

10-23-2001 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., October 23, 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 declared that the minutes of the September 25, 2001, regular Council meeting were approved as distributed.

The City Manager mentioned various items:

An editorial in the Roanoke Times by the Vice Mayor of Roanoke; Financial reports for August and September; KBBC Cleanup day-October 27; Make A Difference Day – October 27; Council retreat – November 2 and 3; temporary Visitor's Center reception and open house November 5 from 5:30 p.m. until 7:00 p.m.; City offices will be closed on November 12 in observance of Veteran's Day.

Mr. Scott Smith, Main Street Director, thanked the City for its support of Centerfest. Mr. Smith also thanked the various department heads and staff members involved.

The City Manager plans to furnish Council with a detailed report of Clean-up week in the City, which was held October 15-19.

Mr. Meadows stated that the City's United Way Campaign is under way under the leadership of Barbara Parker.

The City Manager reported that a representative of the Virginia Department of Transportation, Bob Sutton, indicated that VDOT is approximately four months away from breaking ground on the East Main Street Project.

Councilman Wandrei asked about the status of the City Code Recodification Project.

The City Manager stated the staff is in the process of reviewing the ordinances.

Councilman Wandrei, on behalf of the Director of the Museum and the staff, thanked the City for the cooperation extended by the City Manager and Director of Parks, Recreation, and Cemeteries in making the Museum's "Ghost Walk" very successful.

The Clerk of Council 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, October 18, 2001 and by the City Council at 7:30 p.m. on Tuesday, October 23, 2001, at the City Municipal Building, Council Hall, 215 East Main Street for the purpose of:

- To consider a proposed amendment to the City of Bedford Land Development Regulations by adding sections to the ordinance creating an Existing Density Residential District (R-1E) and related changes, which will allow for the minimum yard setbacks in an existing small lot neighborhood to be more conforming to those already existing, reducing the number of hardship variance requests, and encourage neighborhood improvement, and;
- To consider a proposed amendment to the City of Bedford Land Development Regulations by rezoning from Low Density Residential District (R-1A) to Existing Density Residential District (R-1E) property located in the Greater King Street area and including generally those existing lots fronting on the north side of Liberty Street, on the north and south side of East and West Federal, Cook, King, and Franklin streets, portions on the east and west side of Edmund, Otey, South, Mill and South Bridge Streets, on the west side of Crenshaw Street, and Bondurant Alley.

Information regarding these requests is on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to the requests will have an opportunity to express his/her 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 at 7:43 p.m.

Mr. D. Keith Cook, 1360 Boone Drive, member of the Board of Zoning Appeals, spoke in favor of the proposed amendments.

Mr. Dave Thomas, 1615 Shady Knoll Avenue, member of Board of Zoning Appeals, also spoke in favor of the proposed amendments.

As there were no further comments, Mayor Shelton closed the public hearing at 7:46 p.m.

The Consent Agenda consisted of the following items:

Appointment of Gordon B. Eubank, Jr., to a four-year term on the City Industrial Development Authority, said term to expire November 30, 2005

Appointment of Robert F. Clark to the Central Virginia Area Agency on Aging Board of Directors, said term to expire September 30, 2003

Reappointment of Allen F. Persinger to a four-year term on the Redevelopment and Housing Authority, said term to expire November 13, 2005

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

Marie Gardner explained the lack of funding for this year's "Make a Difference Day" and requested that Council approve a funding request in the amount of \$1,500. Ms. Gardner explained the activities involved in "Make a Difference Day."

Discussion ensued.

On motion by Councilman Tharp, seconded by Councilwoman Flood, voted upon and carried unanimously by a roll call vote, Council appropriated \$1,500 from the unappropriated contingency for the "Make a Difference Day" project. Roll call vote follows:

Councilman Brookshier	aye
Councilwoman Flood	aye
Vice Mayor Messier	aye
Councilman Padgett	aye
Councilman Tharp	aye

Councilman Wandrei aye

Mayor Shelton aye

Councilman Brookshier asked that if this request comes forward for funding next year that it be included in "Special Funding" in the budgetary process.

Mr. Gregory L. Booth, Booth & Associates, Inc., gave a presentation on the Electric Utility System Study and 20-Year Long-Range Plan which was prepared by his firm.

A brief discussion ensued.

Mr. Jim Vest, 980 Ashland Avenue, President of Smyth Companies – Bedford, and President of the Bedford Industrial Management Council spoke to Council regarding the need for the creation of an Economic Development Program for existing businesses in Bedford.

Mr. John Vaeth, 1382 Jefferson Terrace, Vice President and CFO of Sam Moore Furniture, stated his presentation was on behalf of Mike Moldenhauer, President of Sam Moore Furniture. Mr. Vaeth indicated that the purpose of the presentation was to promote the importance to the City in supporting local business growth, for the positive financial and community spirit impact on the community. Mr. Vaeth reviewed the following highlights of the report: 1) Financial Impact/Contribution of Local Businesses 2) Social Impact to Community 3) Need for City to participate in economic development of existing, local businesses 4) Need for incentive to attract new industry.

Mr. Jim Mercadante, General Manager of Rental Uniform Service and Vice President of the Bedford Industrial Management Council, spoke regarding the need for an economic development package for existing businesses.

Mayor Shelton stated that this matter would be a topic of discussion at the City Council retreat to be held in November.

City Manager Meadows reported the Streets Committee had discussed the issue of property owners maintaining the area in front of their property between the sidewalk and curb. Mr. Meadows stated the City Attorney had drawn up a proposed ordinance that addresses the committee's concerns.

The City Attorney briefly summarized the contents of the proposed ordinance.

On motion by Councilman Tharp, seconded by Vice Mayor Messier, voted upon and carried unanimously, Council waived the reading of the proposed ordinance.

Councilman Padgett moved that the proposed ordinance regarding maintenance of areas between City sidewalks and curbs of City streets be adopted. Councilman Tharp seconded the motion.

Discussion ensued.

It was determined that the Streets Committee intended for Section 20-6.1 (b) to read ...vegetation which exceeds a height of 8 inches... (not 14 inches).

Councilman Tharp made a motion that the ordinance be amended as follows: for Section 20-6.1 (b) to read ...vegetation which exceeds a height of 8 inches... The motion was seconded by Councilman Padgett, voted upon and carried, six members voting aye, one member voting nay (Wandrei).

The motion to adopt the amended ordinance was then voted upon and carried by the following roll call vote:

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

The ordinance follows as adopted:

**AN ORDINANCE REQUIRING PROPERTY OWNERS
ABUTTING A CITY SIDEWALK TO MAINTAIN THE AREAS
BETWEEN THE CITY SIDEWALK AND THE CURB OF THE
CITY STREET**

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

Section 1. A new Section shall be added to Chapter 20 of the City Code designated as Section 20-6.1 as follows:

Section 20-6.1 Maintenance of Areas Between City Sidewalks and Curbs of City Streets

(a) Where there is a strip of land between the sidewalk and curb line of any City street, the owners or occupants of lands abutting such sidewalk may plant trees, flowers or other ornamental plants thereon provided they obtain a permit from the City Zoning Administrator.

(b) Where there is such a strip of land between the sidewalk and curb line of any City Street, it shall be the duty of the occupant or owner of any land abutting such sidewalk to remove any refuse (as defined in Section 17.1-2) from such strip and to cut and trim any grass, plant, weeds or other vegetation which exceeds a height of 8 inches, other than trees,

shrubby, flowers or other ornamental plants. Nothing in this Section shall authorize any person to cut or remove any tree or ornamental shrub without first obtaining a permit from the City's Zoning Administrator.

(c) Whenever it shall come to the knowledge of the Zoning Administrator that there exists upon any such strip any condition constituting a violation of this Section, it shall be his duty to serve notice on the occupant thereof, or, if unoccupied, on the owner to have such refuse removed and to have any vegetated matter cut and removed within a reasonable time not to exceed five (5) days from receipt of such notice. If such land or premises are unoccupied, such notice shall be served on the owner thereof, if he be a resident, and if not, upon the owner's agent in charge thereof, or upon the owner by the certified mail addressed to the owner at the last address provided to the Commissioner of Revenue for purposes of real estate taxation.

(d) Any occupant or owner who shall fail to comply with the notice within the time specified in the notice shall be guilty of a class four misdemeanor, and each day that such condition is permitted to remain upon such premises after the expiration of the time specified in such notice shall be deemed to constitute a separate offense under this Section.

(e) Whenever any person is in possession of any property or has charge thereof in the City thereof as Executor, the Administrator, Trustee, Guardian or Agent, such person shall be deemed to be the owner of such property for the purposes of this Article and shall be bound to obey all orders and notices of the Zoning Administrator in regard to enforcement of this Section in the same manner and be subject to the same penalties and fines, as if such person were actually the owner of such property.

(f) The provisions of this Section shall not apply to refuse placed in the strip between the sidewalk and curb for refuse collection in accordance with the provisions of Chapter 17.1 or to materials placed in such strip pursuant to Court order.

Section 2. The Clerk is directed pursuant to the provisions of Section 19 of the City Charter to publish the Ordinance one time in a newspaper published in the City or to post the Ordinance in three or more public places in the City for one week, and the Ordinance shall take effect when seven (7) days have elapsed following the publication in the newspaper or when seven (7) days have elapsed following completion of posting.

On motion by Councilman Tharp, seconded by Councilman Padgett, voted upon and carried by a roll call vote, Council adopted a resolution recognizing the achievement of Bedford Public Library Director Thomas J. Hehman. Roll call vote follows:

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

Mayor Shelton aye

The resolution follows as adopted:

Resolution

Bedford Public Library Director Thomas J. Hehman

For His Contribution to the City of Bedford

WHEREAS, Thomas J. Hehman has served as the Director of the Bedford Public Library System since 1993; and

WHEREAS, during his tenure the Bedford Public Library System has been transformed into a modern system that is recognized as a leader across the Commonwealth; and

WHEREAS, the Library System has increased the number of books and other materials in its collection by over 100% and service hours in the libraries have increased 27%; and

WHEREAS, the Bedford Central Library was extensively renovated and expanded during his tenure; and

WHEREAS, the Bedford Public Library System has contributed to the quality of life in our community by providing special activities that have been developed by Mr. Hehman and his staff; and

WHEREAS; under his leadership, his passion for libraries has been evident to all those that have served with him to achieve these accomplishments;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA, that Thomas J. Hehman be congratulated on his accomplishments as Director of Bedford Public Library, thanked for his service on behalf of the City of Bedford, and given a key to the City of Bedford to symbolize our appreciation for his efforts and as a reminder that he has been a valuable member of this community. We extend our sincere appreciation for his distinguished service and extend our very best wishes on his family's relocation to New Jersey.

On motion by Vice Mayor Messier, seconded by Councilman Wandrei, voted upon and carried unanimously by a roll call vote, Council adopted the resolution of honor for Bernard W. Saunders. Roll call vote follows:

Councilman Padgett	aye
Councilman Tharp	aye
Councilman Wandrei	aye

Councilman Brookshier aye

Councilwoman Flood aye

Vice Mayor Messier aye

Mayor Shelton aye

The resolution follows as adopted:

**RESOLUTION OF HONOR
TO MEMORIALIZE THE CONTRIBUTIONS
TO THE BEDFORD COMMUNITY BY
BERNARD WEST SAUNDERS**

WHEREAS, certain citizens in communities make significant personal and professional contributions of their talents, time, leadership and energies to improving the quality of life for the enjoyment of all other citizens, and Bedford, Virginia has particularly been enriched and improved by the contributions of such citizens for many years; and

WHEREAS, Mr. Bernard West Saunders, who died at the age of 82 on September 25, 2001, exemplified the qualities of a strong community leader through his service in many capacities to the City of Bedford, Bedford County, the Commonwealth of Virginia and the United States; and

WHEREAS, Mr. Saunders owned and operated a very successful business in Bedford since 1947, Coffey & Saunders Farm and Hardware Store, which has effectively served the residents, businesses and agricultural community of Bedford; and

WHEREAS, Mr. Saunders was a veteran of World War II, having served with the U.S Army Air Corps 27th Bomb Group, was captured and held as a prisoner-of-war by the Japanese for three and one-half years after being subjected to the grueling and evil Bataan Death March, and consequently,

received several military awards including the Bronze Star and the Presidential Citation; and

WHEREAS, Mr. Saunders was active for many years in his church activities, the American Legion, the Masons, the Benevolent and Protective Order of the Elk, and the Veterans of Foreign Wars; and

WHEREAS, Mr. Saunders served his country and community with distinction and had been considered a prominent spokesman about the events of World War II and his personal experiences, particularly so that all generations that have followed him will know and understand the horrors of war and conflict; his personal story is a unique one and has captured the hearts of all people with whom he has spoken of these experiences; and

WHEREAS, Mr. Saunders was duly elected by the citizens to serve 16 years on the Bedford City Council and served as Mayor and Vice-Mayor of the City of Bedford during that time, and brought a thoughtful and calm manner to the business of the City government, and is considered to be a gentleman of unique character and dignity with the strength and courage of his convictions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Bedford, Virginia does hereby posthumously honor the significant contributions and achievements of Bernard West Saunders, in recognition of his lifelong service to the greater Bedford community, the Commonwealth of Virginia and the United States of America, and in recognition of the need for everyone to give of themselves in the manner set forth by this solid citizen of Bedford, Virginia. This resolution upon its adoption shall be delivered to the wife of Mr. Saunders.

Mayor Shelton adjourned the meeting at 9:25 p.m. until November 2, 2001, at 2:00 p.m. at Mountain Lake for a Council retreat.