

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., September 13, 2005.

Members present: Mayor E. Thomas Messier; 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: Councilwoman Mary L. Flood

Staff present: Interim City Manager Jack A. Gross; 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 August 23, 2005, were approved as distributed.

Interim City Manager Gross reported on the following:

- The Bedford County Board of Supervisors approved the supplemental agreement for the Bedford Joint Industrial Development Authority building and also the changing of the name of the Joint Industrial Development Authority to the Bedford Joint Economic Development Authority.

Director of Public Works Gibson gave a report regarding the water level at the Stoney Creek Reservoir: currently – 13 inches below the spillway; the City began pumping out of the river and using the well systems last week; the reservoir level is dropping approximately one-half inch per day and at that rate, if there is not significant rainfall, the City may be looking at possible voluntary water restrictions in about three to four weeks; the change of season is approaching, which means a reduction in water demand and typically wet weather.

Mr. Gross indicated that the staff would continue to keep City Council apprised of the situation.

Mayor Messier reported on the visit last week of eleven British citizens from Ivybridge, two visitors from California, and two visitors from Colorado. The visitors were hosted by the Bedford International Alliance. The Mayor stated that the visitors thoroughly enjoyed Bedford and its hospitality and presented gifts to the City of Bedford (three piece artwork done by a 19 year old college student in Ivybridge and photographs in Ivybridge taken by elementary school students.) A crystal bowl was also presented and is on display at the Visitors Center.

Mr. Bart Warner, Director of Planning & Community Development, reported that the Public Hearing is for the consideration of a rezoning request from M-1, Manufacturing, to B-2, General Business, of certain properties identified as on a plat entitled “3 Tracts of

Land on Independence Boulevard.” Mr. Warner stated the item was submitted to Council for consideration by the staff. For several months the staff has been in discussions with a developer who intends to construct a restaurant on the site in question, which would not be a permitted use under the current zoning. Mr. Warner reported that the Planning Commission unanimously recommends approval of this request.

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, September 1, 2005 and by the City Council at 7:30 p.m. on Tuesday, September 13, 2005 at the City Municipal Building, Council Hall, 215 E. Main Street for the following purpose:

- To consider rezoning from M-1, Manufacturing to B-2, General Business the properties identified as New Tract 3 containing 1.606 acres and New Tract 4 containing .47 acres on the plat entitled “3 Tracts of Land on Independence Boulevard” prepared by Berkley-Howell and Associates, P.C. dated August 9, 2005.

The request is made by the City of Bedford.

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

Anyone who is in favor of or opposed to this request will have an opportunity to express their view at this hearing.

Mayor Messier opened the public hearing at 8:35 p.m. As there were no comments, the Mayor closed the public hearing at 8:35 p.m.

The Consent Agenda consisted of the following item: Appointment of Mr. Shim Zudekoff and Mr. Jim Revel to serve on the Keep Bedford Beautiful Commission for terms expiring June 30, 2008.

Vice Mayor Tharp moved that the Consent Agenda be adopted. Councilman Padgett seconded the motion, which was voted upon and carried by the following roll call vote:

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

aye

Mayor Messier

aye

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried, Council approved the rezoning request from M-1, Manufacturing to B-2, General Business, of the properties identified as New Tract 3 containing 1.606 acres and New Tract 4 containing .47 acres on the plat entitled “3 Tracts of Land on Independence Boulevard.”

Interim City Manager Gross stated that Council had received a proposed resolution granting the Industrial Development Authority (IDA) of the City of Roanoke permission to hold a public hearing in Roanoke. The request is in connection with the issuance of bonds on behalf of Carilion Roanoke Memorial Hospital in Roanoke, Carilion Roanoke Community Hospital in Roanoke, Carilion Giles Hospital in the Town of Pearisburg, Giles County, Virginia, Bedford Memorial Hospital in the City of Bedford, Carilion Franklin Memorial Hospital in the Town of Rocky Mount, Franklin County, and Carilion New River Medical Center in Montgomery County. Mr. Gross reported that these bonds provide financing for the costs of renovating and/or expanding Roanoke Memorial Hospital, acquiring capital equipment and refunding certain of Roanoke Authority’s hospital revenue bonds, paying a portion of the interest accruing on the bonds during acquisition, construction, renovation, and equipping of the project, and also paying certain expenses incurred in connection with the issuance of the bonds.

Mr. Gross stated that this funding is similar in many respects to a project undertaken by Carilion in 1997, which also required Council’s approval for holding a public hearing in Roanoke and subsequently the approval of a resolution allowing Roanoke’s Industrial Development Authority to issue bonds for the improvement of the hospitals within its system, including Bedford Memorial Hospital. Mr. Gross said that at some point in the future, the City will receive a request on behalf of Roanoke’s IDA to issue these proposed bonds.

Mayor Messier waived the reading of the proposed resolution regarding the Roanoke Industrial Development Authority.

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the proposed resolution authorizing the Industrial Development Authority of the City of Roanoke to hold a public hearing in connection with the issuance in one or more series of not to exceed \$450 million aggregate principal amount of the Industrial Development Authority of the City of Roanoke, Virginia, hospital revenue bonds. Roll call vote follows:

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

The resolution follows as adopted:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BEDFORD, VIRGINIA AUTHORIZING THE INDUSTRIAL
DEVELOPMENT AUTHORITY OF THE CITY OF
ROANOKE, VIRGINIA TO HOLD A PUBLIC HEARING IN
CONNECTION WITH THE ISSUANCE IN ONE OR MORE
SERIES OF NOT TO EXCEED \$450,000,000 AGGREGATE
PRINCIPAL AMOUNT OF THE INDUSTRIAL
DEVELOPMENT AUTHORITY OF THE CITY OF
ROANOKE, VIRGINIA HOSPITAL REVENUE BONDS
(CARILION HEALTH SYSTEM OBLIGATED GROUP)**

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; and

WHEREAS, Carilion Medical Center (“CMC”) is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates Carilion Roanoke Memorial Hospital in the City of Roanoke, Virginia; and

WHEREAS, CMC also owns and operates Carilion Roanoke Community Hospital in the City of Roanoke, Virginia; and

WHEREAS, Carilion Giles Memorial Hospital (“CGMH”) is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates Carilion Giles Memorial Hospital in the Town of Pearisburg, Giles County, Virginia; and

WHEREAS, Bedford Memorial Hospital (“BMH”) is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates Bedford Memorial Hospital in the City of Bedford, Virginia; and

WHEREAS, Carilion Franklin Memorial Hospital (“CFMH”) is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia which owns and operates Carilion Franklin Memorial Hospital in the Town of Rocky Mount, Franklin County, Virginia; and

WHEREAS, Carilion New River Valley Medical Center (“CNRV”) is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates Carilion New River Valley Medical Center in Montgomery County, Virginia; and

WHEREAS, the Industrial Development Authority of the City of Roanoke, Virginia (the “Roanoke Authority”) has by resolution adopted on August 10, 2005 (the “Inducement Resolution”) evidenced its desire to issue one or more series of its revenue bonds for the purpose of providing funds to undertake any or all of the following: (i) paying, or reimbursing CMC for paying, a portion of the costs of (A) renovating and/or expanding certain portions of Carilion Roanoke Memorial Hospital and/or (B) acquiring certain capital equipment for use in or in connection with Carilion Roanoke Memorial Hospital (the “Project”); (ii) refunding all or a portion of (A) the Roanoke Authority’s Hospital Revenue Bonds (Carilion Health System Obligated Group), Series 2002A and (B) the Roanoke Authority’s Hospital Revenue Refunding Bonds (Carilion Health System Obligated Group), Series 2002B, Series 2002C, Series 2002D and Series 2002E (collectively, the “Bonds To Be Refunded”), the proceeds of which were loaned to CMC, CGMH, BMH, CFMH and CNRV; (iii) paying a portion of the interest accruing on the Bonds during the acquisition, construction, renovation and equipping of the Project; and (iv) paying certain expenses incurred in connection with the issuance of the Bonds; and

WHEREAS, the Roanoke Authority has delivered or caused to be delivered to the City a copy of the Inducement Resolution; and

WHEREAS, prior to the issuance of said revenue bonds, it is required by state and federal law that a public hearing be held during which members of the public are given an opportunity to express their views on the proposed issuance of said revenue bonds; and

WHEREAS, CMC, CGMH, BMH and CFMH have requested the Roanoke Authority to hold a public hearing in the City of Roanoke, Virginia on behalf of the City of Roanoke, Virginia, the County of Giles, Virginia, the City of Bedford, Virginia and the County of Franklin, Virginia in connection with the issuance of said revenue bonds; and

WHEREAS, the Roanoke Authority has requested that the County of Giles, Virginia, the City of Bedford, Virginia and the County of Franklin, Virginia authorize the Roanoke Authority to hold a public hearing in connection with the issuance of said revenue bonds;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Bedford, Virginia:

SECTION 1. The City hereby authorizes the Roanoke Authority to hold a public hearing on its behalf in connection with the proposed issuance by the Roanoke Authority of one or more series of its Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Carilion Health System Obligated Group) in the aggregate principal amount not to exceed \$450,000,000 (collectively, the “Bonds”) for the purpose of providing funds to undertake any or all of the following: (i) paying, or reimbursing CMC for paying, a portion of the costs of the Project; (ii) refunding all or a portion of the Bonds To Be Refunded; (iii) paying a portion of the interest accruing on the Bonds during the acquisition, construction, renovation and equipping of the Project; and (iv) paying certain expenses incurred in connection with the issuance of the Bonds; provided, however, that in accordance with Chapter 49, Title 15.2, Code of Virginia of 1950, as amended, the Roanoke Authority shall, after it holds the public hearing, convey a fiscal impact statement and a reasonably detailed summary of the comments expressed at the hearing to the City together with its recommendation at which time the City shall either approve or disapprove the issuance of the Bonds.

SECTION 2. This Resolution shall take effect immediately upon its passage.

The City Manager and City Attorney indicated that a proposed ordinance should be adopted regarding the previous agenda item “Consideration of a Rezoning Request – Property on Independence Boulevard.” The City Attorney stated that the proposed ordinance had been properly posted.

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the proposed ordinance regarding a rezoning request for property on Independence Boulevard. Roll call vote follows:

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

The ordinance follows as adopted:

Ordinance No. 05-18

AN ORDINANCE CHANGING THE ZONING MAPS

**FOR THE CITY OF BEDFORD
BY REZONING FROM M-1 TO B-2
PROPERTIES ON INDEPENDENCE BOULEVARD**

WHEREAS, the Planning Commission of the City of Bedford held a public hearing and on September 1, 2005 recommended to the City Council of Bedford that it approve a rezoning of parcels hereinafter described; and

WHEREAS, the City Council has held a public hearing after notice was given in the *Bedford Bulletin* once a week for two successive weeks as required by Virginia Code 15.2-2204;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

- Section 1. The Zoning Map of the City of Bedford is amended by rezoning from Manufacturing District (M-1) to General Business (B-2) the following described land:
- a. The properties identified as New Tract 3 containing 1.606 acres and New Tract 4 containing .47 acres on the plat entitled "3 Tracts of Land on Independence Boulevard" prepared by Berkley-Howell and Associates, P.C. dated August 9, 2005.

Section 2. This ordinance is effective upon enactment.

Mayor Messier adjourned the meeting at 7:45 p.m.