

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., May 14, 2002.

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

Members absent: None

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 April 23, 2002, regular Council meeting, and the minutes of the April 30, 2002, adjourned Council meeting were approved as distributed.

The City Manager reported on the following items:

- The City has been named a 2002 All-America City Award Finalist. A group will be traveling to Kansas City, Missouri, June 13-15, to present the City and its projects before the National Civic League.
- Recognized Rosie Jordan – notification has been received that for the second year in a row, the City has won the Certificate of Achieving in Financial Reporting from the Government Finance Officer's Association. Mr. Meadows stated this is a high honor and a lot of work and commended Ms. Jordan and her staff for the hours that went into putting that report together.
- Events: Bedford County Courthouse Dedication – May 18 at 1:00 p.m.; Memorial Day Ceremony on May 27, sponsored by the American Legion
- Received notification from the Virginia Department of Transportation that the 460 East Main Street widening project is back on the calendar and is slated to begin in June
- Meetings: the Chief of Police and City Manager will be attending an emergency management meeting on Abingdon on May 15 and May 16; the Electric Utility Director and City Manager will be attending the MEPAV Electric Conference May 22-24
- The City employee picnic is scheduled for Saturday, June 1, at 11:00 a.m.

Councilman Brookshier commended the City employees who participated in the American Cancer Society Relay for Life.

Mayor Shelton, on behalf of members of Council and citizens of the City, congratulated Mr. C. G. Stanley on his recent election to City Council and Councilwoman Flood and Vice Mayor Messier on their reelection to Council.

The Mayor presented Mr. Stanley with a "Key to the City."

Mayor Shelton spoke regarding the low turnout of voters at the recent election. The Mayor reported that the General Assembly passed legislation that provides for cities and towns, by ordinance, to change the date of elections from a May to a November election.

The Consent Agenda consisted of the following item:

Request by Bedford Main Street, Inc., for Council to authorize blocking Center Street at the Farmer's Market from 5:00 p.m. to 11:00 p.m. on Monday, May 27, 2002, for a Memorial Day concert.

On motion by Councilman Padgett, seconded by Councilman Tharp, voted upon and carried unanimously, Council adopted the Consent Agenda.

City Manager Meadows stated that Council had received a proposed ordinance, which readopts and reenacts Section 13-2 of the City Code, incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation. Failure to adopt the ordinance would mean that offenders would have to be charged under the State law rather than the City law. Any fines collected would then be payable to the State rather than to the City. The City Manager reported the ordinance has been posted in accordance with Section 2-30 of the City Code.

On motion by Councilman Brookshier, seconded by Councilwoman Flood, voted upon and carried unanimously, Council waived the reading of the proposed ordinance regarding traffic laws and motor vehicle operation.

On motion by Councilman Tharp, seconded by Vice Mayor Messier, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance regarding traffic laws and motor vehicle operation. Roll call vote follows:

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

Councilman Tharp	aye
Councilman Wandrei	aye
Mayor Shelton	aye

The ordinance follows as adopted:

**AN ORDINANCE TO READOPT AND REENACT SECTION 13.2
OF THE CITY CODE INCORPORATING BY REFERENCE
CURRENT PROVISIONS OF THE CODE OF VIRGINIA
DEALING WITH TRAFFIC LAWS AND MOTOR VEHICLE
OPERATION**

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

Section 1. Sec. 13-2 of the City Code is hereby readopted and re-enacted as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 in Article 9 (Sec. 16.1-278 et seq) of Chapter 11 of Title 16.1, and in Article 2 (Sec. 18.2-266 et seq) of Chapter 7 of Title 18.2, of the Code of Virginia, except those provisions and requirements the violation of which constitute a felony, and except those provisions and requirements which by their very nature can have no application to or within the City, are hereby adopted and incorporated herein by reference and made applicable within the City. References to "Highways of the State" contained in such provisions and requirements hereby adopted, shall be deemed to refer to streets, highways and other public ways within the City. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as those set forth at length herein, and it shall be unlawful for any person, within the City, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 9 of Chapter 11 of Title 16.1 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which are adopted by this Section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under such titles of the Code of Virginia.

Section 2. This Ordinance shall become effective on July 1, 2002, upon publication one time, immediately following its passage, in some newspaper published in the City or upon posting at three or more public places in the City for one week, as required by Section 19 of the City Charter.

The City Manager stated that Central Virginia Community Services (CVCS) is requesting City Council to reauthorize a previously approved Resolution to borrow \$1,800,000 to purchase two buildings. The buildings were used as collateral by the CVCS for that purchase along with a building already owned by its agency, Arise Residential Center in Forest. Since the Arise building was recently sold in anticipation of the move of those services into the Courtland Center, CVCS is required by its bank, BB & T, to use another building, Hudson House, located at 2420 Woodrow Street in Lynchburg, as substitute collateral. Mr. Meadows stated as that building is not appraised as high as the Arise Residential Center, CVCS will also use \$231,000 of proceeds from the Sale of Arise to pay down the current balance of the \$1,800,000 credit line loan, which now stands at \$1,710,849. The CVCS attorney has asked that reauthorization of the original Resolution be obtained since the change in collateral substantially changes the original request.

On motion by Councilman Tharp, seconded by Vice Mayor Messier, voted upon and carried unanimously by a roll call vote, Council adopted the resolution regarding Central Virginia Community Services. Roll call vote follows:

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

The resolution follows as adopted:

RESOLUTION

WHEREAS, Central Virginia Community Services Board is a governmental entity created pursuant to the provisions of Chapter 10 of Title 37.1 of the Code of Virginia (Section 37.1-194 et seq.), pursuant to a joint agreement between the Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg, in order to provide those jurisdictions with mental health, mental retardation, and substance abuse services; and

WHEREAS, Section 37.1-197(11) allows Chapter 10 Boards such as Central Virginia Community Services Board to obtain loans as authorized by the governing bodies of the political subdivisions that established it; and

WHEREAS, the Board of Directors of Central Virginia Community Services Board found it in the best interest of Central Virginia Community Services Board to purchase two office buildings, one located at 2241 Langhorne Road, Lynchburg, Virginia, and the other at 2235 Landover Place, Lynchburg, Virginia; and

WHEREAS, in order to purchase both properties, Central Virginia Community Services Board obtained a loan from One Valley Bank-Central Virginia in the amount of \$1,800,000 on the terms set forth in the November 18, 1998, commitment letter; and

WHEREAS, prior to obtaining the \$1,800,000 credit line loan from One Valley Bank-Central Virginia pursuant to the provisions of Section 37.1-197(11) of the Code of Virginia, 1950, as amended, Central Virginia Community Services Board petitioned the Boards of Supervisors of the Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg, and in December, 1998, and January, 1999, did obtain each governing bodies authorization to borrow the \$1,800,000 to purchase properties on the terms of the November 18, 1998, commitment letter; and

WHEREAS, one term or condition of the November 18, 1998, commitment letter was that Central Virginia Community Services Board would give a first deed of trust lien on the two office building parcels being purchased, plus a lien on the Arise Residential Treatment Center property owned by Central Virginia Community Services Board located on Route 221 in Forest, Virginia (the "Arise Residential Center Property"); and

WHEREAS, pursuant to the relocation of the Arise Residential Center programs to the Courtland Building in Lynchburg, Virginia, the Arise

Residential Center Property has been sold by Central Virginia Community Services Board and is no longer available as collateral to secure the \$1,800,000 credit line loan; and

WHEREAS, Branch Banking and Trust Company of Virginia, the successor by merger to One Valley Bank-Central Virginia, N.A., and Central Virginia Community Services Board desire to amend the terms of the existing \$1,800,000 credit line loan by Central Virginia Community Services Board giving as substitute collateral for the Arise Residential Center Property certain property owned by Central Virginia Community Services Board located at 2420 Woodrow Street, Lynchburg, Virginia, being the location of "Hudson House" (hereinafter "Hudson House Property");

WHEREAS, Central Virginia Community Services Board has petitioned the City of Bedford to obtain re-approval of the existing \$1,800,000 loan on the same term, except for the substitution of the lien on the Hudson House Property for the lien on the Arise Residential Center Property.

NOW, THEREFORE BE IT RESOLVED, that Central Virginia Community Services Board is hereby re-authorized by the City of Bedford to continue to borrow up to \$1,800,000 in loans from Branch Banking and Trust Company of Virginia on the same terms of the November 18, 1998, commitment letter, except that Central Virginia Community Services Board shall grant to Branch Banking and Trust Company of Virginia a credit line deed of trust lien on the Hudson House Property in lieu of a lien on the Arise Residential Center Property.

Council proceeded to hold a work session on the proposed FY 2002-03 City budget.

Clarke Gibson, Public Works Director, reviewed highlights of Water & Sewer budget. Mr. Gibson explained a proposed automated meter reading system. Gene Ratzlaff, Electric Utility Director, spoke about the use of this system for electric meters.

Discussion ensued regarding the system including discussion of cost effectiveness and payback.

A discussion ensued regarding funds in the budget for security measures at the water and wastewater facilities.

Information will be provided to Council on this matter.

Mr. Ratzlaff reviewed highlights of the Electric Department budget.

Mr. Gibson reviewed the Solid Waste Fund budget.

Discussion ensued regarding recycling.

The public hearing on the budget is scheduled for May 28. The City Manager suggested that Council could hold another budget work session at the May 28th meeting.

On motion by Councilman Tharp, seconded by Councilman Padgett, voted upon and carried unanimously by a roll call vote, Council adjourned into closed session pursuant to Section 2.2-3711(a)(1) of the Code of Virginia of 1950, as amended, for discussion of personnel matters, evaluations of City Manager and City Attorney.

Council adjourned into closed session at 9:10 p.m.

Vice Mayor Messier left the meeting at 9:10 p.m.

Council reconvened into open session at 9:45 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

On motion by Councilman Tharp, seconded by Councilman Wandrei, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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

Mayor Shelton

aye

Mayor Shelton adjourned the meeting at 9:45 p.m.