

02-23-99 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., February 23, 1999.

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

Members absent: None.

Staff present: City Manager Craig Meadows; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and let all present in saying the Pledge of Allegiance to the Flag.

The Mayor noted that the Clerk of Council had informed Council of a correction to the minutes of the December 8, 1998, regular meeting. (A copy of the ordinance vacating an unimproved portion of Jeter Street was not included in the December 8, 1998, minutes and will be inserted in its proper place.)

Mayor Shelton declared that the minutes of the February 9, 1999, regular Council meeting were approved as distributed.

Vice Mayor Messier asked about progress on the following items: 1. Excessive deer population in the City. 2. Misalignment of the traffic lanes on Longwood Avenue at Oakwood Street.

The City Manager commented that he had spoken briefly to the Public Works Director about the Longwood Avenue intersections, which includes the intersection at Independence, Longwood, and Rt. 122. The staff will commence with a review immediately.

City Manager Meadows stated the Chief of Police will make a presentation at the first regular meeting in March regarding the deer population.

Vice Mayor Messier spoke about the alignment of the sidewalk on Whitfield Drive beside the hospital.

Vice Mayor Messier spoke about the cemeteries and asked that Council consider subcontracting some of the work, particularly the opening and closing of grave sites and the grass cutting.

City Manager Meadows will report back on these items as soon as possible.

The Chairman of the City Planning Commission convened the Planning Commission into open session.

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

PUBLIC HEARING NOTICE

Notice is hereby given of a joint public hearing to be held by the City of Bedford Planning Commission and the City Council at 7:30 p.m. on Tuesday, February 23, 1999, at the City Municipal Building, 215 East Main Street, Council Hall, for the purpose of:

To consider adoption of an ordinance amending Section 611.04 of the City of Bedford Land Development Regulations in order to provide for temporary governmental use of buildings as a conditional use in the Manufacturing (M-1) District.

To consider vacating that portion of Bedford Avenue from the proposed new entrance of Peaks Manor Apartments to 4th Street.

To consider vacating Reservoir Avenue.

Information regarding this amendment is on file in the Office of Planning & Community Development.

Anyone who wishes to attend will have an opportunity to express their views at this hearing.

By the Authority of the City of Bedford

Planning Commission & City of Bedford

City Council

Mayor Shelton opened the public hearings at 7:40 p.m.

Mayor Shelton called for comments from the public regarding the consideration of the adoption of an ordinance amending Section 611.04 of the City of Bedford Land Development Regulations in order to provide for temporary governmental use of buildings as a conditional use in the Manufacturing (M-1) District.

There were no comments.

Mayor Shelton called for comments from the public regarding the vacation of a portion of Bedford Avenue from the proposed new entrance to Peaks Manor Apartments to Fourth Street.

There were no comments.

Mayor Shelton called for comments from the public regarding the vacation of Reservoir Avenue.

Mr. Ed Howard, 831 Helm Street, indicated that his garage encroaches on Reservoir Avenue. Mr. Howard requested that the entire road be sold to him in order to take care of the problem.

As there were no further comments, the Mayor closed the public hearings at 7:42 p.m.

The City Planning Commission moved to the first floor of the Municipal Building to continue its meeting.

Council delayed action on the proposed Ordinance amending Section 611.04 of the City of Bedford Land Development Regulations and the matter of the partial vacation of Bedford Avenue until the Planning Commission makes recommendations on those items.

Discussion ensued regarding the vacation of Reservoir Avenue and other paper streets.

On motion by Vice Mayor Messier, seconded by Councilman Ballard, voted upon and carried, six members voting aye, one member abstaining (Wandrei), Council directed the City Attorney to prepare an ordinance that would vacate the portion of Reservoir Avenue that abuts Lots #18, #19 and a portion of #17 as requested in the letter on behalf of Vance and Virginia Hazel.

It was the consensus of Council to request the City Manager and the City Attorney to begin the process of obtaining names of individuals to serve as viewers and to review the possibility of the further vacation of Reservoir Avenue from the point of the Hazel's property to South Street.

The Mayor asked the City Manager, along with the Street Committee, to review the possible vacation of some of the other paper streets shown on the plat of the Reservoir Avenue area.

On motion by Councilman Rice, seconded by Councilman Ballard, voted upon and carried unanimously, Council accepted the Audit Report for the fiscal year ended June 30, 1998.

Micky VanDerwerker, City Representative to the Bedford County School Board, stated the County School Board has asked her to convey to Council that the Board has agreed to move the sixth graders to the Bedford Science and Technology Center (BSTC). The County School Board considers that to be a short-term solution only, as it ties up BSTC because no further vocational expansion can be done until those students are moved out. Ms. VanDerwerker indicated the Board requests that the City move speedily to create more room at Bedford Middle School. Ms. VanDerwerker gave the Mayor a letter from Dr. Blevins, Superintendent of Schools for Bedford County.

Mayor Shelton stated it would be appropriate to let the County School Board know that the City will eventually be engaged in conversations with the Bedford County Board of Supervisors regarding the issue.

The City Manager reported that the staff is putting the final touches on an RFP for a comprehensive site study for the Middle School, which should be going out this week, and responses are requested by the end of March.

The Mayor stated that he is referring the letter from Dr. Blevins to the City/County Relations Committee for review by the Committee.

Mr. Augustine J. Fagan, Executive Director of Central Virginia Community Services, thanked Council for its support over the past thirty years. The budget request by Central Virginia Community Services for FY 1999-2000 is \$17,661.

Ms. Barbara Ring, Executive Director of the Bedford Area Chamber of Commerce, stated the Chamber is requesting level funding of \$5,000. Ms. Ring reviewed new services offered during the past year.

Ms. Randi Herrick, Tourism Coordinator of the Chamber, reviewed marketing strategies and promotions for the Bedford area. Ms. Herrick indicated the Chamber is requesting \$35,000 from the City for the funding of tourism promotion for FY 1999-2000.

Mayor Shelton commented that Bedford should take an aggressive position with the Virginia Department of Transportation (VDOT) for directional signs to Bedford on Interstate 81 in Roanoke and on other roads in the Lynchburg area. The Mayor stated this can be presented at the annual VDOT preallocation hearing on March 23.

Mr. Tom Hehman, Director of the Bedford Public Library, indicated that the budget request for the Library for FY 1999-2000 is \$174,549.

A brief discussion ensued regarding the students using the Central Library in the afternoons and the heating and cooling estimates for the new libraries.

Ms. Vicki Feurer, Executive Director of Bedford Main Street, Inc., reviewed a brief history of the Main Street Program. Bedford Main Street is requesting funding in the FY 1999-2000 budget of \$28,000, which includes \$500 for the annual Christmas Parade.

The City Manager reported the representative of Longwood Industries, Inc., was unable to attend this meeting and requested that this item be rescheduled for a future meeting.

Ms. Charlene McFall, Chair of the City Planning Commission, stated that the Planning Commission had adopted the ordinance amending Section 611.04 of the City of Bedford Land Development Regulations in order to provide for temporary governmental use of buildings as a conditional use in the Manufacturing (M-1) District. Ms. McFall stated the Planning Commission suggested that Council consider the adoption of the ordinance.

Ms. McFall stated the Planning Commission recommends the closing of the portion of Bedford Avenue from the proposed new entrance of Peaks Manor Apartments to Fourth Street, retaining the public rights including the pedestrian use of the sidewalk, and the closing be conditional to the developer's construction of the planned street system.

On motion by Councilman Wandrei, seconded by Councilman Rice, voted upon and carried unanimously, Council waived the reading of the proposed ordinance amending Section 611.04 of the City of Bedford Land Development Regulations, as the ordinance had been posted in accordance with the provisions of Section 2-30 of the City Code.

Vice Mayor Messier moved that the ordinance be adopted. The motion was seconded by Councilwoman Flood, voted upon and carried unanimously by the following roll call vote:

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

The ordinance follows as adopted:

**AN ORDINANCE AMENDING § 611.04 OF THE CITY OF
BEDFORD LAND DEVELOPMENT REGULATIONS
IN ORDER TO PROVIDE FOR TEMPORARY GOVERNMENTAL
USE OF BUILDINGS AS A CONDITIONAL USE**

IN THE MANUFACTURING (M-1) DISTRICT

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

Section 1. Section 611.04 of the *City of Bedford Land Development Regulations* is hereby amended to include a new subparagraph d and is reenacted as follows:

611.04 Conditional Uses. When after review of the application and hearing thereon in accordance with Section 1002.03, the Council finds as a fact that a proposed use is consistent with the intent of this Ordinance and the Land Use Plan, and is in the public interest, the following uses may be permitted:

- a. Private parks, playgrounds and other outdoor recreation, and open space areas, whether public or private; provided that the proposed use complies with the applicable ordinances and regulations of the City with regard to noise and lighting.
- b. Private sanitary or solid waste facility, recycling bins or facilities.
- c. Private utility structures and buildings, including electric and natural gas substations, telephone exchanges, radio stations, and similar structures for the storage of supply equipment or service operations when screened, and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewage installations, rescue squads, fire departments and government owned armories.
- d. In the M-1 District, governmental offices and court facilities located in buildings designed and constructed for permanent uses which are permitted by right in the M-1 District, provided that provision shall be made for off-street parking based upon the requirements of Section 7.02 that the City Council shall specify a definite term for such temporary use, and that upon expiration of such term the structure and all facilities therein must be vacated and prior to the issuance of a new certificate of occupancy the structure must be converted to a use permitted in the District.

Section 2. This Ordinance shall be effective immediately.

Ms. McFall restated the recommendation of the Planning Commission concerning the conditions of the vacation of Bedford Avenue. The Commission recommends:

1. the closing of the portion of Bedford Avenue from the proposed new entrance of Peaks Manor Apartments to Fourth Street;
2. retaining the public rights including the pedestrian use of the sidewalk;
3. the closing shall be subject to the developer's construction of the planned street system.

Councilman Wandrei moved that Council accept the recommendation of the Planning Commission concerning the partial vacation of Bedford Avenue. The motion was seconded by Councilman Brookshier.

After a discussion, the motion was then voted upon and carried, four members voting aye, three members voting nay (Ballard, Messier, Rice).

The City Attorney was directed to advertise the appropriate ordinance for the partial vacation of Bedford Avenue to be voted on at the next meeting.

The Chief of Police explained that the problems occurring with the new regional radio system are not critical and are being addressed.

The City Manager is to make arrangements for Council to view operations at the new E911 Communications Center and the new gymnasium site at the Bedford Middle School prior to the second regular Council meeting in March.

Mayor Shelton adjourned the meeting at 9:10 p.m.