

### **3-27-01 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., March 27, 2001.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Mary L. Flood; Vice Mayor E. Thomas Messier; Councilman Thomas M. Padgett; Councilman W. D. Tharp; and Councilman Robert T. Wandrei.

Members absent: None.

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 welcomed Matthew Lee, Dave Lee, and Steven Hanson, from Boy Scout Troop 180.

Mayor Shelton declared that the minutes of the March 13, 2001, regular Council meeting were approved as distributed.

The City Manager spoke regarding several items: article on Region 2000 Regional Commission; brochure from the Virginia Cooperative Extension Agency; letter from the Bedford Area YMCA; King Street meeting regarding community issues; KBBC Cleanup Day scheduled on April 7; Cleanup week for the City will be held the week of April 9; explained maintenance work being done on the Stony Creek Reservoir; and a notice from the State regarding redistricting;

Discussion ensued regarding scheduling a work session on the budget. Council chose the date of May 3.

City Manager Meadows brought to Council's attention the difficulty of getting people to serve as volunteers on various boards and commissions.

Vice Mayor Messier stated he attended the King Street neighborhood meeting and the staff should be complimented on their part in the meeting.

Mayor Shelton stated that members of Council had received the annual City Manager evaluation forms. The Mayor asked Council to complete the form and return to him for compilation.

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

### **NOTICE OF PUBLIC HEARING**

On Tuesday, the 27th. of March, 2001, the Council of the City of Bedford, Virginia, will conduct a Public Hearing on the adoption of an ordinance amending

Section 904, Signs, of the Land Development Regulations, Section 1103.02 A and related definitions in Article III. A copy of the ordinance is on file in the office of Planning and Community Development.

The Public Hearing will be conducted at 7:30 p.m. in City Council Chambers, Municipal Building, 215 East Main Street, Bedford, Virginia. Interested persons may appear at such time and place and present their views.

Teresa W. Hatcher

Clerk of the Council

City of Bedford, Virginia

Mayor Shelton opened the Public Hearing at 7:50 p.m.

Mr. David Lee, Sentimental Journey, 703 Industrial Drive, suggested changes to Section 904 of the proposed revisions to the Land Development Regulations.

As there were no further comments, Mayor Shelton closed the public hearing at 7:56 p.m.

The Consent Agenda consisted of the following item:

Appointment of H. Davis "Dave" Ballard, John L. Sites and reappointment of Charlene D. McFall to the City Planning Commission, said terms to expire March 31, 2005.

On motion by Councilman Brookshier, seconded by Councilman Padgett, voted upon and carried unanimously, the Consent Agenda was adopted.

Mr. Tom Hehman, Director, Bedford Public Library, stated the Library's request for funding in the FY 2001-02 budget is \$132,954. Mr. Hehman reported that the Library Foundation voted to ask Council to appropriate \$4,800 for a master plan for the use of the second floor of the Central Library.

Mr. Augustine J. Fagan, Executive Director, Central Virginia Community Services, presented the Community Services budget request of \$20,157 for the coming fiscal year. Mr. Fagan also reviewed the major activities of the agency.

Mr. Dan Farris, Executive Director, Central Virginia Area Agency on Aging, stated the agency's budget request for FY 2001-02 is \$10,600.

Fran Inge, Executive Director, CASA of Central Virginia, stated CASA is requesting \$5,642 in the FY 2001-02 budget.

The City Manager stated that agenda item "Presentation – Lynchburg Center for Independent Living" has been rescheduled until the April 10 Council meeting.

Didi Zaryczny, Parent Educator/Advocate for the City and County of Bedford, stated that she works with The Arc of Central Virginia. Ms. Zaryczny explained the purpose of this organization and presented The Arc's budget request in the amount of \$1,750 for FY 2001-02.

Rebecca F. Noftsinger, Executive Director, Free Clinic of Central Virginia, Inc., explained the services provided by the Free Clinic and presented a budget request of \$500 for FY 2001-02.

Mayor Shelton stated that Council had before it the request to adopt the revisions to the Land Development Regulations as recommended by the Planning Commission.

Councilman Padgett moved that Council accept the recommendation of the Planning Commission. Councilman Brookshier seconded the motion.

Councilman Wandrei stated that he felt Mr. Lee's comments at the public hearing were well taken and that there were some things that Council had not addressed. Councilman Wandrei stated he felt some of the conditions in Section 904.09 are onerous and do not help to promote commercial activities.

Councilman Wandrei gave members of Council a list of proposed amendments to Section 904.09 that he had prepared.

Councilman Wandrei moved that the proposed ordinance be amended in so far as the conditions set forth in Section 904.09(e) be modified to reflect the statements set forth in the handout he gave to Council.

The motion died for lack of a second.

Councilman Wandrei then made a motion that this item be tabled and that the Planning Commission have the opportunity to address the question of the off-premise signs.

Mayor Shelton stated that there was a motion to table to allow the Planning Commission to review the issue of off-premise signs. The Mayor asked if there were a second.

Councilman Padgett seconded the motion.

Mayor Shelton asked for discussion on the motion to table. The City Attorney stated he did not think there was any discussion on that.

The Mayor asked for clarification.

The City Attorney stated he did not think that was a debatable motion.

Mayor Shelton then asked for the vote on the motion to table. The motion was then voted upon and carried, five members voting aye, two members (Brookshier, Messier, and Shelton) voting nay.

Mayor Shelton stated the issue would be tabled and referred back to the Planning Commission.

The City Attorney stated that if Council tabled it, it would just lie in this body until it is taken off the table by this body.

Mayor Shelton stated he felt the intent of the motion to table was for it to be further reviewed with regards to the off-premise signs, the suggestion regarding 904.09(e), and that could be brought back.

The City Attorney stated it should probably be referred back to the Planning Commission if that was what Council wanted to do.

Councilman Wandrei stated he felt that was the motion – it was a motion to table it and refer it back to the Planning Commission to take into consideration the questions regarding off-premise signs.

Mayor Shelton stated that was what the Chair understood the motion to have been.

The staff is to determine if further public hearings will have to be held if the proposed ordinance is changed by either the Planning Commission or City Council.

Mayor Shelton asked that this matter be brought back to Council at the earliest possible regular Council meeting.

Jennie Martin, Grants Coordinator/Rental Assistance, explained that the Department of Housing and Urban Development (HUD) has issued new mandates for the administration of the rental assistance program that seem to indicate the City would have no choice but to expand Section 8 housing opportunities into the County. The City Manager and staff have tried diligently to work with Bedford County in consolidating this program under the umbrella of the Department of Social Services (DSS), but without success. Ms. Martin stated that given the County's reluctance to give approval to DSS, the City is notifying the Virginia Housing Development Authority (VHDA) of its intent to cease administration of this program effective July 1. Upon resolution adoption by Council, it is the intent of the Planning and Community Development staff to begin exploration of alternate administrative agencies that may be interested in assuming control of this program.

On motion by Councilman Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously by a roll call vote, Council adopted the Resolution regarding the Rental Assistance Program. Roll call vote follows:

Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Padgett	nay
Councilman Tharp	aye
Councilman Wandrei	aye
Mayor Shelton	aye

The resolution follows as adopted:

## **RESOLUTION**

**WHEREAS** the City of Bedford has administered the Section 8 housing program for fourteen years; and

**WHEREAS** the Virginia Housing Development Authority now encourages increased placement of rental assistance clients outside the geographic boundaries of the City; and

**WHEREAS** efforts to reallocate administration of this program to a multi-jurisdictional entity have been unsuccessful;

**THEREFORE BE IT RESOLVED** that the City of Bedford hereby notifies the Virginia Housing Development Authority of its intent to cease administration of the Section 8 program effective July 1, 2001.

Mayor Shelton adjourned the meeting at 9:17 p.m.