

Minutes 10-14-2003

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 14, 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 September 23, 2003, were approved as distributed.

The City Manager asked Council to add the following item to the agenda: Closed Session, pursuant to the Code of Virginia of 1950, as amended, Section 2.2-3711(a)(3), update on potential acquisition of property.

City Manager Meadows reviewed a list of upcoming events:

- Employee appreciation lunch – October 15 at Liberty Lake Park
- Bedford Area Welcome Center Groundbreaking – October 15
- Region 2000 Regional Commission meeting and dinner – October 16
- City/County Museum Ghost Walk – October 16
- Virginia Municipal League Annual Conference – October 19-21
- City Council retreat – November 13 and 14
- Annual Christmas Holiday Dinner – December 11

The City Manager stated that Council had received copies of a memorandum from the Chief of Police reporting on the deer control program. As of October 14, forty-seven deer had been eliminated.

City Manager Meadows reported that the Police Department received official notification on October 9 that the Department is a certified law enforcement agency in the State of Virginia. Mr. Meadows stated that of the 51 state accredited law enforcement agencies in the state, only two are smaller.

Mayor Messier appointed the following persons to serve on a Nominating Committee that would help identify City residents who would be willing to serve on various boards and

commissions of the City: Craig Meadows, City Manager; C. G. Stanley, City Council representative; and Karen Garbarini, community representative.

Councilman Hubbard, Chairman of the Finance Committee, reported that the Committee met regarding proposed new building permit fees. The Committee has asked for more information and will discuss this item at a meeting to be held on October 28.

Councilman Hubbard stated the Committee recommends that the following item be added under new business: Consideration of Adding the City to the Construction Contract between Coleman Adams and Bedford County for the Welcome Center project.

It was the consensus of Council that the City Manager and the City Attorney pursue having the City named on the construction documentation and straightening out the situation with the property.

The Consent Agendas consisted of the following items:

- Appointment of Ms. Edna Hayden and Mr. Jimmy Holdren to the Redevelopment & Housing Authority, said terms to expire October 13, 2007.
- Appointment of Mr. O. P. Stancer to the City Industrial Development Authority, said term to expire November 30, 2007.

On motion by Councilman Wandrei, seconded by Councilman Padgett, voted upon and carried by a roll call vote, Council adopted the consent agendas. 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

Note: As clarified later in the meeting, it was the intent of Council to adopt the Consent Agendas with the appointments as written above.

Councilman Wandrei announced that the County's 250th Anniversary Committee is holding a dinner and concert on November 1.

Councilman Wandrei also announced that Avenel is having a "Fall Fling" on October 25.

Bart Warner, Director of Planning & Community Development, explained the purpose of the proposed resolution amending Appendix 1 of the City of Bedford Comprehensive Plan. Mr. Warner reported the Planning Commission recommends that Council approve amending Appendix 1 of the Comprehensive Plan.

On motion by Vice Mayor Tharp, seconded by Councilman Padgett, voted upon and carried unanimously by a roll call vote, Council adopted the resolution amending Appendix 1 of the City of Bedford Comprehensive Plan. 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 resolution follows as adopted:

**RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF BEDFORD
AMENDING APPENDIX 1 OF
THE CITY OF BEDFORD COMPREHENSIVE PLAN**

WHEREAS, the City of Bedford, Virginia (the “City”) is a political subdivision of the Commonwealth of Virginia exercising public and essential governmental functions pursuant to the Constitution and laws of the Commonwealth of Virginia; and

WHEREAS, the Commonwealth of Virginia requires that local governments adopt and update every five years a comprehensive plan in order to best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants; and

WHEREAS, the City Council of the City of Bedford adopted an updated version of the City of Bedford Comprehensive Plan on January 28, 2003; and

WHEREAS, the City’s intent is for the City of Bedford Comprehensive Plan to be an accurate and current representation of the City’s policy at any given time; and

WHEREAS, Appendix 1 of the City of Bedford Comprehensive Plan contains the Bedford 2020 Transportation Plan; and

WHEREAS, the City of Bedford Planning Commission with the assistance of the City Planning and Community Development Department has prepared the Burks Hill Neighborhood Master Plan, held public hearings on said plan, and recommended its adoption and inclusion in the City of Bedford Comprehensive Plan; and

WHEREAS, the adoption of the Burks Hill Neighborhood Master Plan will require amendment of the Bedford 2020 Transportation Plan to add extension of Roberts Lane and deletion of the current intersection of Burks Hill Road and Tiger Trail to the Transportation Plan recommendations; and

WHEREAS, the Planning Commission, at its first regular meeting in the fiscal year beginning July 1, 2003, held a public hearing and recommended amendment of Appendix 1 of the City of Bedford Comprehensive Plan;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bedford, Virginia that APPENDIX 1 OF THE CITY OF BEDFORD COMPREHENSIVE PLAN be amended this 14th day of October 2003.

Mr. Warner explained the purpose of the proposed resolution amending Appendix 3 of the City of Bedford Comprehensive Plan. The Planning Commission recommended that City Council approve the resolution.

On motion by Councilman Padgett, seconded by Vice Mayor Tharp, voted upon and carried unanimously by a roll call vote, Council adopted the proposed resolution amending Appendix 3 of the City of Bedford Comprehensive Plan. Roll call vote follows:

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

The resolution follows as adopted:

**RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF BEDFORD
AMENDING APPENDIX 3 OF
THE CITY OF BEDFORD COMPREHENSIVE PLAN**

WHEREAS, the City of Bedford, Virginia (the “City”) is a political subdivision of the Commonwealth of Virginia exercising public

and essential governmental functions pursuant to the Constitution and laws of the Commonwealth of Virginia; and

WHEREAS, the Commonwealth of Virginia requires that local governments adopt and update every five years a comprehensive plan in order to best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants; and

WHEREAS, the City Council of the City of Bedford adopted an updated version of the City of Bedford Comprehensive Plan on January 28, 2003; and

WHEREAS, the City's intent is for the City of Bedford Comprehensive Plan to be an accurate and current representation of the City's policy at any given time; and

WHEREAS, the Appendix 3 of the City of Bedford Comprehensive Plan contains the City of Bedford's Five Year Capital Improvement Program; and

WHEREAS, the City of Bedford's Five Year Capital Improvement Program has recently been amended to commence concurrent with the fiscal year beginning July 1, 2003; and

WHEREAS, the Planning Commission, at its first regular meeting in the fiscal year beginning July 1, 2003, held a public hearing and recommended amendment of Appendix 3 of the City of Bedford Comprehensive Plan to replace the Capital Improvement Program beginning July 1, 2002 with the one commencing on July 1, 2003;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bedford, Virginia that APPENDIX 3 OF THE CITY OF BEDFORD COMPREHENSIVE PLAN be amended this 14th day of October 2003.

Mr. Warner explained the purpose of the proposed resolution amending the City of Bedford Comprehensive Plan to include the Burks Hill Neighborhood Master Plan as Appendix 4. The Planning Commission recommended that City Council approve the resolution.

A brief discussion ensued.

Vice Mayor Tharp moved that Council adopt the resolution amending the City of Bedford Comprehensive Plan to include the Burks Hill Neighborhood Master Plan as

Appendix 4. Councilwoman Flood seconded the motion. The motion was then voted upon and carried unanimously by the following roll call vote:

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

The resolution follows as adopted:

**RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF BEDFORD
AMENDING THE CITY OF BEDFORD
COMPREHENSIVE PLAN
TO INCLUDE THE BURKS HILL
NEIGHBORHOOD MASTER PLAN
AS APPENDIX 4 OF SAID DOCUMENT**

WHEREAS, the City of Bedford, Virginia (the “City”) is a political subdivision of the Commonwealth of Virginia exercising public and essential governmental functions pursuant to the Constitution and laws of the Commonwealth of Virginia; and

WHEREAS, the Commonwealth of Virginia requires that local governments adopt and update every five years a comprehensive plan in order to best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants; and

WHEREAS, the City Council of the City of Bedford adopted an updated version of the City of Bedford Comprehensive Plan on January 28, 2003; and

WHEREAS, the City’s intent is for the City of Bedford Comprehensive Plan to be an accurate and current representation of the City’s policy at any given time; and

WHEREAS, the City of Bedford Planning Commission with the assistance of the City Planning and Community Development Department has prepared the Burks Hill Neighborhood Master Plan, held public

hearings on said plan, and recommended its adoption and inclusion in the City of Bedford Comprehensive Plan;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bedford, Virginia that THE CITY OF BEDFORD COMPREHENSIVE PLAN be amended to include the BURKS HILL NEIGHBORHOOD MASTER PLAN as APPENDIX 4 of said document this 14th day of October 2003.

The City Manager stated that since November 11, 2003, is Veterans Day, a City Holiday, Council is being asked to consider the adoption of a resolution canceling that meeting. Also, as December 23rd falls during the Christmas Holiday Season, Council is requested to adopt a resolution canceling the second Council meeting in December.

On motion by Councilman Padgett, seconded by Councilman Wandrei, voted upon and carried by a roll call vote, Council adopted the resolution canceling the first Council meeting in November and the second Council meeting in December. Roll call vote follows:

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

The resolution follows as adopted:

RESOLUTION

WHEREAS, Section 11 of the Charter of the City of Bedford requires that Council shall “fix the time and place of its meeting,” and

WHEREAS, the City Code requires in Section 2-3 that meetings shall be on “the second and fourth Tuesday and each month,” and

WHEREAS, the first regular Council meeting in November is scheduled for November 11, 2003, that date being Veterans Day, a City holiday; and

WHEREAS, the second regular Council meeting in December is scheduled for December 23, 2003, which falls during the Christmas Holiday Season;

NOW, THEREFORE, BE IT RESOLVED that the City Council meetings scheduled for November 11, 2003, and December 23, 2003, be and the same hereby are canceled.

A clarification was made, as noted previously in this set of minutes, regarding adoption of the Consent Agendas.

Councilman Wandrei moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(3) of the Code of Virginia of 1950, as amended, for an update on potential acquisition of property. The motion was seconded by Councilman Padgett, voted upon and carried by the following roll call vote:

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

Council adjourned into closed session at 8:04 p.m. The following non-council members attended: City Manager Meadows and City Attorney Berry.

Council reconvened into open session at 8:10 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 Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	aye
Councilman Stanley	aye
Councilman Tharp	aye
Councilman Wandrei	aye

Mayor Messier aye

Mayor Messier adjourned the meeting at 8:10 p.m.