

7-14-98 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 14, 1998.

Members present: Mayor G. Michael Shelton; Councilman H. Davis Ballard, Councilman Larry D. Brookshier; Councilwoman Mary L. Flood; Vice Mayor E. Thomas Messier; and Councilman Robert T. Wandrei.

Members absent: None.

Staff present: City Manager Jack A. Gross, 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 a regular Council meeting held on June 23, 1998, were approved as distributed.

On motion by Vice Mayor Messier, seconded by Councilman Ballard, voted upon and carried, the agenda was amended by adding the following items:

Consent Agenda - City Council Appointments to Committees, Boards and Commissions - 1998-2000

Acceptance of Resignation of Councilman W. D. "Skip" Tharp

Report - Special Cemetery Committee

Mayor Shelton commended the Recreation Department for the outstanding annual 4th of July celebration at Liberty Lake Park.

The Clerk of Council read aloud the following public hearing notice:

#### **NOTICE OF PUBLIC HEARING**

Notice is hereby given that, pursuant to Section 22.1-29.1 of the Code of Virginia of 1950, as amended, the City Council of the City of Bedford will hold a public hearing at 7:30 p.m. on July 14, 1998, in the Council Hall of the Municipal Building, for the purpose of receiving the views of citizens on the appointment of members to the City School Board.

Any citizens who wish to be considered for appointment to the City School Board should notify the office of the City Manager, P. O. Box 807, Bedford, VA 24523, phone 586-7102, no later than July 10, 1998.

Mayor Shelton stated that the following three citizens have asked to be considered for appointment to the City School Board: Benny Witt, Marian N. Morrison, and Elbert C. DeKorte.

Mayor Shelton opened the public hearing at 7:35 p.m.

As there were no comments, the Mayor closed the public hearing at 7:36 p.m.

Council will conduct interviews of these three individuals beginning at 6:00 p.m. on July 28.

The Clerk read aloud the following public hearing notice:

#### **PUBLIC HEARING NOTICE**

Notice is hereby given of a public hearing to be held by the City Planning Commission at 5:30 p.m. on Thursday, June 25, 1998 and by the City Council at 7:30 p.m. on Tuesday, July 14, 1998 at the City Municipal Building, Council Hall, 215 E. Main St. for the purpose of considering the following requests:

To consider a conditional use to expand the size of the Blue Ridge Regional Jail-Bedford County Facility from the existing 10,400 square feet to 23,100 square feet. The property is located at 1000 Broad Street, Bedford, VA 24523 identified as Tax Map #196 4 A 22. The request is made by Mr. James J. Vernon, Craddock Cunningham Architectural Partners, 1312-28 Jefferson Street, Lynchburg, VA 24504 on behalf of the Blue Ridge Regional Jail Authority;

To consider rezoning from General Business District (B-2) and Commercial Light Industry District (CLI) to Manufacturing District (M-1), those parcels owned by J. & T. Enterprises (tax map # 252 A 4), Carter & Carter (tax map # 252 A 1, 2 & 3) and The City of Bedford (tax map #

252 A 32), fronting on Industrial Avenue. The request is made by Thomas E. Reynolds, Jr. and Jerry E. Brown, J & T Enterprises, 730 Industrial Avenue, Bedford, VA 24523;

To consider a conditional use to allow a Bedford Logo sign to be placed on the northeast corner of Independence Boulevard and E. Main Street. The request is being made by Petroleum Marketers Incorporated, Stop In Food Stores.

Information regarding these requests is on file in the office of Planning & Community Development, Office 114, of the City Municipal Building.

Anyone who is in favor of or opposed to these requests will have an opportunity to express views at this hearing.

By the Authority of the Planning Commission  
and City Council of the City of Bedford

Mayor Shelton opened the public hearing regarding the conditional use request by the Blue Ridge Regional Jail Authority at 7:40 p.m.

Mr. Chris Webb, Administrator of the Blue Ridge Regional Jail Authority, reviewed plans for the expansion of the Bedford Adult Detention Center (old Bedford jail).

As there were no further comments, Mayor Shelton closed the public hearing at 7:45 p.m.

Mayor Shelton opened the public hearing regarding the rezoning request by J & T Enterprises at 7:46 p.m.

Mr. Tommy Reynolds, Jr., General Partner, J & T Enterprises, spoke regarding his rezoning request.

As there were no further comments, the Mayor closed the public hearing at 7:48 p.m.

The Consent Agenda consisted of the following item: City Council Appointments to Committees, Boards and Commissions - 1998 - 2000.

Councilman Brookshier moved that the Consent Agenda be adopted. The motion was seconded by Councilwoman Flood, voted upon and carried.

The appointments follow as adopted:

**1998 -2000 CITY COUNCIL APPOINTMENTS  
TO COMMITTEES, BOARDS AND COMMISSIONS**

City Planning Commission - Tom Messier

Council Representative to City School Board - Mike Shelton

Transportation Safety Commission - Dave Ballard

Keep Bedford Beautiful Commission - Dave Ballard

Blue Ridge Emergency Medical Services Council - Larry Brookshier

Central VA Area Agency on Aging Board of Directors - Mary Flood

LynCAG Board of Directors - Mary Flood

Rural Transportation Planning Committee -Mary Flood

Central VA Planning District Commission Board - Tom Messier

Central Piedmont Employment Consortium Policy Board - Vacant Seat

Bedford Area Chamber of Commerce Committees -

Economic Development Committee - Bob Wandrei

Tourism Steering Committee - Vacant Seat

Bedford Main Street, Inc., Board of Directors - Bob Wandrei

Standing Committees -

Electric - Mary Flood, Chair; Vacant Seat

Finance - Tom Messier, Chair; Larry Brookshier

Property - Dave Ballard, Chair; Tom Messier

Public Safety - Mary Flood, Chair; Bob Wandrei

Streets - Vacant Seat, Chair; Dave Ballard

Water & Sewer - Dave Ballard, Chair; Larry Brookshier

Special Committees -

Local Government Day - Larry Brookshier, Chair; Vacant Seat

City/County Relations - Bob Wandrei, Chair; Tom Messier

Solid Waste - Larry Brookshier, Chair; Bob Wandrei

Industrial Liaison - Mike Shelton, Chair; Tom Messier

Note: The Mayor is a member of all Standing and Special Committees of City Council.

On motion by Councilman Brookshier, seconded by Councilman Wandrei, voted upon and carried, Council accepted the resignation of W. D. Tharp from Bedford City Council.

Mayor Shelton reported that in 1995, Council established a policy for filling a City Council vacancy that was created due to the death of Councilman Payton M. Otey. This encompassed publication of a notice to the public regarding the vacancy and requesting any interested citizens to apply in writing for the vacancy.

It was the concurrence of Council to follow the policy adopted in 1995 for filling the vacant seat left by Payton M. Otey.

The Mayor will work with the City Manager to establish the deadline date for receipt of letters of interest and establish a time frame by which the interview process may begin in order to have the selection made no later than the first meeting in August.

On motion by Councilman Ballard, seconded by Councilman Brookshier, voted upon and carried, Council accepted the recommendation of the City Planning Commission to approve the conditional use request to expand the size of the Blue Ridge Regional Jail-Bedford County Facility, 1000 Broad Street, Bedford, Virginia, from the existing 10,400 square feet to 23,100 square feet.



Vice Mayor Messier aye

Councilman Wandrei aye

Mayor Shelton aye

The resolution follows as adopted:

## **RESOLUTION**

**WHEREAS**, the Blue Ridge Regional Jail Authority Service Agreement dated November 10, 1994, as amended, states that members of the Authority Board are elected for three-year terms and that the terms of the initial Board expire June 30, 1998; and

**WHEREAS**, the governing body of each participating jurisdiction has also previously appointed an alternate for each member, whose terms also expire June 30, 1998; and

**WHEREAS**, the governing body of each jurisdiction has been requested by the Authority to appoint a member and an alternate for a term commencing July 1, 1998, and ending June 30, 2001.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Bedford City that Milton H. Graham is hereby appointed as a member of the Blue Ridge Regional Jail Authority and Jack A. Gross is appointed as the alternate for such member, each for terms commencing July 1, 1998, and ending June 30, 2001.

Councilman Wandrei, Special Cemetery Committee, stated that at the November 1997 workshop, Council discussed putting out for bids the operation and the maintenance of the cemetery. A request for proposals was put out on this matter, and properly advertised in the Bedford, Lynchburg, and Roanoke newspapers. Two bids were received, one just for the maintenance and another one for the operation of the cemetery. The bid for the maintenance was withdrawn and the City was left with only one bid, which was from Cemetery Management Systems (CMS), a division of Carder-Tharp Funeral Home. Council received a copy of the proposal and addendum from CMS.

Councilman Wandrei reported that subsequently the Cemetery Committee met and at that meeting recommended this matter be presented to Council at the July 14 meeting for the purpose of authorizing the City Manager to negotiate a contract. Councilman Wandrei stated that the Committee did not accept any bid proposals and are recommending that the City Manager negotiate with CMS.

Mayor Shelton stated that Council had before it the recommendation of the Cemetery Committee and restated Mr. Wandrei's report: to authorize the City Manager to negotiate a contract with CMS for cemetery operations and maintenance services.

Councilman Ballard moved that Council accept the report. The motion was seconded by Councilman Wandrei.

Discussion ensued regarding the negotiation process.

The Mayor stated that he had asked the Special Cemetery Committee to provide assistance to the City Manager in that process on behalf of City Council. Mayor Shelton indicated the Committee is also to continue from the standpoint of giving full and complete study to the City's perpetual care fund status and where that might be going into the future.

Councilman Brookshier moved that the motion be amended to include that the final contract be brought back to Council for its review and approval. The motion was seconded by Councilwoman Flood.

Further discussion ensued.

Council then voted on the amendment to the motion, which carried unanimously by the following roll call vote:

Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Wandrei	aye
Councilman Ballard	aye
Mayor Shelton	aye

The amended motion to accept the report of the Special Cemetery Committee, which recommended that Council authorize the City Manager to negotiate the contract with CMS for cemetery operations and maintenance services, subject to the final contract being approved by the City Council, was then voted upon and carried unanimously.

Mr. Tim Murphy, part owner and Vice President of Updike Funeral Home and part owner and operator of Updike Memorials, expressed his concerns regarding the privatization of Bedford cemeteries. Mr. Murphy spoke regarding the disadvantage of one funeral home managing and maintaining a City-owned cemetery to the other funeral homes involved.

Mr. Ronnie Miller, Manager of Bedford Funeral Home, expressed his concerns about a funeral home taking over a public cemetery.

The Mayor stated that the comments received will be taken into consideration in this process; and Mr. Murphy, Mr. Miller, and all interested persons will be notified when this matter will be on the agenda.

Mayor Shelton adjourned the meeting at 8:25 p.m. until July 28, 1998, at 6:00 p.m. for the interviews with candidates for the City School Board.