Main Street, West Main Street to Fourth Street to the County Recreation Field.

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

Mayor Shelton reviewed the following recommendation of the City Planning Commission concerning the conditional use request to allow a propane gas distribution facility which will include one (1) 30,000 gallon storage tank on Plunkett Street, Tax Map #195-A-38 and #195-A-39, Commercial/Light Industrial District:

- that City Council approve the conditional use request with the following conditions:

the stipulation that screening and fencing be approved by the Department of Planning and Community Development and the Engineering Department.

Councilman Tharp moved that Council accept the recommendation of the Planning Commission. The motion was seconded by Councilwoman Kochendarfer. After a brief discussion, the motion was then voted upon and carried, five members voting aye, one member voting nay (Wandrei), and one member absent (Flood).

Mr. Thompson stated that an ordinance has been prepared by the City Attorney for an agreement between Randy J. Doolittle and the City authorizing the execution of a boundary line agreement establishing the boundary between the property of Mr. Doolittle and the City of Bedford Longwood Cemetery. The ordinance has been posted in accordance with the provisions of Section 2-30 of the City Code.

The City Attorney stated that due to a meeting that he and Ms. Hart had with Mr. Doolittle, the ordinance should be changed as followed: Section 1, last sentence: change ". . .the City will grind up and remove two stumps. . ." to ". . .the City will grind up and remove one stump. . .".

On motion by Councilman Tharp, seconded by Vice Mayor Brookshier, voted upon and carried, Council waived the reading of the proposed ordinance.

On motion by Councilman Tharp, seconded by Councilman Ballard, voted upon and carried by a roll call vote, Council adopted the ordinance as follows: Section 1, last sentence change ". . .the City will grind up and remove two stumps. . ." to ". . .the City will grind up and remove one stump. . .". Roll call vote follows:

Councilman Ballard aye

Vice Mayor Brookshier aye

Councilwoman Flood absent

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Mayor Shelton aye

The ordinance follows as adopted:

**AN ORDINANCE APPROVING AN AGREEMENT
BETWEEN RANDY J. DOOLITTLE AND THE CITY
OF BEDFORD AND AUTHORIZING THE EXECUTION
OF A BOUNDARY LINE AGREEMENT ESTABLISHING
THE BOUNDARY BETWEEN THE PROPERTY OF
RANDY J. DOOLITTLE AND THE CITY OF BEDFORD**

LONGWOOD CEMETERY

WHEREAS, Randy J. Doolittle is owner of a lot or parcel of land located on the east side of Park Street in the City of Bedford, which at its rear or eastern boundary adjoins the Longwood Cemetery owned by the City of Bedford; and

WHEREAS, some confusion has arisen concerning the true boundary line between the properties due to the construction of a fence by a prior owner of the Doolittle property; and

WHEREAS, Randy J. Doolittle and the City, subject to approval by the City Council, have entered into an Agreement establishing a new boundary line as shown on a plat of survey prepared at the request and cost of Randy J. Doolittle entitled, "Resurvey of 0.5453 acre property of Randy J. Doolittle, City of Bedford, Va." prepared by B. R. Shrader, Land Surveyor, dated May 31, 1994, revised May 23, 1996; and

WHEREAS, the proposed Agreement results in the condition of 0.025 acres of land, record title to which previously was in the name of Doolittle, being placed in the City of Bedford to reflect actual usage of the property, and in certain agreements by the City to plant landscaping and do certain other improvements along the property line;

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

Section 1. That the City Council approves execution of the Agreement between Randy J. Doolittle and the City of Bedford, Virginia, providing for the establishment of the new boundary line and providing that the City will construct and install a new post and wire fence along the new boundary line, and landscape the new property line by planting a row of shrubs along it, that the City will remove one damaged pine tree located in the 0.025 acre parcel, and that the City will grind up and remove one stump located along the southern boundary line of the Doolittle property.

Section 2. The City Council approves execution of a Boundary Line Agreement establishing the new boundary in accordance with the said Agreement, and the Mayor and City Clerk are hereby authorized and directed to execute the Boundary Line Agreement with Randy J. Doolittle for recordation among the property records of the Clerk's Office of the Circuit Court of Bedford County.

Section 3. This Ordinance shall be effective from and after the date of adoption.

Mr. Thompson stated that Council had before them an ordinance prepared by the City Attorney for the purchase of a lot on Plunkett Street from the City of Bedford Redevelopment and Housing Authority authorizing the exchange with Lola M. Cofer of a parcel owned by her near the City Landfill for the Plunkett Street lot plus a cash payment. The ordinance has been posted in accordance with the provisions of Section 2-30 of the City Code.

Vice Mayor Brookshier moved that Council waive the reading of the ordinance. The motion was seconded by Councilman Ballard. Councilman Wandrei stated that he would abstain from voting on the matter due to a conflict of interest. The motion was then voted upon and carried.

Vice Mayor Brookshier moved that the ordinance be adopted. The motion was seconded by Councilwoman Kochendarfer, voted upon and carried by a roll call vote:

Vice Mayor Brookshier aye

Councilwoman Flood absent

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei abstained

Councilman Ballard aye

Mayor Shelton aye

The ordinance follows as adopted:

**AN ORDINANCE APPROVING THE
PURCHASE OF A LOT ON PLUNKETT STREET
FROM THE CITY OF BEDFORD REDEVELOPMENT AND
HOUSING AUTHORITY AND AUTHORIZING
THE EXCHANGE WITH LOLA M. COFER OF A
PARCEL OWNED BY HER NEAR THE CITY LANDFILL
FOR THE PLUNKETT STREET LOT PLUS A CASH PAYMENT**

WHEREAS, the City desires to obtain ownership of a parcel or tract of land located near the City Landfill and owned by Lola M. Cofer; and

WHEREAS, Lola M. Cofer has been desirous of purchasing a parcel or lot of land located on the north side of Plunkett Street which had been acquired by the City of Bedford Redevelopment and Housing Authority; and

WHEREAS, the Authority previously had agreed to sell its Plunkett Street lot to the City subject to a restriction upon sale or assignment of the lot by the City prior to the construction of certain improvements unless the Authority consented thereto; and

WHEREAS, the City has agreed to convey the Plunkett Street lot to Lola M. Cofer in exchange for the lot owned by her near the City Landfill plus additional consideration, and the Authority has agreed to consent to the conveyance to Lola M. Cofer;

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

Section 1. The City Council hereby authorizes the purchase from the City of Bedford Redevelopment & Housing Authority of the following lot on the northside of Plunkett Street for a price of Ten Thousand Dollars (\$10,000) subject to a provision that the property may be repurchased by the Authority should construction of an 800 square foot building not be completed within five (5) years.

Section 2. The City Council approves the acquisition of a parcel containing 2.098 acres located on the southside of Orange Street and owned by Lola M. Cofer in exchange for the payment to Lola M. Cofer of \$28,000 and the conveyance to her of the 0.779 acre parcel on north Plunkett Street, subject to the condition that the Authority enter into the deed consenting to the conveyance to Lola M. Cofer and that Lola M. Cofer enter into the deed acknowledging the right of the Authority to repurchase the property if the improvement is not constructed in accordance with the provisions of the City deed.

Section 3. The Mayor and the City Manager are authorized and directed to enter into an appropriate deed of exchange on behalf of the City.

Section 4. This Ordinance shall be effective from and after the date of adoption.

Mayor Shelton stated the resolution in support of welcoming sister cities into the twinning relationship between the City and the County of Bedford and the communities in the Omaha Beach area of the republic of France was prepared as a result of a communication that came from the Mayor of Vierville-sur-Mer. The additional communities that have expressed interest in joining the twinning relationship are: Louvières, Formigny, Colombières, and Ecrammeville. The Mayor indicated that Councilman Tharp will deliver this resolution to the communities during his upcoming visit to France.

On motion by Councilwoman Kochendarfer, seconded by Councilman Wandrei, voted upon and carried, the proposed resolution welcoming the sister cities in the Republic of France was adopted. Roll call vote follows:

Councilwoman Flood absent

Councilwoman Kochendarfer aye

Councilman Tharp aye

Councilman Wandrei aye

Councilman Ballard aye

Vice Mayor Brookshier aye

Mayor Shelton aye

The resolution follows as adopted:

RESOLUTION

**IN SUPPORT OF EXPANDING THE TWINNING
RELATIONSHIP BETWEEN THE CITY AND THE COUNTY
OF BEDFORD, VIRGINIA AND THE COMMUNITIES
IN THE OMAHA BEACH AREA OF THE REPUBLIC OF FRANCE**

WHEREAS, the Omaha Beach communities specifically addressed in the June 5, 1997 resolution are Vierville-sur-Mer, St. Laurent, Colleville-sur-Mer and Trevieres as twinning communities; and

WHEREAS, the Mayor of Vierville-sur-Mer has informed the Bedford community of his Council's acceptance of the formal resolution; and

WHEREAS, the Mayor and the Council of Vierville-sur-Mer are leading the effort to seek adoption of this same resolution by the Councils of Trevieres, St. Laurent, and Colleville-sur-Mer; and

WHEREAS, the villages of Louvieres, Formigny, Ecrammeville, and Colombieres are seeking inclusion into this twinning process; and

WHEREAS, it has been recognized that this twinning relationship will be mutually beneficial and productive for all of our communities and, particularly, for our young people;

NOW, THEREFORE BE IT RESOLVED THAT, the Council of the City of Bedford, Virginia and the Board of Supervisors of the County of Bedford, Virginia do hereby support the inclusion of the Omaha Beach communities of Louvieres, Formigny, Ecrammeville, and Colombieres into this formal twinning process; and

BE IT FURTHER RESOLVED THAT, the inclusion of these communities shall be signified through the adoption of the original June 5, 1997 resolution by their respective Councils, and

BE IT FINALLY RESOLVED THAT, the City of Bedford and the County of Bedford continue to support the efforts to establish a meaningful and productive exchange of friendship, education, culture, economy and visitations with our "twinning" localities in the Omaha Beach area of France so that we may build upon our strong relationships created by the events of June 6, 1944. By adoption of this resolution, the two governing bodies authorize Bedford City Councilor W. D. "Skip" Tharp to personally deliver this resolution to the Mayor of Vierville-sur-Mer, France during his upcoming trip to that region in November of 1997.

Mayor Shelton adjourned the meeting at 8:02 p.m. until 5:30 p.m. on October 28 at the Golden Corral Family Steak House to meet with Delegate Lacey Putney, Senator Steve Newman, and representatives of the Blue Ridge Power Agency, and the Municipal Electric Power Association of Virginia for discussion of several legislative matters.