

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., June 8, 2004.

Members present: Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman Thomas M. Padgett; Vice Mayor W. D. Tharp; and Councilman Robert T. Wandrei.

Members absent: Mayor E. Thomas Messier and Councilman C. G. Stanley, Jr.

Staff present: City Manager F. Craig Meadows; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Vice Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

The Vice Mayor indicated that the Mayor was with the Bedford International Alliance in France to attend the events marking the 60<sup>th</sup> anniversary of the D-Day Invasion.

Vice Mayor Tharp declared that the minutes of an adjourned Council meeting held on May 17, 2004, and the minutes of a regular Council meeting held on May 24, 2004, were approved as distributed.

On motion by Councilman Padgett, seconded by Councilwoman Flood, voted upon and carried, the following corrections were made to the following sets of minutes:

- April 13, 2004, minutes – added: Mayor Messier declared that the minutes of a regular Council meeting held on March 23, 2004, were approved as distributed.
- April 27, 2004, minutes – added: Mayor Messier declared that the minutes of a regular Council meeting held on April 13, 2004, were approved as distributed.
- May 11, 2004, minutes – added: Mayor Messier declared that the minutes of a regular Council meeting held on April 27, 2004, were approved as distributed.

City Manager Meadows reported on the following:

- A very moving 60<sup>th</sup> Anniversary of D-Day ceremony was held at the National D-Day Memorial on June 6.
- Events: American Cancer Society Relay for Life – June 11 and 12 at Jefferson Forest High School; the City Manager will attend a Virginia Local Government Finance Corporation Board of Directors meeting in Richmond.
- The staff was instructed by the Finance Committee to negotiate with Brown, Edwards & Company, current auditor. Negotiations have been completed and it is recommended to move forward with hiring Brown, Edwards to be the City's auditor for the next three years.

Vice Mayor Tharp acknowledged the loss of former President Ronald Reagan and suggested that the citizens join the United States and the world as it mourns the passing of a great leader.

Vice Mayor Tharp opened the public hearing regarding the proposed real property tax increase at 7:35 p.m. The Public Hearing Notice follows:

**CITY OF BEDFORD  
NOTICE OF PUBLIC HEARING  
PROPOSED TAX INCREASES**

A public hearing will be conducted by the City Council in the Council Hall of the Municipal Building, 215 East Main Street, Bedford, Virginia, beginning at 7:30 p.m. on Tuesday, June 8, 2004, to receive comments on proposed ordinances establishing tax rates for the Tax Year 2004. These tax rates are to support and fund the proposed budget for Fiscal Year 2004-2005.

The proposed rates are as follows:

	Current FY 2003-2004	Proposed FY <u>2004-2005</u>
Personal Property	\$1.80	\$1.80
Business Personal Property	\$1.50	\$1.50
Machinery & Tools	\$1.30	\$1.30
Public Service Corporations	\$0.80	\$0.84
Mobile Homes	\$0.80	\$0.84
Real Estate	\$0.80	\$0.84
Cigarettes & Tobacco	\$0.20	\$0.20

A full copy of the proposed ordinances is available for public review in the City Manager's Office, Municipal Building, 215 East Main Street, Bedford, Virginia, during normal business hours.

By Order of the Bedford City Council  
Teresa W. Hatcher

As there were no comments, the Vice Mayor closed the public hearing at 7:36 p.m.

Vice Mayor Tharp opened the public hearing regarding appointment of members to the City School Board at 7:36 p.m. The public hearing notice follows:

## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that, pursuant to Section 22.1-29.1 of the Code of Virginia of 1950, as amended, the City Council of the City of Bedford will hold a public hearing at 7:30 p.m. on June 8, 2004, in the Council Hall of the Municipal Building, for the purpose of receiving the views of citizens on the appointment of members to the City School Board.

Any citizens who wish to be considered for appointment to the City School Board should notify the office of the City Manager, P. O. Box 807, Bedford, VA 24523, phone 587-6001, no later than May 28, 2004.

As there were no comments, Vice Mayor Tharp closed the public hearing at 7:37 p.m.

The Vice Mayor opened a public hearing regarding conditional use requests at 7:37 p.m.. The public hearing notice follows:

### **PUBLIC HEARING NOTICE**

Notice is hereby given of a public hearing to be held by the City Planning Commission at 5:30 p.m. on Thursday, June 3, 2004 and by the City Council at 7:30 p.m. on Tuesday, June 8, 2004, at the City Municipal Building, Council Hall, 215 East Main Street for the purpose of:

- To consider a conditional use request to allow a State Farm Insurance Office in a TNO, Traditional Neighborhood Overlay District. Jeff Persinger, 738 Burks Hill Road, Bedford, VA 24523, is making the request.
- To consider a conditional use request to allow a Burton Conrad Holdings, LLC office in a TNO, Traditional Neighborhood Overlay District. Garry C. Howard, 752 Burks Hill Road, Bedford, VA 24523, is making the request.
- To consider a conditional use request to allow a private school on Baldwin Street. FE, LLC, 1467 Joppa Mill Road, Bedford, VA 24523 is making the request.

Information regarding these requests is on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to these requests will have an opportunity to express his/her views at this hearing.

By the Authority of the Planning Commission and  
City Council of the City of Bedford

Mr. Jeff Persinger, owner of 738 Burks Hill Road, asked Council to approve his conditional use request to allow a State Farm Insurance office at this address.

As there were no further comments, the Vice Mayor closed the public hearing regarding Mr. Persinger's request at 7:39 p.m.

Vice Mayor Tharp opened the public hearing regarding the conditional use request to allow a Burton Conrad Holdings, LLC office in a Traditional Neighborhood Overlay District at 7:39 p.m.

Mr. Buddy Faulconer, co-owner of the property, asked Council to approve the conditional use request to allow the property at 752 Burks Hill for use as an insurance agency.

As there were no further comments, the Vice Mayor closed the public hearing at 7:42 p.m.

Vice Mayor Tharp opened the public hearing regarding the conditional use request to allow a private school on Baldwin Street at 7:42 p.m.

Mr. Al Beisser, on behalf of FE, LLC, asked Council to approve the conditional use request to allow a private school on Baldwin Street.

As there were no further comments, the Vice Mayor closed the public hearing at 7:43 p.m.

City Manager Meadows stated that the Planning Commission met on June 3, 2004, and unanimously recommended that Council approve the conditional use request to allow a State Farm Insurance office in a TNO, Traditional Neighborhood Overlay District.

Discussion ensued regarding the driveway access, signage at the property, and the sign ordinance. It was determined that the Planning Commission's recommendation included the stipulation that all signs must conform to the current City standards.

On motion by Councilman Hubbard, seconded by Councilman Padgett, voted upon and carried, four members voting aye, one member voting nay (Wandrei), and two members absent (Messier, Stanley), Council accepted the recommendation of the Planning Commission to approve the conditional use request by Mr. Persinger for a State Farm Insurance office in a Traditional Neighborhood Overlay District at 738 Burks Hill Road.

City Manager Meadows stated that the Planning Commission met on June 3, 2004, and unanimously recommended that Council approve the conditional use request to allow a Burton Conrad Holdings, LLC office in a Traditional Neighborhood Overlay District at 752 Burks Hill Road.

On motion by Councilman Padgett, seconded by Councilwoman Flood, and discussed, Council accepted the recommendation of the Planning Commission to approve the conditional use request by Mr. Howard to allow a Burton Conrad Holdings, LLC office in

a Traditional Neighborhood Overlay District at 752 Burks Hill Road. The motion carried, four members voting aye, one member voting nay (Wandrei), and two members absent (Messier, Stanley).

The City Manager stated that the Planning Commission met on June 3, 2004, and unanimously recommended that Council approve the conditional use request by FE, LLC to allow a private school on Baldwin Street.

Councilman Padgett moved that Council accept the recommendation of the Planning Commission to approve the conditional use request by FE, LLC to allow a private school on Baldwin Street. Councilman Hubbard seconded the motion.

Councilman Wandrei indicated that he would abstain from voting as he has an ownership interest in adjoining property.

The motion was then voted upon and carried, four members voting aye, one member abstaining (Wandrei) and two members absent (Messier and Padgett).

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

City Manager Meadows reviewed an updated list of budget adjustments and an updated list of funding for outside agencies. Mr. Meadows stated that each penny on the real estate tax is approximately \$30,700.

The City Manager stated Council had been given a copy of a list of potential adjustments, which would achieve a two-cent reduction in the proposed real estate tax rate:

Increase Electric transfer to General Fund	90,400
-eliminate Big Island bank commission \$1,300	
-fund Christmas lights over two years \$27,000	
-transfer contingency funds from Electric \$61,600	
Eliminate Cemetery Tent	2,500
Eliminate Slid-In Bed Unit for Animal Control	
7,000	
Reduce real estate tax increase by \$.02	-
<u>(61,400)</u>	
Total Proposed Changes	\$
38,500	

Adjusted General Fund Contingency  
\$1,015,260

The City Manager will contact the County staff for clarification of an item in the County's budget for a museum curator listed under "Tourism." Discussion ensued.

Councilman Wandrei moved that Council adopt the suggested adjustments as given to Council (listed above) which would allow a reduction in the real estate tax increase to \$.02. The motion was seconded by Councilman Padgett, voted upon and carried.

Councilman Hubbard moved that Council adjourn 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 matters. Councilman Wandrei seconded the motion. The motion was voted upon and carried by the following roll call vote:

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

Council adjourned into closed session at 8:10 p.m. The following non-council members attended: City Manager Meadows and City Attorney Berry.

Council reconvened into open session at 8:50 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 Councilman Padgett, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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

Vice Mayor Tharp adjourned the meeting at 8:51 p.m. until June 15, 2004, at 6:00 p.m. in the Council Hall for consideration of the adoption of the proposed FY 2004-05 budget.

