

09-26-2000 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., September 26, 2000.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Mary L. Flood; Vice Mayor E. Thomas Messier; Councilman Thomas M. Padgett; and Councilman W. D. Tharp.

Members absent: Councilman Robert T. Wandrei.

Staff present: City Manager F. Craig Meadows; 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 the September 12, 2000, regular Council meeting were approved as distributed.

The City Manager spoke regarding the following:

- Request to add an item to the agenda regarding conveyance of property from the City to private property owners
- The Virginia Department of Transportation Allocation Hearing for funding will be held on October 5 at 9:00 a.m.
- NAACP Banquet – October 14 at 6:00 p.m. - members of Council are to notify the City Manager's Office if they plan to attend
- Tour of the Bedford County Courthouse Complex – October 23 at 4:00 p.m. – members of Council are to notify the City Manager's Office if they plan to attend
- City County Relations Committee has met with the County and a draft agreement for a joint tourism organization has been prepared. The agreement will be sent out to Council for its review.
- Events sponsored by the Parks & Recreation Department – October 26 – SCI Smart and Safe Seniors and SCI Escape School
- Channel 12, the City's cable channel, has been improved due to some equipment changes

The first item under "New Business" - Presentation – Lynchburg Regional Convention & Visitors Bureau – Brian Knopp was deferred until a later meeting.

On motion by Vice Mayor Messier, seconded by Councilman Padgett, voted upon and carried, the following item was added to the agenda: Resolution – Conveyance of Property.

Ms. Sarah Terry, representing the Fifth Congressional District Office, introduced herself and invited members of Council and the public to call her office with any problems.

Mr. Harry Reed, Jr., spoke regarding mobile units for the Bedford City/County Museum. Mr. Reed explained that Museum will probably be able to use two retired Bedford County School buses for the mobile units. A committee has been appointed to work on this project. Mr. Reed asked for a resolution of support from Council for this project.

The Mayor asked that Mr. Reed furnish more information to the City Manager, which will then be reviewed by a Council committee, and then brought back to Council for consideration.

Mr. William A. Aden, Draper Aden Associates, stated that the firm is in the preliminary stages of gathering information for the Water and Sewer Rate Study. Mr. Aden stated that by the last meeting in November or the first meeting in December, Draper Aden Associates should have some preliminary recommendations to present to Council.

City Manager Meadows stated Bedford Main Street, Inc., is requesting that Council authorize closing Center Street from 5:00 – 11:00 p.m. for a concert to be held on September 29, 2000, in the Farmer's Market from 6:00 – 10:00 p.m. The City Manager stated the street may not have to be closed.

On motion by Councilman Padgett, seconded by Councilman Brookshier, voted upon and carried, Council granted permission to close Center Street for a concert to be held on September 29, 2000, in the Farmer's Market.

The City Manager stated the Streets Committee considered a request for an appropriation of funds to allow for roadway improvements related to the new Walmart project. This appropriation would be matched 100% by Walmart and would allow for improvements to Freedom Lane and portions of Lowry Street, Boxwood Terrace and Independence Boulevard. Mr. Meadows reported that these improvements have been negotiated between City staff and the developers of the Walmart property to provide access from Independence Boulevard into the new Walmart facility.

Councilman Tharp, Chairman of the Streets Committee, stated it was the consensus of the Streets Committee, that Council appropriate an amount not to exceed \$100,000 for the improvements to the streets.

Councilman Tharp moved that Council appropriate an amount not to exceed \$100,000 for the improvements to the roads Mr. Meadows described. The motion was seconded by Councilman Padgett, voted upon and carried by the following roll call vote:

Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Tharp	aye
Councilman Wandrei	absent
Mayor Shelton	aye

City Manager Meadows stated Bedford Habitat for Humanity, Inc., is requesting that the City waive connection fees for electric, water, and sewer services for a house being erected on Cook Street. The costs associated with these connection fees would be \$1,008.00

Vice Mayor Messier moved that Council waive the connection fees for electric, water, and sewer services for Bedford Habitat for Humanity’s construction of a house on Cook Street. The motion was seconded by Councilwoman Flood, voted upon and carried.

The City Manager indicated that the City Treasurer has requested enactment of an ordinance pursuant to Virginia Code Section 3.1 relative to the City’s policy of not placing dog license fees in a special account. This practice avoids administrative costs of setting up a separate bank account. The proposed amendment to the City Code is intended to reflect existing practices and to bring the City Code into technical compliance with the State law. Mr. Meadows reported that the appropriate ordinance had been posted in accordance with the provisions of Section 2-30.

On motion by Councilman Brookshier, seconded by Councilman Padgett, voted upon and carried, Council waived the reading of the proposed ordinance regarding dog license fees.

On motion by Councilman Tharp, seconded by Vice Mayor Messier, voted upon and carried by a roll call vote, Council adopted the ordinance regarding the deposit of fees for dog licenses. Roll call vote follows:

Councilwoman Flood	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Padgett	aye

Councilman Tharp	aye
Councilman Wandrei	absent
Councilman Brookshier	aye
Mayor Shelton	aye

The ordinance follows as adopted:

**AN ORDINANCE PROVIDING FOR THE
DEPOSIT OF DOG LICENSE FEES
DIRECTLY INTO THE GENERAL FUND**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF BEDFORD AS FOLLOWS:**

1. Section 1

The Code of the City of Bedford is amended to include the following provision:

Section 2-70.1 Dog license fees. The treasurer shall deposit all fees for dog licenses directly into the general fund of the City immediately upon collection.

2. Section 2

This ordinance shall be effective from and after the date of adoption.

The City Manager stated October 1-7 has been designated as Public Power Week, in which communities across the United States celebrate their commitment to providing public power for their citizens and customers. October is also the month in which the City's Electric Department celebrates its 101st anniversary as the provider of public power to the community.

The Clerk of Council read aloud the following Proclamation:

PROCLAMATION

PUBLIC POWER WEEK

WHEREAS, the citizens of Bedford have chosen to operate a community-owned, not-for-profit electric utility; and

WHEREAS, we are both consumers and owners of our public power system and have a direct say in utility operations and policies; and

WHEREAS, The City of Bedford Electric Department provides our homes, businesses, farms, social service, and local government agencies with reliable, efficient, and cost-effective electricity employing sound business practices designed to ensure the best possible service at the lowest possible rates; and

WHEREAS, The City of Bedford Electric Department is part of a community of 2,000 publicly owned electric utilities in the United States that through consumer-ownership ensure cost-cutting competition in the electric utility industry to the benefit of electricity consumers everywhere; and

WHEREAS, the American Public Power Association initiated Public Power Week in 1987, and it has proven a successful means to educate our community's consumers and the general public about public power's public service mission and community betterment goals; and

WHEREAS, the City began operation of its municipal electric system in 1899 and has provided our citizens and other customers with reliable, low-cost power for 101 years;

NOW, THEREFORE, BE IT RESOLVED, that the week of October 1-7 be designated Public Power Week in order to honor The City of Bedford Electric Department, its consumers-owners, policy makers, and employees, who work together to provide the best possible electric service, and that our community join hands with other public power communities across the nation and celebrate the benefits of public power to our local and national progress.

BE IT FURTHER RESOLVED, that the month of October is also the month in which the City of Bedford Electric Department celebrates its 101st anniversary as a provider of public power to the community.

On motion by Vice Mayor Messier, seconded by Councilman Tharp, voted upon and carried by a roll call vote, the Proclamation was adopted. Roll call vote follows:

Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Tharp	aye
Councilman Wandrei	absent
Councilman Brookshier	aye
Councilwoman Flood	aye
Mayor Shelton	aye

City Attorney Berry stated that there is a provision in State law that requires City Council to approve the conveyance of any property to the City. The property being conveyed is a small triangular piece of land located near the Walmart Super Center that is being planned and is needed for the access road that the City will be constructing. Mr. Berry stated the property presently is owned by Louise C. Goode and Joseph E. Goode and this road will benefit their property. The Goode's have agreed, without any cost to the City, to convey the real estate to the City so the road can be constructed. Mr. Berry recommended that Council adopt the resolution regarding this matter.

Councilman Padgett moved that the Resolution regarding the conveyance of property by Louise C. Goode and Joseph E. Goode to the City be adopted. The motion was seconded by Vice Mayor Messier, voted upon and carried by the following roll call vote:

Councilman Padgett	aye
Councilman Tharp	aye
Councilman Wandrei	absent
Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Mayor Shelton	aye

The Resolution follows as adopted:

RESOLUTION

Be it RESOLVED by the City Council of the City of Bedford:

1. The City Council pursuant to the provisions of Section 15.2-1803 of the *Code of Virginia*, 1950, as amended, accepts the proposed conveyance by Louise C. Goode and Joseph E. Goode to the City of Bedford of 0.073 acres of land more specifically shown on a plat of survey entitled "*Plat of survey – Subdivision of 0.073 acres to Be Conveyed to the City of Bedford,*" prepared by the City of Bedford Engineering Department, dated September 12, 2000, the land to be used for street purposes in connection with the proposed development of Wal-Mart Real Estate Business Trust, subject to the terms of the contract with the City dated August 16, 2000.
2. The City Mayor is authorized to execute the deed of conveyance, noting the City Council's acceptance of the conveyance, provided the City Attorney approves the form of the deed pursuant to the said Section 15.2-1803.

Mr. Reed spoke again regarding the mobile units for the City/County Museum and reported that the Bedford County Board of Supervisors voted at its last meeting to give a Resolution of Support for the mobile units.

It was the consensus of Council to receive cost figures and details on the program in terms of the planning process before issuing a resolution of support.

The City Manager will work with Mr. Reed and the Superintendent of Schools regarding the plans and costs for the mobile units and bring this back to Council for consideration.

Mayor Shelton adjourned the meeting at 8:15 p.m.