

A called meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 5:30 p.m., November 14, 1997.

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

Members absent: Councilman W. D. Tharp.

Staff present: City Manager Jack A. Gross, City Attorney W. W. Berry, IV, and Deputy Clerk of the Council Debra B. Anderson.

Mayor Shelton called the meeting to order.

The purpose of the meeting, as stated in the Called Meeting Notice, was to consider an ordinance authorizing conveyance of property and construction easements on Burks Hill real estate to the National D-Day Memorial Foundation, Ltd.

City Attorney Berry explained the need for a called meeting to consider the proposed ordinance.

Mr. Frank Caldwell, surveyor in charge of the project, spoke regarding the grading at the site.

Mr. Berry reviewed provisions that he recommends should be included in the deeds.

Discussion ensued regarding the road to the memorial and Recreational Access Road funds.

The Deputy Clerk of Council read aloud the following proposed emergency ordinance:

**AN EMERGENCY ORDINANCE AUTHORIZING  
CONVEYANCE TO NATIONAL D-DAY MEMORIAL  
FOUNDATION, LTD. TO LANDS UPON WHICH THE  
MEMORIAL SITE WILL BE LOCATED**

**WHEREAS**, the City of Bedford ("City") and the National D-Day Memorial Foundation LTD. ("D-Day Foundation") entered into an Agreement dated September 24, 1996, for development of the National D-Day Memorial in the City of Bedford; and

**WHEREAS**, pursuant to the terms of the Agreement the City agreed to acquire certain properties in the name of the City with funds provided by the D-Day Foundation and the City agreed to dedicate for use as part of the Memorial Site portions of its adjoining elementary school properties, and the Agreement contemplated that the City would convey ownerships of such portions of real estate acquired for actual memorial, including the Monument, associated pools and gardens, and the education facilities; and

**WHEREAS**, the City has acquired with funds supplied by the D-Day Foundation title to certain properties from Wilmer R. Dinwiddie and Connie B. Dinwiddie and from Cecil C. Noell and Peggy S. Noell and has executed an Option to acquire properties formerly owned by

W. H. Saunders and now owned by the beneficiaries under his will;

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

Section 1. Pursuant to the terms of the said Agreement for the development of the National D-Day Memorial dated September 24, 1996, the City Council hereby directs that the following described real estate be conveyed to the National D-Day Memorial Foundation, Ltd.

All that certain tract of land located on the West side of Burks Hill Road in the City of Bedford, Virginia, containing 51.389 acres as more particularly described as New Tract A-1 entitled Subdivision for City of Bedford prepared by T. P. Parker and Son, Engineers-Surveyors-Planners, dated November 14, 1997.

Section 2. The Mayor and the City Clerk are authorized and directed to execute appropriate deeds on behalf of the City.

Section 3. The City Council declares that there is an emergency in expediting the closing of the purchase of the property from the City to the D-Day Foundation, that publication or posting of this Ordinance is not required and should be waived as allowed in the City Code, and this Ordinance shall take effect immediately.

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

Councilman Ballard aye

Vice Mayor Brookshier aye

Councilwoman Flood aye

Councilwoman Kochendarfer abstained

Councilman Tharp absent

Councilman Wandrei aye

Mayor Shelton aye

Mayor Shelton stated that Mr. Dinwiddie had a concern regarding a section of Pine Street that he wants to have abandoned. The Mayor indicated Mr. Dinwiddie has been advised that this matter would be reviewed by the Property Committee and brought forward to Council.

The City Manager and Mayor spoke regarding the following upcoming matters: conditional use request for the D-Day Memorial park and tax exemption request for the D-Day Memorial Foundation.

Mayor Shelton adjourned the meeting at 6:00 p.m.