

10-27-98 Minutes

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 27, 1998.

Members present: Mayor G. Michael Shelton; Councilman H. Davis Ballard, Councilman Larry D. Brookshier; Councilwoman Mary L. Flood; Vice Mayor E. Thomas Messier; Councilman Ronnie C. Rice; 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 let all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of the following meetings were approved as distributed: regular meeting held on October 13, 1998 and adjourned meeting held on October 15, 1998.

Councilman Wandrei stated that the Director of the Museum has invited Council to see a new exhibit of memorabilia brought back from France by representatives of Bedford County.

A discussion ensued regarding the status of making the big field next to Bedford Elementary School useable. It was noted that because of the dry weather, the seeding of this area did not take. The D-Day Foundation is going to have that area reseeded and make the space useable.

City Manager Gross reported the water level at the City reservoir is down and water is being pulled from the creek and the deep wells. Mr. Gross indicated that if this area does not receive

rain in the next couple of weeks, the City may ask for voluntary water conservation.

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

Confirmation of the Appointment of the New City Manager

The Consent Agenda consisted of the following items:

Appointment of Ms. Frances Coles to a four-year term on the Redevelopment and Housing Authority, said term to expire October 13, 2002.

Appointment of Mr. David Keith to a four-year term on the Industrial Development Authority, said term to expire November 30, 2002.

On motion by Vice Mayor Messier, seconded by Councilman Ballard, voted upon and carried unanimously, the Consent Agenda was adopted.

City Manager Gross stated that on March 10, 1998, the Property Committee met to consider a request by J & T Enterprises to purchase a small triangular shaped lot close to the old Moore's building on Industrial Avenue. The property was not large enough to allow a building. It consists of approximately .46 acres. The City has no proposed use for the property and J & T Enterprises is the only adjoining property owner. The Property Committee agreed for the property to be sold to J & T Enterprises at the assessed value of \$5,000 and J & T Enterprises has agreed to purchase the property for the assessed value. An Ordinance has been posted in accordance with the provisions of Section 2-30 of the Bedford City Code.

On motion by Councilman Ballard, seconded by Councilman Rice, voted upon and carried unanimously, Council waived the reading of the proposed ordinance.

Councilman Wandrei indicated that he would abstain from voting on this matter as he has represented J & T Enterprises in the past on matters related to this property.

On motion by Councilman Ballard, seconded by Councilman Rice, voted upon and carried unanimously by a roll call vote, Council approved the ordinance and authorized the Mayor to execute the deed conveying the property for the assessed value of \$5,000 to J & T Enterprises. Roll call vote follows:

Councilman Ballard	aye
Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Rice	aye
Councilman Wandrei	abstained
Mayor Shelton	aye

The ordinance follows as adopted:

AN ORDINANCE AUTHORIZING THE SALE

**AND CONVEYANCE OF A TRIANGULAR LOT OF LAND
LOCATED ON THE SOUTH SIDE OF INDUSTRIAL AVENUE
AND AN ADJOINING PORTION OF AN OLD ROADWAY
TO J & T ENTERPRISES**

WHEREAS, the City owns a triangular lot of land bounded on the north by Industrial Avenue, on the southwest by property formerly being part of a 30' outlet road known as Miller Road, and on the east by property owned by J & T Enterprises, a Virginia partnership, composed of Jerry E. Brown and Thomas E. Reynolds, Jr., partners; and

WHEREAS, the City also owns the portion of Miller Road adjoining the triangular lot to the south and bounded by other property owned by J & T Enterprises; and

WHEREAS, the City has no proposed use for the property and offered the property for sale to the adjoining owner; and

WHEREAS, J & T Enterprises, the only adjoining property owner, has offered to pay the City the price of Five Thousand Dollars (\$5,000), for said land; that being the value of the land as set forth on the City landbook;

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

1. It is determined in the best interests of the City of Bedford to sell to J & T Enterprises for a price of Five Thousand Dollars (\$5,000) the following property:

Parcel No. 1 - A certain triangular portion of land shown on a plat prepared by James L. Patterson, C.L.S., dated October 27, 1972, attached to a deed to Schwann Sales Enterprises, Inc., which plat is recorded in Plat Book No. 15, at Page 28, wherein said property is designated as "B.C.I.D.C." bounded on the east by property formerly owned by T. C. Bradley, later owned by Evans Products Company and now owned by J & T Enterprises; on the north by a 60' street known as Industrial Avenue; on the southwest by a 30' outlet road shown on said plat.

Parcel No. 2 - All right, title and interest, if any there be, in those portions of the 30' roadway know as the "Miller Road," beginning at the point where said road is intersected with the eastern line of the small triangular lot referred to above as "B.C.I.D.C." and running in a northwesterly direction adjacent to said triangular lot.

The two lots of land are shown on a recent plat of survey entitled "Subdivision of 6.380 acres Property of Carter & Carter," prepared by B. R. Shrader, dated April 24, 1998.

The real estate is a part of property conveyed to the City of Bedford, Virginia, by Bedford County Industrial Development Corporation by a deed dated October 13, 1986 and recorded in the Clerk's Office of the Circuit Court of Bedford County, Virginia, in Deed Book 630, at page 536.

2. Upon payment of the consideration, the Mayor and the City Clerk are authorized to execute and deliver to J & T Enterprises, Inc., a deed, with General Warranty and English Covenants of Title as to the triangular portion of land and with Special Warranty of Title as to the portions of the 30 foot roadway, in a form approved by the City Attorney, conveying the subject properties; provided, that J & T Enterprises, Inc., shall enter into the deed agreeing that the property being conveyed shall become a part and parcel of the adjoining property of the partnership.

3. This Ordinance shall take effect immediately.

Mayor Shelton reported that Mr. F. Craig Meadows has accepted in writing the offer of the City Council to become City Manager to replace Mr. Gross. Mr. Meadows' first day of employment will be December 7, 1998.

On motion by Vice Mayor Messier, seconded by Councilman Ballard, voted upon and carried unanimously by a roll call vote, Council approved and confirmed the appointment of Mr. F. Craig Meadows as the City Manager of Bedford, Virginia, effective December 7, 1998. Roll call vote follows:

Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye

Councilman Rice aye

Councilman Wandrei aye

Councilman Ballard aye

Mayor Shelton aye

The Mayor reported that Mr. Gross will stay for a brief time and help in the transition and orientation process with Mr. Meadows.

Mayor Shelton closed the meeting at 7:41 p.m.