

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 10, 2005.

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 April 26, 2005, were approved as distributed.

The City Manager reported on the following items:

- Hydroelectric plant annual FERC inspection has been performed – the inspector appeared to be very pleased with the City's operations
- Reynolds Park annual clean-up – May 13 – students from New Covenant Schools will participate
- Cable TV franchise negotiation meeting – May 18 – with Charter Communications and the Town of Rocky Mount
- Relay for Life – May 20 & 21 – a City employee team will be participating
- First outdoor movie event – May 21 at Bedford Elementary School recreation field
- Eastside Master Plan meeting – June 7 – last meeting prior to submission of plan to the Planning Commission

Chief of Police Graham spoke regarding complaints received about “pocket rockets” which are considered mopeds. Chief Graham stated there is a loophole in the state law concerning the pocket rockets. The Chief stated he had given the City Attorney a draft ordinance that some other communities are enacting to try to control the mopeds. Chief Graham reviewed regulations that can be enforced: helmets, eye protection, and registering with the Police Department. By state law, riders must be 16 years old and the pocket rockets can be ridden 2 abreast. The Chief stated that he was getting complaints constantly about the pocket rockets.

The City Attorney stated he is reviewing the ordinance.

Mayor Messier asked if the City could take a stand and contact its delegates and senator regarding regulation of pocket rockets.

The City Manager stated he would contact the delegates and senator regarding this matter.

Councilman Hubbard, Chairman of the Finance Committee, stated the Committee met earlier in the evening and is in the process of reviewing bids to assess property parcels in the City.

Vice Mayor Tharp stated that on advice of the City Attorney, he would not participate in discussion nor vote on agenda item "Consideration of a Conditional Use Request – Edward D. and Nancy L. McCoy. The Vice Mayor stepped down from the dais.

Mayor Messier opened the public hearing regarding a conditional use request by Edward D. and Nancy L. McCoy at 7:40 p.m.

The Public Hearing Notice follows:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the Planning Commission at 5:30 p.m. on Thursday, May 5, 2005 and by the City Council at 7:30 p.m. on Tuesday, May 10, 2005 at the City Municipal Building, Council Hall, 215 East Main Street for the purpose of:

- To consider a conditional use request to allow non-family occupancy of a garage apartment in a R1A, Low Density Residential District. The request is being made by Edward D. and Nancy L. McCoy, 733 Longwood Avenue, Bedford, VA 24523.

Information regarding this request is on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to the request 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

Bart Warner, Director of Planning & Community Development, reported that the Planning Commission met on May 5 and recommended that Council deny the conditional use request.

Kathy Tharp, 725 Longwood Avenue, representing fourteen residents in nine households, presented to Council a petition in opposition to the conditional use request and spoke in opposition to the request.

Randy Patterson, 729 Longwood Avenue, also spoke in opposition to the request.

Ed and Nancy McCoy, 733 Longwood Avenue, spoke regarding the updating of their apartment and the person currently renting the apartment.

Jon Goldmark, 805 Longwood Avenue, explained the reasons he is opposed to the conditional use request.

George Murphy, 714 Longwood Avenue, spoke in opposition to the request.

Janice Morris, 726 Longwood Avenue, spoke in opposition to the request.

As there were no further comments, the Mayor closed the public hearing at 7:52 p.m.

Councilman Hubbard moved that Council deny the conditional use request by Edward and Nancy McCoy to allow a non-family occupancy of a garage apartment in an R1A, Low Density Residential District. Councilman Padgett seconded the motion.

Councilman Wandrei asked if the McCoy's obtained a building permit to make the renovations.

Mr. Warner stated the McCoy's probably did obtain a building permit to upgrade the apartment for use by their family members.

The motion to deny the conditional use request was then voted upon and carried.

Vice Mayor Tharp returned to the dais.

City Manager Meadows stated the month of May has been designated as National Historic Preservation Month in recognition of historic preservation for communities across the nation, both urban and rural, and for all Americans of all ages, all walks of life and all ethnic backgrounds.

On motion by Vice Mayor Tharp, seconded by Councilman Wandrei, voted upon and carried unanimously by a roll call vote, Council adopted a resolution regarding National Historic Preservation Month. 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 resolution follows as adopted:

RESOLUTION
National Historic Preservation Month

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Bedford declares that "*Restore America: Communities at a Crossroads* " is the theme for National Historic Preservation Month 2005, co-sponsored by Bedford Main Street, Inc., the Bedford Historical Society, and the National Trust for Historic Preservation.

BE IT FURTHER RESOLVED that the month of May be designated as National Historic Preservation Month in the City of Bedford, and that City Council calls upon the citizens of Bedford to join their fellow citizens across the United States in recognizing and participating in this special observance.

The City Manager stated the Virginia Department of Emergency Management has advised the City that it is the recipient of a \$2,000 grant for updating and review of the City's Local Capability Assessment for Readiness (LCAR) survey. This survey is now a yearly requirement for political subdivisions and must be completed by July 1 of each year. Mr. Meadows stated that the survey reviews and assesses the City's capabilities to respond to natural or manmade disasters. The \$2,000 must be used to offset expenses relating to the LCAR survey.

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council appropriated \$2,000 received from Emergency Management in the General Fund revenues for offsetting expenses relating to the City's Local Capability Assessment for Readiness (LCAR) survey, and appropriated \$2,000 in General Fund expenditures for the costs associated with the LCAR survey. 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

Council proceeded to hold a work session on the proposed FY 2005-06 City budget.

The City Manager reviewed various adjustments that had been made to the proposed budget as a result of the last budget work session and updated information received from Bedford County. Mr. Meadows stated that the total adjustments to the proposed budget amount to a decrease in the general fund budget of \$108,025. The City Manager stated this amount could reduce the proposed real tax rate by three cents.

City Manager Meadows reviewed and explained various items in Tourism Budget. Mr. Meadows stated the upcoming budget year will be the first full year of operation of the Visitor Center.

Barbara Parker, Director of Human Resources, explained the tuition reimbursement for job related training that is included in Travel & Training line items.

Ms. Parker also explained the Safety Awards for City employees.

City Manager Meadows and Fire Chief Stone reviewed the Fire Department's plan for obtaining a new ladder truck.

Mayor Messier asked that discussion of replacement of the ladder truck be placed on the agenda of the next regular meeting.

City Manager Meadows reported that water and electricity are being used at the City's animal shelter as deer carcasses are being kept in a refrigerated trailer at the site and the water is being used to clean the truck and equipment.

The City Manager reported the schools contract requires that the City provide the furnishings for the schools.

City Manager Meadows stated that the Public Works Director and the Director of Planning & Community Development have compiled a comprehensive list of projects, including sidewalks, that could be funded with the Virginia Department of Transportation (VDOT) revenue sharing funds. The list will be reviewed with Council for prioritization in June and other projects could be added to the list. The application for funds must be submitted to VDOT by July 15.

It was the consensus of Council to reduce the proposed real estate rate increase by three cents.

Mayor Messier adjourned the meeting at 8:22 p.m.