

August 26, 2008

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., August 26, 2008.

Members present: Mayor W. D. Tharp; Councilman Jeffrey B. Hubbard; Councilman C. G. Stanley, Jr.; Councilman Thomas M. Padgett; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei.

Members absent: Councilwoman Mary L. Flood

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

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

Mayor Tharp declared that the minutes of a regular Council meeting held on August 12, 2008, were approved as distributed.

City Manager Kolakowski reported on the following:

- Staff continues to monitor the water supply situation on a daily basis – the reservoir has been going down slowly – internal water restrictions have been initiated as far as the operations of the City
- Discussions were held earlier regarding the financial report for last year – the audit process will begin in several weeks – requested that Council members bring to the staff's attention any questions or areas of concern that they would like to see reported on or studied during the audit process

Councilman Vest congratulated the Chief of Police on the "Cop Camp" program in which 128 children participated.

Councilman Vest stated that he represented the City at the YMCA when it unveiled its "Fit for Life" program, which is going to be a cooperative effort between the YMCA and the school system to work on childhood obesity.

Councilman Vest, Chairman of the Finance Committee, stated the Committee met and reviewed the preliminary year-end for 2007-2008 and reviewed July's 2008 and 2009. Councilman Vest stated the Committee will begin to work on the possibility of eliminating the decals. Councilman Vest reported this matter will be considered as soon as the ordinance can be prepared.

Councilman Vest reported that the City/County Relations Committee met on August 25 and continues to discuss issues that relate to the transition – the next meeting will be October 6, 2008.

The City Manager reported the Commonwealth Transportation Board of the Virginia Department of Transportation has modified its revenue sharing program by opening it to all counties, cities, and towns in Virginia who maintain their own road system.

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Historically, the revenue sharing program has been available to counties for primary and secondary transportation projects within their boundaries on a one-to-one matching basis. Mr. Kolakowski said the program has been opened to cities and towns via an appropriation by the General Assembly, and the funding is limited to \$1 million per locality. At least half of the available funding must be used for projects in VDOT's current Six-Year Improvement Program. The other half may be utilized for new projects or other projects not included in the Six-Year Program.

City Manager Kolakowski stated that in order to participate in this program for the fiscal year ending June 30, 2009, the City must adopt a resolution outlining its request to do so and support of the potential project identified for possible funding from the program. Staff recommends inclusion of the following project for participation in the revenue sharing program:

The following improvement not included in the FY 2006-2011 Six-Year Improvement Program:

1. Extend Ole Turnpike Drive to U S 460 (Blue Ridge Avenue) from Sword Beach Lane. The estimated cost of the improvement project is \$2,000,000.

The City Manager stated that by administering the project locally (as opposed to administration by VDOT), the City of Bedford reserves control over all decisions related to the actual progress of any design, planning, and/or construction activity related to this project. Mr. Kolakowski indicated that means no money will be spent and no charges will be made to the City until the City gives its approval – so that the City can get final plans and final arrangements before any money is spent and give final approval at that point.

Councilman Padgett moved that the proposed resolution regarding VDOT revenue sharing program be adopted. The motion was seconded by Councilman Vest.

Vice Mayor Wandrei stated he understands the changes but the City still does not know what the costs are and the City is saying go ahead and put it up and Council will decide when it comes up.

The City Manager stated he thought the concern was the fact that Council did not know if the City was going to be incurring costs prior to knowing what the costs would actually be. Mr. Kolakowski stated the City will not be incurring any costs and will be able to get the final costs and the arrangements nailed down prior to expending any funds and the City can withdraw from the project without costs if the Council is not satisfied with the arrangements.

The motion was then voted upon and carried by the following roll call vote:

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

The resolution follows as adopted:

**RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF BEDFORD
REGARDING
VIRGINIA DEPARTMENT OF TRANSPORTATION
REVENUE SHARING PROGRAM**

WHEREAS, the Commonwealth Transportation Board of the Virginia Department of Transportation (“VDOT”) has modified its revenue sharing program by opening it to all counties, cities, and towns in Virginia maintaining their road system; now

THEREFORE BE IT RESOLVED, that the Council of the City of Bedford, Virginia, hereby requests to participate in the Commonwealth Transportation Board’s revenue sharing program, and submits the following list of potential projects identified for possible funding from the program, listed in terms of priority from highest to lowest, as follows:

The following improvements not included in the FY 2006-2011 Six-Year Improvement Program:

2. Extend Ole Turnpike Drive to U S 460 (Blue Ridge Avenue) from Sword Beach Lane. The estimated cost of the improvement project is \$2,000,000.

Any available funding through the program shall be allocated based on the priorities listed above. Projects shall be fully funded in order of priority until such time as the available funding pool is exhausted. Once projects are fully funded according to their priority, any remaining funds shall be allocated toward the next remaining project on the priority list.

BE IT FURTHER RESOLVED, that the Council of the City of Bedford intends to administer any and all construction activity related to this improvement in accordance with Section 33.1-44 of the Code of Virginia.

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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 concerning legal matters and litigation. Councilman Vest seconded the motion. The motion was voted upon and carried by the following roll call vote:

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

Council adjourned into closed session at 7:37 p.m. The following non-council members attended: City Manager Kolakowski, City Attorney Berry, and Assistant City Manager Warner.

Council reconvened into open session at 7:45 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 Hubbard, seconded by Councilman Vest, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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

Mayor Tharp adjourned the meeting at 7:46 p.m.