

Minutes 02-26-2002

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 26, 2002.

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

Members absent: Councilman Thomas M. Padgett

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 February 12, 2002, regular Council meeting were approved as distributed. The Mayor also mentioned a memorandum from the Clerk of Council noting a correction in the November 27, 2001, minutes.

The City Manager reported on the following items:

- former Lynchburg City Manager Chuck Church passed away earlier in the day
- The water situation for the City continues to be stable: 1 ¼ inches of water flowing over the spillway and it is estimated that 4 ½ million gallons of water per day are flowing in the Big Otter River. If the lack of rainfall continues, the staff recommends a community education campaign on voluntary water conservation.
- several representatives from the USS Normandy will be in attendance at the March 12 Council meeting
- mentioned several meetings that he and staff members will be attending in March

The Consent Agenda consisted of the following item:

- Request from the Bedford County Deputy Sheriff's Association that the City grant permission to close Venture Boulevard for the 5th Annual Car Show on Saturday, May 11, 2002, from 8:00 a.m. to 5:00 p.m.

On motion by Vice Mayor Messier, seconded by Councilwoman Flood, voted upon and carried, Council adopted the Consent Agenda.

On motion by Councilman Brookshier, seconded by Councilwoman Flood, voted upon and carried by a roll call vote, Council adjourned 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 regarding legal issues involving Group Home zoning request. Roll call vote follows:

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

Council adjourned into closed session at 7:44 p.m. Non-council members attending: City Manager Meadows, City Attorney Berry, Director of Planning & Community Development Warner, and Clerk of the Council Hatcher.

Council reconvened into open session at 8:06 p.m.

The Clerk of Council read aloud the following proposed 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 Tharp, seconded by Councilman Brookshier, voted upon and carried by a roll call vote, Council adopted the resolution as read. Roll call vote follows:

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

Councilman Wandrei aye

Councilman Brookshier aye

Mayor Shelton aye

The City Manager reported that agenda item "Consideration of Conditional Use Request to Allow the Construction of a Group Home in a B-2, General Business District – Oscar Padgett" was also on the February 12 agenda. At that meeting no action was taken to either approve or deny the request. Mr. Meadows reported that since the February 12 Council meeting, some additional information has developed. The City Manager indicated that members of Council had received a memorandum from the Director of Planning & Community Development discussing some concerns.

Mr. Warner stated that from a planning perspective, he had no particular objections to this proposal. Mr. Warner reviewed some suggested conditions of approval for Council to consider:

1. Driveways and access roads shall be paved.
2. Parking in the amount of one space per 300 square feet of building area shall be provided.
3. No more than five children may be housed in the group home at any time.
4. Children shall be supervised at all times.

On motion by Councilman Tharp, seconded by Councilman Brookshier, voted upon and carried, five members voting aye, one member abstaining (Wandrei), and one member absent, Council approved the issuance of a conditional use permit for Tax Parcel No. 191-A-1 owned by Wyatt H. Walton, III, and Janet U. Walton for construction of a new building and use of that building and an existing single-family dwelling as group homes for children, subject to the following conditions:

- a. The two buildings can be used as group homes provided each building meets all licensing requirements of the Virginia Department of Social Services and provided each house is staffed at all times and has no more than 5 children.
- b. The access road or driveway from Turnpike Road and all parking areas shall be paved. Parking shall be provided with 1 space per 300 sq. ft. of building area.
- c. A memorandum of agreement shall be executed between the City and Bedford County and the Bedford County Department of Social Services providing that all group home residents shall be considered for educational purposes residents of the jurisdiction to which they belonged prior to Department of Social Services' custody.
- d. The requirements for townhouse developments involving lot width, setbacks, and distance between buildings shall be applicable.

- e. Children of the two homes shall be residents of Bedford City or County prior to placement.

Mr. Bill Gillespie, Executive Director, Regional 2000 Regional Commission, explained that the Commission is in the process of updating its project priority listing and asked members of Council to complete a survey that will be used to further define the strategic process. After this information is collected from each locality, it will be compiled by the staff and presented to the regional elected officials at the April dinner meeting.

Mayor Shelton adjourned the meeting at 8:16 p.m.