

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 13, 2003.

Members present: Mayor E. Thomas Messier; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman Thomas M. Padgett; Councilman C. G. Stanley, Jr.; Vice Mayor 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 Messier opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Messier declared that the minutes of a regular Council meeting held on April 22, 2003, were approved as distributed.

The City Manager reported on the following items:

- Virginia Resources Conference – May 14 in Richmond – the City Manager, Director of Finance, and Director of Public Works will attend. The City is one of three finalists for the Virginia Resources Authority Award of Excellence, which is presented to a community each year that has made great strides with its infrastructure improvements to address economic development and environmental issues.
- MEPAV Conference – May 21-23 – the Electric Utility Director and City Manager will attend
- Visit to the City of Franklin (Bedford's Sister City) – June 12-13
- The annual asphalt milling and paving program has begun and should be completed by the end of June.
- Public presentation - Burks Hill Road plan draft - July 10 and July 12
- Asked Council to add the following item to the agenda: "Request to Block Street – Bedford City/County Museum"

Councilman Wandrei reported that volunteers are needed to work at the "Red, White & Bluegrass Festival on May 24.

Vice Mayor Tharp reported that he attended the Governor's kickoff reception for Business Appreciation Week. The Vice Mayor indicated that he thanked the Governor for his personal efforts in reopening the Bedford Division of Motor Vehicles office.

The Vice Mayor reported on the following events that he will be attending:

- Region 2000 Economic Development luncheon for the 11th annual distinguished service awards presentation on May 14.
- the NAACP Fund Event at Washington Street Baptist Church on May 18
- He will represent that Mayor and make welcoming comments to the Stone family as they dedicate the cemetery project at the Aunspaugh Cemetery on Jackson Street on May 24.

The Mayor complimented City Manager Meadows for recently receiving the International City/County Management Association's Credentialed Manager designation. Mr. Meadows is one of only 558 local government management professionals to be so credentialed.

There was a discussion of Dillon's Rule. Information will be furnished to Council members as soon as possible.

City Manager Meadows asked that agenda item "Oath of Office – New Police Office" be deferred to a later meeting.

Vice Mayor Tharp commended the Fire Department, Rescue Squad, and Police Department for their response to an incident at the Shell Station in which gasoline was dispersed from a tanker truck delivering fuel.

Councilman Wandrei, Chairman of the Water & Sewer Committee, reported the Committee met regarding lifting the water moratorium and referred this matter to the City/County Relations Committee.

On motion by Vice Mayor Tharp, seconded by Councilman Padgett, voted upon and carried unanimously, the following item was added to the agenda:

Request to Block Street – Bedford City/County Museum

On motion by Vice Mayor Tharp, seconded by Councilwoman Flood, voted upon and carried unanimously, agenda item "Oath of Office – New Police Officer" was deferred.

The Consent Agenda consisted of the following items:

- Request by Bedford Main Street, Inc., to block the 100 block of South Bridge Street from the intersection of Main Street to Washington Street from 4:30 – 7:30 p.m. for "Business After Hours" on May 20, 2003.
- Request by Bedford Main Street, Inc., to block Center Street between Main and Washington Streets for the "Red, White & Bluegrass Festival" from 3:30 – 10:00 p.m. on May 24, 2003.
- Request by the Bedford City/County Museum to block Main Street between Court Street and Bridge Street from 12:30 – 3:30 p.m. on May 26, 2003, for a book signing of the *Bedford Boys*, written by Alex Kershaw. C-span 2 will film the event.

- Reappointment of Ms. Kate V. Forsyth to the Regional Library Board for a term to expire June 30, 2007.

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

Mr. Glen Ayers, Chairman of the Bedford County 250th Anniversary Celebration Committee, explained plans that are being made by the Committee and its three subcommittees: the celebration will begin on January 1, 2004; a parade is scheduled for May 31, 2004, signs will be erected at the main entrances to the County; and a website will be established. Mr. Ayers indicated that the Bedford County Board of Supervisors have given \$5,000 in seed money for the anniversary celebration and asked that City Council also appropriate \$5,000 for this purpose.

The Mayor referred this request to the Finance Committee for recommendation.

Nanci Drake gave an update on the progress of the Bedford Area Welcome Center.

The City Manager reported that the Board of Supervisors of Appomattox County has requested that their workforce investment membership and funding be transferred to Region 2000. The Region 2000 Council of Chief Local Elected Officials has approved this transfer, since Appomattox County is currently a member of the region 2000 Regional Commission and the inclusion of the County's workforce activities is in keeping with the overall mission of the Council of Chief Local Elected Officials for the Region.

The Clerk of Council read aloud the following proposed resolution:

**RESOLUTION SUPPORTING INCLUSION
OF APPOMATTOX COUNTY AS A
MEMBER OF THE COUNCIL OF
CHIEF LOCAL ELECTED OFFICIALS
FOR THE REGION 2000
WORKFORCE INVESTMENT AREA**

WHEREAS, the Board of Supervisors of Appomattox County has approached the Region 2000 Council of Chief Local Elected Officials, which oversee the Region 2000 Workforce Investment Area, and requested that their workforce investment membership and funding be transferred to Region 2000, and

WHEREAS, Appomattox is currently a member of the Region 2000 Regional Commission and the inclusion of the County's workforce

activities is in keeping with the overall mission of the Council of Chief Local Elected Officials for the Region, and

WHEREAS, this request was recommended for approval by the Region 2000 Council of Chief Local Elected Officials at their meeting of April 17, 2003, and

WHEREAS, based on the County's request and subsequent recommendations of the Region 2000 Council of Chief Elected Officials and the Workforce Investment Board, the Governor of the Commonwealth of Virginia has approved the transfer of Appomattox County's membership and funding to Region 2000 Council,

NOW THEREFORE BE IT RESOLVED, that the City of Bedford hereby authorizes the revision of the Council Agreement between the counties of Amherst, Bedford and Campbell and the Cities of Bedford and Lynchburg, dated July 21, 2000, to include the County of Appomattox as a member of the Region 2000 Council of Chief Local Elected Officials for the Region 2000 Workforce Investment Area,

BE IT FURTHER RESOLVED, that the Mayor of the City of Bedford is hereby authorized to execute the necessary documents that will accommodate this change.

On motion by Councilman Wandrei, seconded by Vice Mayor Tharp, voted upon and carried unanimously by a roll call vote, the resolution was adopted as read. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	aye
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Mayor Messier	aye

City Manager Meadows stated that Council received a proposed ordinance that readopts and reenacts Section 13-2 of the City Code, incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation. Failure to adopt this ordinance would mean that offenders would have to be charged under the State law rather than the City law. Any fines collected would then be payable to the State rather than to the City.

On motion by Vice Mayor Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously, Council waived the reading of the ordinance as it had been posted in accordance with Section 2-30 of the City Code.

On motion by Councilman Wandrei, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance dealing with traffic laws. Roll call vote follows:

Councilman Hubbard	aye
Councilman Padgett	aye
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Mayor Messier	aye

The ordinance follows as adopted:

ORDINANCE NO. 03-04

AN ORDINANCE TO READOPT AND REENACT SECTION 13.2 OF THE CITY CODE INCORPORATING BY REFERENCE CURRENT PROVISIONS OF THE CODE OF VIRGINIA DEALING WITH TRAFFIC LAWS AND MOTOR VEHICLE OPERATION

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

Section 1. Sec. 13-2 of the City Code is hereby readopted and re-enacted as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 in Article 9 (Sec. 16.1-278 et seq) of Chapter 11 of Title 16.1, and in Article 2 (Sec. 18.2-266 et seq) of Chapter 7 of Title 18.2, of the Code of Virginia, except those provisions and requirements the violation of which constitute a felony, and except those provisions and requirements which by their very nature can have no application to or within the City, are hereby adopted and incorporated herein by reference and made applicable within the City. References to "Highways of the State" contained in such provisions and requirements hereby adopted, shall be deemed to refer to streets, highways and other public ways within the City. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as those set forth at length herein, and it shall be unlawful for any person, within the City, to

violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 9 of Chapter 11 of Title 16.1 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which are adopted by this Section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under such titles of the Code of Virginia.

Section 2. This Ordinance shall become effective on July 1, 2003, upon publication one time, immediately following its passage, in some newspaper published in the City or upon posting at three or more public places in the City for one week, as required by Section 19 of the City Charter.

Council continued the budget work session.

Discussion ensued regarding various items in the Electric Fund.

Councilman Wandrei moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(1) of the Code of Virginia of 1950, as amended, discussion of personnel matters. Councilman Hubbard seconded the motion. The motion was voted upon and carried by the following roll call vote:

Councilman Padgett	aye
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Messier	aye

Council adjourned into closed session at 8:45 p.m.

Council reconvened into open session at 9:06 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 Wandrei, seconded by Councilwoman Flood, voted upon and carried unanimously by a roll call vote, the resolution was adopted as read. Roll call vote follows:

Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	aye
Mayor Messier	aye

Mayor Messier adjourned the meeting at 9:07 p.m. until May 27, 2003, at 6:30 p.m. for a work session on the proposed FY 2003-04 budget.