

07-23-2002 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., July 23, 2002.

Members present: Mayor G. Michael Shelton; Vice Mayor E. Thomas Messier; Councilman Thomas M. Padgett; Councilman C. G. Stanley, Jr.; Councilman Robert T. Wandrei; and Councilman W. D. Tharp.

Members absent: Councilwoman Mary L. Flood.

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 July 1, 2002, adjourned Council meeting and the minutes of the July 9, 2002, regular Council meeting were approved as distributed.

The City Manager reported on the following:

- July 24 – the "State of the City/County" address will be held at the Bedford Museum
- The Dixie Boys State Baseball Tournament for ages 13 and 14 was held at Liberty Lake Park beginning on July 19 and was very successful.
- The City has entered into a contract with Anderson & Associates Engineers to develop a comprehensive GIS system for the City.
- The City's Industrial Development Authority (IDA) will be issuing a check to Sam Moore Furniture in an amount slightly under \$41,000 for the first two years of the five-year incentive grant recently approved by the City IDA.

Clarke Gibson, Public Works Director, briefed Council on the status of the water level at the City reservoir: as of July 23, the water was 9 ³/₄ inches below the spillway; the water has dropped about 5 inches in the last two weeks; the City is using the deep wells (getting about 268 thousand gallons per day from the wells); the river flow is very low and the City is not pumping much water from the river; the current average daily production is 1.2 millions gallons per day.

The City Manager stated that the notice for voluntary water conservation (condition 2) will be included in the utility bills and the notice was sent to the media. Condition 3 (mandatory water restriction) would go into effect when the water level drops sixty inches below the spillway.

The City Manager continued his report:

- The annual Council planning retreat has been scheduled for October 25-26 at Mountain Lake.
- He will be attending an Electricities conference in North Carolina on August 9 and 10 and will be on vacation during the next week.

City Manager recognized Captain Tony Sullivan and expressed best wishes to Captain Sullivan as he leaves to become the new Chief of Police in Abingdon, VA.

Councilman Stanley, on behalf of the Bedford Sports Boosters, expressed thanks to the City Manager and the Staff for the great job they did with the Dixie Youth State Tournament. Councilman Stanley indicated that he heard many positive comments from people from other sections of the State regarding Liberty Lake Park and the National D-Day Memorial.

The Mayor echoed the City Manager's remarks about Captain Sullivan and also expressed best wishes to him in his new position as Chief of Police in Abingdon.

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

NOTICE OF PUBLIC HEARING

On Tuesday, the 23rd day of July, 2002, the Council of the City of Bedford, Virginia, will conduct a public hearing concerning the conveyance to the Joint Industrial Authority of the City of Bedford and Bedford County of the real estate constituting the Joint Industrial Park known as the Bedford Center for Business, consisting of a tract of 7.191 acres with a one story metal building recently used as the temporary courthouse and a second tract containing the remaining acreage of 87.903 acres. The property will be conveyed without consideration pursuant to the terms of the Joint Economic Development Growth Sharing Agreement between Bedford County, Virginia and the City of Bedford, Virginia dated February 9, 1998.

The public hearing will be conducted at 7:30 p.m. in the City's Council Chambers, Municipal Building, 215 E. Main Street, Bedford, Virginia. Interested parties may appear at such time and place and present their views.

Teresa Hatcher

Clerk of the Council

City of Bedford, Virginia.

Mayor Shelton opened the public hearing at 7:45 p.m.

As there were no comments, the Mayor closed the public hearing at 7:46 p.m.

The Consent Agenda consisted of the following item:

Appointment of Mr. Harvey R. Johnson, Sr., to serve a five-year term on the Building Code Board of Appeals, said term to expire June 30, 2007.

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

The City Manager reported that due to the ongoing rehabilitation of sewer lines throughout the City, it will be necessary to close Blue Ridge Avenue and Summit Street for several days in order to replace aging sewer lines. The closures will be announced in advance in the local media and will also be posted on Cable Channel 12.

The Director of Public Works explained the project. The closure will take place during the week of August 5.

The City Manager stated that two City representatives currently participate in the Community Policy and Management Team (CPMT) program. The CPMT is responsible for implementing the requirements of the Comprehensive Services Act on the local level, including the authorization of expenditure of funds appropriated by the localities and allocated by the State. Captain Tony Sullivan and Ms. Rosemarie Jordan currently serve as the City's representatives. Due to the departure of Captain Sullivan next month, Council must officially designate a replacement.

On motion by Vice Mayor Messier, seconded by Councilman Padgett, voted upon and carried, Council appointed Sgt. Todd Foreman to serve as a City representative on the Community Policy and Management Team for the Comprehensive Services Act.

On motion by Councilman Wandrei, seconded by Vice Mayor Messier, voted upon and carried, Council waived the reading of the Ordinance authorizing the conveyance of 95.094 acres of land to the Joint Industrial Development Authority of the City of Bedford and Bedford County, as the ordinance had been properly posted in accordance with the City Code.

On motion by Councilman Wandrei, seconded by Councilman Padgett, voted upon and carried by a roll call vote, Council adopted the Ordinance authorizing the conveyance of 95.094 acres of land to the Joint Industrial Development Authority of the City of Bedford and Bedford County. Roll call vote follows:

Councilwoman Flood absent

Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Stanley	aye
Councilman Tharp	aye
Councilman Wandrei	aye
Mayor Shelton	aye

The ordinance follows as adopted:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF 95.094 ACRES OF LAND TO THE JOINT INDUSTRIAL AUTHORITY OF THE CITY OF BEDFORD AND BEDFORD COUNTY, THE PROPERTY BEING MORE FULLY DESCRIBED ON A PLAT OF SURVEY ENTITLED "BEDFORD CENTER FOR BUSINESS.," DATED JUNE 20, 2002, REVISED JUNE 18, 2002.

WHEREAS, the City of Bedford owns certain properties located on the east side of Independence Boulevard, which were acquired for the purpose of developing an Industrial and Business Park; and

WHEREAS, pursuant to the Joint Economic Development and Growth Share Agreement between Bedford County and the City of Bedford dated February 1998, the City of Bedford agreed to convey to the Joint Industrial Authority created by the Jurisdictions title to the properties for the proposed Industrial and Business Park, the cost of which pursuant to said agreement was to be borne equally by the City and by the County; and

WHEREAS, the City of Bedford and Bedford County and the Bedford Joint Industrial Development Authority in a Temporary Court House Participation Agreement dated November 9, 1999, provided for the construction of a shell building and its temporary use for a Court House and other governmental services, and provided that, after the renovations of the Court House and governmental buildings in downtown Bedford were completed, the shell building and real estate on which it was built would be sold by the Bedford Joint Industrial Authority and the proceeds

would be distributed so as to reimburse the County and the City for their respective expenses; and

WHEREAS, the City Council on September 12, 2000 by Ordinance authorized the conveyance of 90.322 acres in the Industrial Park to the Authority, but such transfer was never made due to the fact that additional properties might be added and due to the fact that the shell building was being maintained and insured by the County; and

WHEREAS, the downtown Court House improvements have been completed and the shell building is no longer being used by the County, and a new plat of survey has been prepared showing that the total acreage to be conveyed to the Joint Industrial Authority 94.094 acres; and

WHEREAS, the City Council at its regularly scheduled meeting on July 23, 2002 has held a public hearing concerning the proposed conveyance, pursuant to the Statutes made and provided and after public notice of the hearing was advertised once in the Bedford Bulletin at least seven days prior to the hearing;

WHEREAS, the City Council desires by this Ordinance to approve the proposed conveyance;

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

Section 1. The City Council pursuant to its agreements with Bedford County deems it appropriate at this time to convey to the Joint Industrial Development Authority of the City of Bedford and Bedford County the 95.094 acres more fully described on a plat for survey entitled "Bedford Center for Business.," prepared by Donnie W. Slusher, dated June 20, 2002, and revised June 18, 2002, but subject to the provisions of the "Temporary Court House Participation Agreement" dated November 9, 1999 which sets forth the division of the proceeds of sale of Tract 1 when it is sold by the Joint Industrial Authority.

Section 2. The Mayor and the City Clerk are hereby authorized to deliver a deed in form approved by the City Attorney, conveying the fee simple title to the Authority.

Section 3. This Ordinance shall take effect immediately.

On motion by Councilman Padgett, seconded by Vice Mayor Messier, voted upon and carried, Council endorsed the programs and objectives of the Bedford Area Educational Foundation.

Mayor Shelton asked the City Manager and the Director of Public Works to monitor the rumblings coming out of Richmond about statewide water restrictions potentially in terms of some of the river basins that they may be attempting to restrict access along. The Mayor asked that Council be kept up to date on this matter.

Mayor Shelton closed the meeting at 7:55 p.m.