

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 25, 2004.

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 May 11, 2004, were approved as distributed.

City Manager Meadows reported on the following:

- The City employee picnic was held on May 23 and was a success.
- Todd Stone, Fire Chief, had knee surgery as a result of an automobile accident and Zeph Cunningham, Assistant Fire Chief, will be filling in for the Fire Chief.
- Events: Conference for newly elected municipal officials will be held July 14-18 in Charlottesville; the Bedford County 250th Anniversary Parade will be held on May 31 beginning at 10:00 a.m.; the City will be participating in a state-wide initiative to remind citizens of the "Click It or Ticket" campaign on May 28 on Route 460.
- Mr. Meadows will be attending a conference on June 3.
- The regular June 8 Council meeting may be adjourned until June 15 at 6:00 p.m. for consideration of adoption of the FY 2004-05 City budget.

Councilman Wandrei stated that Bedford Main Street, Inc., needs volunteers for setting up the Parade on May 31, and for the Red, White, and Bluegrass Festival.

Councilman Hubbard, Chairman of the Finance Committee, stated the Committee met earlier in the evening and reviewed proposals for a City auditor for next year, and a decision was not made. The Committee recommended that Council approve the repayment of the Industrial Access Road Grant out of the contingency fund. Mr. Hubbard reported the Committee also approved revisions to building permit fees and cemetery fees, effective July 1, 2004.

The City Manager stated the Finance Committee recommends that Council appropriate \$446,083.33 from the General Fund Contingency for repayment of the City's Industrial Access Road Grant to the Virginia Department of Transportation of which half will be repaid to the City by Bedford County.

It was the consensus of Council to add the following item to the agenda under "New Business:"

- Appropriation of Funds – Industrial Access Road Grant – Virginia Department of Transportation

Mayor Messier opened the public hearing regarding the proposed FY 2004-05 City Budget at 7:38 p.m. The Notice of Public Hearing follows:

**NOTICE
SYNOPSIS OF BUDGET FOR FISCAL YEAR
JULY 1, 2004 TO JUNE 30, 2005
CITY OF BEDFORD, VIRGINIA**

Notice is hereby given that a public hearing will be held by the City Council, May 25, 2004 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 2004-05, at which time any citizen 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.

Ms. Victoria Johnson, Red Cross Director, asked Council to reconsider cuts to the Safe Haven Program.

Mr. David Thomas, Shady Knoll Avenue, spoke in opposition to the proposed real estate tax hike of four cents.

As there were no further comments, the Mayor closed the public hearing at 7:40 p.m.

The City Manager announced that Mr. Glenn Ayers, Chairman of Bedford County's 250th Anniversary, was not in attendance at the meeting as scheduled, to make a special presentation to Council in appreciation of the City's participation and support of the 250th celebration events.

Nanci Drake, Tourism Director, spoke briefly regarding upcoming events in the City.

City Manager Meadows stated that Bedford County is celebrating its 250th anniversary this year, and in recognition of this important milestone, a resolution has been prepared to congratulate the Board of Supervisors and the citizens of Bedford County.

The Clerk read aloud the following proposed resolution:

Resolution

Bedford County 250th Anniversary

WHEREAS, Bedford County was established 250 years ago in May 1754 and was named Bedford, in honor of John Russell, the fourth Duke of Bedford, who was Secretary of State of Great Britain at that time; and

WHEREAS, the County seat was moved from New London in 1782 to a new log courthouse situated on donated land in the town of Liberty, centrally located in Bedford County; and

WHEREAS, in 1892, the town of Liberty became Bedford City, a variation of which is used today; and

WHEREAS, Bedford County and the City of Bedford have shared a long and mutually beneficial relationship, an example of which is the historic Revenue and Growth Sharing Agreement, which has become a model of cooperation for other localities in the State of Virginia; and

WHEREAS, Bedford County is a valued and important participant in the life of the City of Bedford and Centertown;

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Bedford congratulates the Board of Supervisors and the citizens of Bedford County on the occasion of the 250 Anniversary of the founding of Bedford County;

BE IT FURTHER RESOLVED that the Council of the City of Bedford expresses its best wishes to the County of Bedford and looks forward to continuing our mutually advantageous relationship for the next 250 years and beyond.

On motion by Vice Mayor Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously by a roll call vote, the resolution was adopted. 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 had copies of a proposed ordinance, which 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. Mr. Meadows reported that the ordinance had been posted in three locations in the City, in accordance with Section 2-30 of the City Code.

Mayor Messier stated the reading of the ordinance was waived as it had been properly posted.

Councilman Wandrei moved that the Ordinance be adopted. The motion was seconded by Councilman Padgett, voted upon and carried unanimously by the following roll call vote:

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. 04-8

**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, 2004, 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.

The City Manager stated the Finance Committee recommends that Council appropriate \$446,083.33 from the General Fund Contingency to be paid from the General Fund for repayment of the City's Industrial Access Road Grant that was provided to the City in October 1998. This had a five-year deadline, which was met in October 2003, and after several discussions with the Virginia Department of Transportation, they have requested that this money be paid back to them. Mr. Meadows stated that half of the total amount, \$223,041.66, will be repaid to the City by Bedford County.

Mr. Meadows suggested the following motion: that these funds be appropriated from the General Fund Contingency and paid from the General Fund to the Virginia Department of Transportation to meet this obligation.

On motion by Councilman Padgett, seconded by Vice Mayor Tharp, voted upon and carried unanimously by a roll call vote, Council approved the recommendation of the Finance Committee that funds in the amount of \$446,083.33 be appropriated from the General Fund Contingency to be paid from the General Fund to the Virginia Department of Transportation for repayment of the City's Industrial Access Road Grant. 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

Council proceeded to hold a work session on the proposed FY 2004-05 City Budget.

The City Manager reviewed a list of budget adjustments.

Discussion ensued.

Councilman Wandrei moved that Council restore the \$7,500 to the Bedford Ride Program. The motion was seconded by Councilman Padgett, voted upon and carried, five members voting aye, two members voting nay (Hubbard, Tharp).

Councilman Wandrei made a motion as follows: that Council spread the Christmas lights over a three-year period, which would result in approximately a \$3,700 savings; eliminate Big Island bank charge for utility bill collections - \$1,300 and that these funds be taken from the Electric Department and transferred to the General Fund and increase the General Fund; add in the \$7,500 for the Bedford Ride; eliminate the cemetery tent - \$2,500; eliminate the air-conditioned truck bed for the Animal Control vehicle; which would allow Council to reduce the increase in the tax rate from four cents to two cents. Councilman Hubbard seconded the motion.

Discussion ensued.

The motion was then voted upon and was defeated, three members voting aye (Messier, Hubbard, Wandrei) and four members voting nay (Flood, Padgett, Stanley, Tharp).

City Manager Meadows reviewed the budget schedule: June 8, public hearing for the proposed tax increase and budget work session; and consideration of approval of the budget on June 15.

Discussion ensued regarding items in the general fund.

The City Manager indicated that information on the new building permit and cemetery fees will be presented at the next meeting of Council.

There was a discussion concerning the recycling program.

Mayor Messier adjourned the meeting at 8:26 p.m.