

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., May 28, 2002.

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

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 May 10, 2002, adjourned Council meeting and the minutes of the May 14, 2002, regular Council meeting were approved as distributed.

The City Manager reported on the following items:

- Commended the American Legion for the Memorial Day program held at the National D-Day Memorial
- Employee picnic is scheduled for Saturday, June 1 from 11:00 p.m. – 2:00 p.m.
- The visit to the USS Normandy scheduled for June 19 may have to take place when the ship returns from deployment

On motion by Councilman Tharp, seconded by Vice Mayor Messier, voted upon and carried unanimously, the following items were added to the agenda:

Presentation – FEMA Report

Resolution - Ending Declaration of Local Emergency

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

NOTICE

SYNOPSIS OF BUDGET FOR FISCAL YEAR JULY 1, 2002 TO

JUNE 30, 2003

CITY OF BEDFORD, VIRGINIA

Notice is hereby given that a public hearing will be held by the City Council May 28, 2002 at 7:30 p.m. in the Council Hall of the City Municipal Building in relation to the budget for the City of Bedford for Fiscal Year 2002-03, at which time any citizens of the City shall have the right to attend and state his or her views. Detailed copies of the budget are available for inspection during normal office hours in the office of the City Manager and the office of the Clerk of Council.

Mayor Shelton opened the Public Hearing at 7:38 p.m.

Mr. Ronnie Rice, 1802 North Hills Drive, spoke about the senior citizens on fixed incomes and tax increases.

Lee Carr, Executive Director of the Bedford Chamber of Commerce, asked Council to maintain funding for the Chamber.

Craig Lawrence, 1121 Woodcrest Drive, spoke regarding the \$2.00 tax added to the telephone bill, the new radio system, and suggested that Council eliminate the recycling program.

David Thomas, 1615 Shady Knoll Avenue, asked why so many increases in one year.

Tammy Dill, 1010 Laurel Street, spoke regarding the Recreation Department. Ms. Dill is Chairman of a committee formed by the Recreation Department to review some concerns made by the public regarding the athletic department. The Committee's recommendations have been submitted to the interim Recreation Director and the City Manager. Ms. Dill stated that these recommendations do affect the budget (the need to replace all worn out equipment and purchase additional equipment).

As there were no further comments, the Mayor closed the public hearing at 7:49 p.m.

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

**NOTICE OF PROPOSED
REAL PROPERTY TAX INCREASE**

Pursuant to Section 58.1-3321, Code of Virginia (1950), as amended, notice is hereby given that the City of Bedford proposes to increase property tax levies.

1. Assessment Increase: The total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 5 percent.
2. Lowered Rate Necessary to Offset Increased Assessment: The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$.72 per \$100 of assessed value. This rate will be known as the "lowered tax rate".
3. Effective Rate Increase: The City of Bedford proposes to adopt a tax rate of \$.82 per \$100 of assessed value. The difference between the lowered tax rate and the proposed tax rate would be \$.10 per \$100, or 14 percent. The difference will be known as the "effective tax rate increase". Individual property taxes may, however, increase at a percentage greater than or less than the above percentages.
4. Proposed Total Budget Increase: Based on the proposed real estate tax rate and changes in other revenues, the total general fund budget of the City of Bedford will exceed last year's by 11.3 percent.

A public hearing on the "effective tax rate increase" will be held on Tuesday, May 28, 2002, at 7:30 p.m., or as soon thereafter as the matter may be heard, in the Council Hall of the City Municipal Building. All persons desiring to be heard shall be accorded an opportunity to present oral testimony within such reasonable time limits as shall be determined by City Council.

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Mayor Shelton opened the public hearing at 7:50 p.m.

Craig Lawrence, 1121 Woodcrest Drive, asked about how the tax rate is determined and stated the citizens do not understand how the rate is determined.

Mayor Shelton gave an explanation of the tax rate.

David Thomas, 1615 Shady Knoll Avenue, asked if the proposed tax increase would be ten cents. The Mayor indicated that it would be.

The City Manager stated that Council had comments in writing from Mr. Philip Garbarini.

As there were no further comments, Mayor Shelton closed the public hearing at 8:00 p.m.

The Consent Agenda consisted of the following item: Request by Tommy Reynolds to close Plunkett Street from the corner of Phelps Coal & Wood on the west to Quality Lawn Care on the east side of Phelps for a period not to exceed 30 days for cleaning up the Peoples Furniture Warehouse (tornado clean-up).

On motion by Councilman Tharp, seconded by Councilwoman Flood, voted upon and carried unanimously, Council adopted the Consent Agenda.

Mr. Jim Smith, FEMA, spoke regarding the aftermath of the tornado. Mr. Smith commended the City and County officials for the very effective way they worked together in coordinating the response to the emergency. He thanked the Chief of Police and Jack Jones for the manner in which they put together the assessment of damages.

On motion by Vice Mayor Messier, seconded by Councilman Tharp, voted upon and carried unanimously by a roll call vote, Council adopted a resolution declaring an end to the local emergency. Roll call follows:

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

The resolution follows as adopted:

RESOLUTION

WHEREAS, the City of Bedford suffered severe damage to public and private properties during a wind and thunderstorm that included at least one tornado on April 28, 2002; and

WHEREAS, the storm brought down power lines on the City of Bedford's electrical system, causing outages to customers throughout the City's system; and

WHEREAS, certain property and business owners had their buildings and property damaged and, in some instances, destroyed by high winds and a tornado during the storm; and

WHEREAS, the City of Bedford suffered severe damage to its property during storm; and

WHEREAS, the City of Bedford found it necessary to mobilize all of its resources in order to respond to the aftermath of the storm and to provide for increased safety and security measures; and

WHEREAS, the Mayor, G. Michael Shelton, found it necessary to declare a local emergency in order to deal with the situation;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bedford, Virginia, that the declaration of local emergency made by the Mayor on April 28, 2002, and confirmed by the Council of the City of Bedford on April 30, 2002, has now ended.

City Manager Meadows reported that the Commonwealth Transportation Board has eliminated the US 221 construction project in eastern Bedford County from its six-year primary road plan, after the project had been included in the plan for 12 years. Improvements to US 221 would assist the City in terms of economic benefits and the well being of its residents who travel this highway daily. The Bedford County Board of Supervisors has requested that the City support the reversal of this decision.

On motion by Councilman Tharp, seconded by Vice Mayor Messier, voted upon and carried unanimously by a roll call vote, Council adopted the resolution regarding the US 221 construction project. Roll call vote follows:

Councilwoman Flood aye

Vice Mayor Messier aye

Councilman Padgett	aye
Councilman Tharp	aye
Councilman Wandrei	aye
Councilman Brookshier	aye
Mayor Shelton	aye

The resolution follows as adopted:

**TO REINSTATE THE US 221 CONSTRUCTION PROJECT
INTO ITS SIX-YEAR PRIMARY ROAD PLAN**

WHEREAS, US 221 serves the City of Bedford as a major transportation artery connecting the City with Lynchburg; and

WHEREAS, improvements to US 221 will benefit the City of Bedford, both in terms of economic benefits and the well-being of its residents who travel this highway daily; and

WHEREAS, delay of the long planned improvements to US 221 will be detrimental to the interests of the City of Bedford and its residents; and

WHEREAS, the Commonwealth Transportation Board eliminated this major highway improvement project from its six-year primary road plan, after the project had been included in the plan for 12 years; and

WHEREAS, this action could delay construction activities for six to eight years.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Bedford hereby supports the efforts of the County of Bedford to reverse this decision and requests that the Commonwealth Transportation Board reinstate the US 221 project in its six-year primary road plan; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to our state legislators, the Secretary of Transportation, the

Commissioner of the Commonwealth Transportation Board and every member of the Commonwealth Transportation Board.

Council proceeded to hold a work session on the proposed FY 2002-03 budget.

Discussion ensued regarding the proposed budget.

It was the concurrence of Council to increase the cigarette tax to thirty cents and lower the real estate tax from \$.82 to \$.80 in the proposed budget.

It was the consensus of Council to move the funds for security from the water and sewer fund to the contingency fund and have any security matters referred to the Safety Committee.

The City Manager and staff are to furnish more information to Council on the pilot meter reading program.

On motion by Councilman Padgett, seconded by Councilman Wandrei, voted upon and carried unanimously 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 and briefing by staff pertaining to actual or probable litigation; and Section 2.2-3711(a)(1) of the Code of Virginia of 1950, as amended, for discussion of personnel matters, evaluations of City Manager and City Attorney.

Council adjourned into closed session at 9:09 p.m. after a five minute recess. Non-council members attending were: City Manager Meadows and City Attorney Berry.

Council reconvened into open session at 9:40 p.m.

The Clerk of Council read aloud the following 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 Vice Mayor Messier, voted upon and carried by a roll call vote, Council adopted the resolution. 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

Mayor Shelton adjourned the meeting at 9:42 p.m. until Tuesday, June 11, 2002, at 6:00 p.m. for a work session on the budget.