

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 22, 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 June 8, 2004, were approved as corrected.

City Manager Meadows reported on the following:

- Dates to remember: the Fourth of July festivities will be held on July 3 to coincide with the LibertyFest Celebration to be held downtown; “Bedford Blues & Barbeque”, sponsored by Bedford Main Street, has been moved from August 14 to August 7; Virginia Municipal League Conference – October 3-5 in Alexandria; Virginia Local Government Manager’s Conference – June 23-25 – the City Manager will attend.
- An engineering firm, Thompson & Litton, has been hired to prepare the preliminary engineering report for a possible water line along Orange Street.
- The Bedford Main Street office has relocated to the Wachovia Building, 101 N. Bridge Street, Suite 3.
- A new marker has been placed in Centertown Park. It is a “Civil War Trails” marker.
- A public meeting to discuss the findings of Joyce Engineering on the additional ground water studies at the closed landfill will be held July 15 at 7:00 p.m. in the Council Chamber. The hearing will be conducted to meet DEQ requirements. Joyce Engineering will present the recommendations as to possible remediation solutions. The public comment period for the documents begins June 23 and ends July 23.

The City Manager reported that the second item on the Consent Agenda “Request to Block Street for 2004 Dixie Minor Sub-District Tournament” had been withdrawn as the tournament has been moved to another location.

Councilman Wandrei suggested that Council extend appreciation to Wachovia Bank as it is donating the space free to Bedford Main Street and also providing utilities.

Councilman Padgett expressed concern regarding one of the candidates for the Recreation Advisory Committee not being a registered voter in the City. Councilman Padgett asked about the requirements to be appointed to a governing body committee or board.

City Attorney Berry stated he could research the requirements for the Recreation Advisory Committee.

Discussion ensued.

Councilman Padgett moved that Consent Agenda item to appoint members to the Recreation Advisory Committee be removed from the agenda. The motion died for lack of a second.

It was the consensus of Council to remove Consent Agenda item "Request to Block Street for 2004 Dixie Minor Sub-District Tournament" from the agenda.

The Consent Agenda consisted of the following item: Appointment of Members – Recreation Advisory Committee. Recommendation – reappointment of Mr. Robert Clerk and appointment of Patricia Graves to serve three-year terms on the Recreation Advisory Committee, said terms to expire June 30, 2007.

Councilman Stanley moved that Council approve the Consent Agenda item "Appointment of Members to the Recreation Advisory Committee." Vice Mayor Tharp seconded the motion.

The City Manager stated that the Recreation Advisory Committee recommended appointment of Mr. Clark and Ms. Graves and the staff concurred with the recommendation.

Discussion ensued regarding if Council had ever directed that if there were more than one candidate for appointment to a committee or board, Council would conduct interviews for the position.

The City Manager indicated that he had researched this and the only candidates interviewed in the past have been for the School Board and for a vacancy on City Council. Mr. Meadows stated that he could not find any record in the past where there have been multiple applicants for any other board or commission where interviews have been conducted.

Councilman Wandrei stated that he felt if there are multiple applicants for appointment to a position on a board, committee, or commission, Council should show them the courtesy of interviewing them. Councilman Hubbard indicated his agreement with Councilman Wandrei.

Councilman Wandrei made a subsidiary motion that the agenda item to appoint members to the Recreation Advisory Committee be deferred and that Council interview the

candidates who have applied for the position. Vice Mayor Tharp seconded the motion. After further discussion the motion was then voted upon and carried.

Nancy Johnson introduced members of the Bedford County 250th Anniversary Committee: Nanci Drake, Sarah Oliver, Glenn Ayers, and a Presidential Sponsor, Peaks of Otter Winery represented by Danny Johnson. Mrs. Johnson read aloud a resolution from the Committee, which recognized and honored City Council for its support of the 250th Anniversary Committee. Mrs. Johnson presented Council with a framed copy of the resolution.

Danny Johnson presented members of Council with commemorative wine glasses.

City Manager Meadows stated that through a series of public meetings, the Region 2000 Regional Commission has developed the Region 2000 Greenways and Blueways Plan. The Plan was presented at a public hearing before Council on January 13, 2004, at which time Council informally endorsed its provisions. The Commission is now asking all localities within the region to formally adopt the Plan. Mr. Meadows reported the Planning Commission unanimously recommends that Council formally adopt the Plan.

The Clerk of Council read aloud the following proposed resolution:

**RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF BEDFORD
ADOPTING THE PROVISIONS OF THE
REGION 2000 GREENWAYS AND BLUEWAYS 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;

WHEREAS, the Region 2000 Regional Planning Commission, through a series of public meetings and presentations, has developed a document entitled “Region 2000 Greenways and Blueways Plan” (the “Plan”);

WHEREAS, the Planning Commission of the City of Bedford (the “Planning Commission”) endorsed the provisions of the Plan at its regular meeting on January 8, 2004; and

WHEREAS, the Planning Commission formally recommended adoption of the provisions of the Plan at its regular meeting on June 3, 2004;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bedford, Virginia that the provisions of the REGION 2000

GREENWAYS AND BLUEWAYS PLAN be formally adopted this 22nd day of June 2004.

On motion by Vice Mayor Tharp, seconded by Councilman Padgett, voted upon and carried unanimously 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
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Mayor Messier	aye

The City Manager reported that Council had received a proposed resolution involving a request for a right-of-way to be deeded to the City. The right-of-way is the property of the Virginia Department of Transportation (VDOT) associated with the construction of Independence Boulevard and East Main Street. In order to complete this request, it is necessary for the City to request ownership of the right-of-way from VDOT.

The Clerk of Council read aloud the following proposed resolution:

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
REQUEST THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO CONVEY RIGHT OF WAYS,
INCLUDING ANY RESIDUE PARCELS, ASSOCIATED WITH
THE ROUTE 122, INDEPENDENCE BOULEVARD PROJECTS,
AND THE ROUTE 460 BUSINESS, EAST MAIN STREET
PROJECT, TO THE CITY**

WHEREAS, by this Resolution the City of Bedford is requesting the Virginia Department of Transportation to convey the right of ways associated with the Route 122, Independence Boulevard Projects, and the Route 460 Business, East Main Street Project, to the City of Bedford; and

WHEREAS, said projects were completed in December 1989, December 1993, and April 2004, and residue parcels remain titled in the name of the Commonwealth of Virginia; and

WHEREAS, the Virginia Department of Transportation has agreed to convey all the residue parcels at no cost to the City;

NOW, THEREFORE, BE IT RESOLVED that the City of Bedford hereby authorizes the City Manager to request the Virginia Department of Transportation to convey the right of ways associated with Route 122 identified as Independence Boulevard Projects 0122-141-103, RW-201, and 0122-141-103, RW-202, and the right of way associated with Route 460 Business identified as East Main Street Project 0460-141-102, RW-201, to the City of Bedford.

On motion by Councilman Padgett, seconded by Councilwoman Flood, voted upon and carried unanimously by a roll call vote, Council adopted the resolution. 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 City Manager stated the City has employed the services of Joyce Engineering, Inc., to assist with groundwater monitoring and remediation issues for the City's closed landfill located on Orange Street. The estimated cost of these services through June 30, 2004, will be approximately \$209,000. In order to accommodate this level of expense in the Solid Waste Fund budget, Council will need to appropriate \$209,000 from the General Fund unappropriated contingency to transfer to the Solid Waste Fund. Council will also need to approve the appropriation of \$209,000 in the Solid Waste Fund for groundwater monitoring and remediation issues.

City Manager Meadows stated that the action requested is for Council to appropriate \$209,000 from the 2003-04 General Fund unappropriated contingency to account 109170.6007 (Transfer to Solid Waste Fund). Council is also requested to appropriate \$209,000 to revenue account 170510.0001 (Transfer from General Fund) and \$209,000 to expense account 174241.3124 (Groundwater Monitoring – Old Landfill) in the FY 2003-04 Solid Waste Fund Budget.

Vice Mayor Tharp moved that Council appropriate \$209,000 from the 2003-04 General Fund unappropriated contingency. The motion was seconded by Councilman Padgett, voted upon and carried unanimously 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

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

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

Council adjourned into closed session at 8:00 p.m.

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 Wandrei, seconded by Councilman Padgett, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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

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

Appointment of Members – City School Board

Vice Mayor Tharp moved that Council reappoint Paul Sherman and Debra Bond (terms expiring June 30, 2007) to the Bedford City School Board and appoint Betsy Kline to fill the unexpired term of Frank Mills (term expiring June 20, 2006) on the Bedford City

School Board. The Motion was seconded by Councilman Wandrei, voted upon and carried unanimously 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

Mayor Messier adjourned the meeting at 9:45 p.m.