

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 10, 2006.

Members present: Mayor E. Thomas Messier; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman C. G. Stanley, Jr.; Vice Mayor W. D. Tharp; and Councilman Robert T. Wandrei.

Members absent: Councilman Thomas M. Padgett

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Messier opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Messier declared that the minutes of a regular Council meeting held on September 26, 2006, were approved as distributed.

City Manager Kolakowski reported on the following:

- Centerfest was successful – approximately 25,000 attended – he congratulated the staff, Public Works, Public Safety, Bedford Main Street, and volunteers on a job well done
- The Electric Director has reported that the City is now receiving power from the Holcomb Rock Hydro Plant (as of September 28); during a ten day period the City received approximately 294,000 KWH, and the estimated savings over the normal purchased power from the wholesale supplier is about \$6,900.
- There will be new voting equipment this year. Randi Herrick, City Registrar, is arranging demonstrations of the machines.

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried, the following item was added to the agenda: Closed session pursuant to Section 2.2-3711(a)(7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel and briefings by staff members pertaining to litigation with Michael Schrock.

On motion by Councilman Stanley, seconded by Vice Mayor Tharp, voted upon and carried, Council adopted the following Consent Agenda item:

Request by the Bedford Area YMCA to hold its Annual Peaks of Otter Christmas Classic Foot Race on Saturday, December 2, 2006, and to block the following streets from 8:00 a.m. to 11:30 a.m.

Peaks Street, Whitfield Drive, Oakwood Street, Longwood Avenue, Hampton Ridge Avenue and Elm Street

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council appointed Ms. Frances Coles and Ms. Tracey Young

to serve four-year terms on the Redevelopment and Housing Authority, said terms to expire October 13, 2010. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	absent
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Mayor Messier	aye

On motion by Councilman Wandrei, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council appointed Bruce Johannessen to fill the unexpired term of Larry Brookshier on the Bedford Joint Economic Development Authority, said term expiring February 1, 2009. Roll call vote follows:

Councilman Hubbard	aye
Councilman Padgett	absent
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Mayor Messier	aye

Clerk of Council Hatcher administered the Oath of Office to the new Chief of Police, James E. Day.

Chief Day expressed his thanks and stated he looks forward to this opportunity. The Chief stated the Police Department was left in very good hands with skillful direction and very good leadership.

Councilman Stanley moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel and briefings by staff members pertaining to litigation with Michael Schrock. The motion was seconded by Councilman Wandrei, voted upon and carried unanimously by a roll call vote as follows:

Councilman Padgett	absent
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Messier	aye

Council adjourned into closed session at 7:40 p.m. The following non-council members attended: City Manager Kolakowski, City Attorney Berry, Assistant City Manager Warner, and Mr. James A. Vest.

Council reconvened into open session at 7:54 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 Stanley, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Padgett	absent
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Messier	aye

The Clerk of Council read aloud the following proposed resolution:

WHEREAS, as a result of mediation efforts on Monday, October 9, 2006, the City has reached a settlement resolving the pending lawsuits between Michael Schrock and the City of Bedford pertaining to Schrock's property which adjoins the old City Landfill.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD;

1. The City shall pay to Schrock the amount of \$725,000 (seven hundred twenty-five thousand dollars), in consideration of which Schrock will convey to the City his entire property and will release any and all claims against the City of Bedford.
2. The City Manager is authorized to execute the agreement on behalf of the City Council carrying out the terms of this settlement.

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the Schrock property resolution as read. Roll call vote follows:

Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	absent
Mayor Messier	aye

Mayor Messier adjourned the meeting at 7:55 p.m.