

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., February 22, 2005.

Members present: Councilman Jeffrey B. Hubbard; Councilman Thomas M. Padgett; Councilman C. G. Stanley, Jr.; and Councilman Robert T. Wandrei.

Members absent: Mayor E. Thomas Messier; Councilwoman Mary L. Flood; and Vice Mayor W. D. Tharp

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

Clerk of Council Hatcher opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

As the Mayor and Vice Mayor were not in attendance at the meeting, it was necessary to select a presiding officer.

On motion by Councilman Padgett, seconded by Councilman Stanley, voted upon and carried, Councilman Wandrei was appointed presiding officer for the meeting.

Councilman Wandrei declared that the minutes of a regular Council meeting held on February 8, 2005, were approved as distributed.

The City Manager reported on the following:

- The new telephone system for City offices will be activated on February 25.
- The FY 2005-06 budget process is underway – CIP requests have been compiled and are currently under review; operating budget information was due in the Finance Office on February 21.
- The City has been awarded a \$35,000 Community Development Block Grant for planning the next phase of the City's centertown improvements.
- The CATV public hearing will be held at the Council meeting on March 8.
- The prebid conference for the City's next wholesale power supply contract will be on February 23 in Salem – RFP's have been sent to 38 suppliers.

Councilman Padgett asked who determines the recipient of the \$35,000 Community Development Block Grant funds.

Bart Warner, Director of Planning & Community Development, stated the grant was awarded to the City. The City has already undergone an RFP process and contracted with Frazier & Associates for the design aspect and with another firm for the market research portion of that grant.

Mr. Warner gave Council an update on the status of the Independence Boulevard master planning process. Three public meetings have been held getting input on potential and future development on the Independence Boulevard corridor as well as the East Main Street corridor. Mr. Warner stated the next step is to draft a conceptual plan for

development for review and comments. Mr. Warner indicated that discussion has been about the current zoning, which is primarily “Industrial” and speculation among property owners that they would like to see “Commercial” zoning allowed. Citizens have also expressed concerns about allowing “Commercial” zoning.

The Clerk of Council read aloud the following public hearing notice:

NOTICE OF PUBLIC HEARING

NOTICE OF INTENTION TO VACATE OR ABANDON A PORTION OF INDEPENDENCE BLVD. RIGHT-OF-WAY (DETENTION POND AREA ON WEST SIDE OF INDEPENDENCE BLVD. SOUTH OF SOUTHERN STATES PROPERTY)

Please take notice that at the meeting of the City Council of the City of Bedford, Virginia, to be held in the Council Chambers in the Municipal Building at 215 East Main Street, Bedford, Virginia, on February 22, 2005, at 7:30 p.m., KOKO, Inc., a Virginia corporation (contract purchaser from Community First Bank) will apply for abandonment pursuant to Virginia Code Section 15.2-2006 et seq. of a portion of Independence Boulevard right-of-way constituting a detention pond located west of the Independence Boulevard pavement and south of the Southern States Property. The abutting property owner will be required to purchase the vacated right-of-way by paying the entire expense of relocating the detention pond on adjoining property and by conveying such property to the City at no cost.

Highway plats describing the portion of the street to be abandoned and vacated are on file in the office of the City Manager.

Anyone who is in favor of or opposed to the application will have an opportunity to express their views at this hearing.

Councilman Wandrei opened the public hearing at 7:36 p.m. As there were no comments, Councilman Wandrei closed the public hearing at 7:36 p.m.

Councilman Wandrei stated that the next item on the agenda was the vacation or abandonment of a portion of Independence Boulevard right-of-way.

Councilman Wandrei indicated that as he represents the developer in the matter he would abstain from voting.

Mr. Warner stated this item involves property located directly across Independence Boulevard from its intersection with Freedom Lane. Presently there is a detention pond

that services the drainage from the road itself as well as the two properties across Independence Boulevard. Mr. Warner stated that the City has been approached by a developer who owns the adjacent property on that side of Independence Boulevard who wishes to use this piece of land as a developable site for their plans. In order to facilitate development of the site, the City has received the property from the Department of Transportation and in turn would deed that property to the developer. Mr. Warner stated as part of that process an agreement would have to be worked out to relocate the detention pond further away from Independence Boulevard on property owned and bounded by Community Bank, Southern States, and the developer. Mr. Warner reported that staff recommends approval of the request.

City Manager Meadows stated there are several details that need to be worked out including a written agreement between KOKO, Inc., and the City, which would address some of the matters mentioned by Mr. Warner. The City Manager indicated that no action was required at this meeting.

The City Attorney stated he would draft an agreement, which will be on the agenda of the next meeting.

Mr. Warner explained the request for vacation of Maiden Lane. Mr. Warner stated Maiden Lane is a paper street between Independence Boulevard and Shady Knoll Avenue. Mr. Allen F. Persinger and Peakland Investors who own the property in the adjacent strip of land surrounding the right-of-way are requesting that Maiden Lane be vacated so a new plat can be submitted correcting the situation and removing that road from the survey records. Mr. Warner stated that staff recommends approval of the request. Mr. Warner indicated the City Attorney had prepared a resolution regarding this matter.

Councilman Hubbard moved that Council approve the recommendation. Councilman Stanley seconded the motion.

The City Attorney stated the motion should include adoption of the resolution.

Councilman Hubbard amended his motion as follows: . . . and that Council adopt the resolution. Councilman Stanley, who seconded the motion, agreed to the amendment. The motion was then voted upon and carried by the following roll call vote:

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

The resolution follows as adopted:

**RESOLUTION AUTHORIZING EXECUTION ON BEHALF OF
THE CITY OF AN AGREEMENT OF VACATION VACATING
PORTIONS OF THE PLAT ENTITLED “MAP OF BEDFORD
COURT” SHOWING MAIDEN LANE AND A 2 FOOT WIDE
STRIP TO THE WEST OF MAIDEN LANE**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF
BEDFORD:**

Section 1. The City Council finds that the vacation of those portions of the plat entitled “Map of Bedford Court” recorded in Deed Book 153, at pages 222-223, which created a private street described as Maiden Lane and a 2 foot wide strip to the west of Maiden Lane, will not impede or alter access for any lot owners on said plat other than Allen F. Persinger and Peakland Investors, L.L.C., which own all lots on the plat adjoining Maiden Lane and which have requested such vacation.

Section 2. The City Council authorizes the Mayor and the Clerk, pursuant to Virginia Code Section 15.2-2272 on behalf of the City to execute an agreement of vacation, in form approved by the City Attorney, provided the applicants prepare a new plat of survey to be attached to the agreement of vacation combining the applicable portions of Maiden Lane and the 2 foot strip to their existing lots and provided all advertising and recording costs incurred by the City are reimbursed by the applicants.

City Manager Meadows stated the City recognizes the valuable role senior citizens play in the Bedford community and would like to pay tribute to them in declaring the month of May as Older Americans’ Month and supporting the Elderfest celebration to be held on May 5 and 6, 2005, which is a special event to honor senior citizens.

On motion by Councilman Padgett, seconded by Councilman Stanley, voted upon and carried, Council waived the reading of the resolution regarding Older Americans’ Month and Elderfest.

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

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

The resolution follows as adopted:

**RESOLUTION
IN SUPPORT OF OLDER AMERICANS' MONTH
AND ELDERFEST CELEBRATION**

WHEREAS, the City of Bedford recognizes and appreciates the vital role that our senior residents provide in our community; and

WHEREAS, communities such as Bedford desire to recognize their senior citizens by proclamation of the month of May as Older Americans' Month; and

WHEREAS, the City of Bedford plans to recognize and honor the importance of Older Americans' Month and our senior citizens with the Elderfest celebration to be held on May 5 and 6, 2005; and

WHEREAS, the Bedford City Department of Parks and Recreation will proudly host the Elderfest celebration in honor of our senior citizens and in recognition of Older Americans' Month;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Bedford hereby resolves that the month of May 2005 be recognized as Older Americans' Month, and that the City supports the Elderfest celebration to be held to honor and celebrate our senior citizens.

Councilman Wandrei adjourned the meeting at 7:44 p.m.