

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 28, 2006.

Members present: Mayor E. Thomas Messier; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman C. G. Stanley, Jr.; and Councilman Robert T. Wandrei.

Members absent: Councilman Thomas M. Padgett and Vice Mayor W. D. Tharp

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 an adjourned Council meeting held on January 23, 2006, a regular Council meeting held on January 24, 2006, and a called Council meeting held on February 21, 2006, were approved as distributed.

Interim City Manager Gross reported that the City has reserved a table for the Bedford Area Chamber of Commerce Annual Dinner and Awards reception, which will be held at the Elks National Home on March 23. Members of Council are to notify the City Manager's Office if they will attend.

Councilwoman Flood, Property Committee Chairperson, reported that the Property Committee met earlier in the evening to review a request to beautify property within the City and also to review a tax exemption request.

Mayor Messier opened the public hearing regarding consideration of amending Section 609.02 of the Land Development Regulations at 7:32 p.m.

The Notice of Public Hearing 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, February 2, 2006 and by the City Council at 7:30 p.m. on Tuesday, February 28, 2006 at the City Municipal Building, Council Hall, 215 East Main Street for the purpose of:

- Consideration of amending Section 609.02 of the Land Development Regulations to allow agricultural cooperative retail sales and retail sale of lumber and/or building materials stored on site as permitted uses in the B-2, General Business District.

- Consideration of amending the Land Development Regulations to create a Special Corridor Overlay District.

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

Anyone who is in favor of or opposed to the 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

Bart Warner, Assistant to the City Manager, explained the reason for the request. The amendment would allow agricultural cooperative retail sales and supplies and retail sale of lumber and/or building materials and supplies stored on-site as permitted uses within the B-2, General Business District.

As there were no further comments, the Mayor closed the public hearing at 7:33 p.m.

Mayor Messier opened the public hearing regarding consideration of amending the Land Development Regulations to create a Special Corridor Overlay District at 7:33 p.m.

Mr. Warner explained the purpose of the special corridor overlay district.

As there were no further comments, the Mayor closed the public hearing at 7:34 p.m.

The Consent Agenda consisted of the following items:

- Appointment of Ms. Debra Parker to serve a three-year term on the Central Virginia Community Services Board, said term to expire December 31, 2009.
- Appointment of Ms. Lonnie Bailey to serve a four-year term on the City Planning Commission, said term to expire March 31, 2010.
- Reappointment of Jane Amnott, Thelma Hawkins, Dave Ballard and Meg Ballard to serve three-year terms on the Keep Bedford Beautiful Commission, said terms to expire June 30, 2009; and appointment of Sylvia Robertson to the Commission for a term to expire June 30, 2008.
- Request to block streets – Bedford Main Street, Inc. for:

“Gallery Walks” – April 21, June 16, and September 15, 2006, from 5:00 p.m. to 10:00 p.m., 100 block of South Bridge Street

“Libertyfest” – July 4, 2006, from 5:30 p.m. to 11:30 p.m., Center Street at the Farmer’s Market for a concert

“Bedford Blues & BBQ” – August 5, 2006, from 2:00 p.m. to 11:30 p.m., Center Street (between Main and Washington Streets)

“Centerfest” 2006 – September 29 and September 30, 2006, the following streets:

- East Main Street from Otey Street to Bridge Street
- West Main Street from Bridge Street to Ballard Street
- South Street from East Main Street to County Admin. Parking lot
- Court Street from Museum lot to East Main Street
- South Bridge Street from Main to Washington
- North Bridge from Main to City lot south of Railroad Bridge
- West Depot from North Bridge Street to Ballard Street, Market Square (all)
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The request is to close Center Street for a Centerfest Kick-off concert on September 29 from 6:00 p.m. until 11:30 p.m. and close the above streets on September 30 from 6:00 a.m. until midnight.

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

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

On motion by Councilman Wandrei, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council approved the request to block streets for “Hunter’s Retreat: The Battle at Liberty” on April 30, 2006, from 2:00 p.m. to 3:30 p.m. as follows: A military parade starting at Bedford Avenue from the intersection of 4th Street to North Bridge, the entire length of Depot Street, 4th Street from the railroad crossing to the intersection with Main Street, North Bridge Street from the southern corner of Bedford Avenue south to the intersection of S. Bridge Street and Washington Street to West Main Street from the corner of 4th Street to Bridge Street, and East Main Street to Court Street near the Museum. Roll call vote follows:

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

Councilman Wandrei moved that Council adopt the proposed ordinance amending Section 609.02 of the Land Development Regulations. Councilman Stanley seconded the motion.

Mayor Messier dispensed with the reading of the proposed ordinance.

The motion was then voted upon and carried by the following roll call vote:

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

The ordinance follows as adopted:

Ordinance No. 06-03

AN ORDINANCE AMENDING SECTION 609.02 OF THE CITY OF BEDFORD LAND DEVELOPMENT REGULATIONS

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

Section 1. The Land Development Regulations of the City of Bedford, Virginia, are amended by adding the following new provisions:

Section 609 General Business District B-2

Section 609.02. Within the General Business District B-2 the following uses are permitted:

- n. Agricultural cooperative retail sales and supplies
- o. Retail sale of lumber and/or building materials and supplies stored on-site

Section 2. This ordinance should be effective upon enactment.

Councilman Stanley moved that Council adopt the proposed ordinance amending the City of Bedford Land Development Regulations to provide for a special Corridor Overlay District. Councilman Stanley seconded the motion.

Mayor Messier dispensed with the reading of the proposed ordinance.

The motion was then voted upon and carried by the following roll call vote:

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

The Ordinance follows as adopted:

Ordinance No. 06-04

AN ORDINANCE AMENDING THE CITY OF BEDFORD LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR A SPECIAL CORRIDOR OVERLAY DISTRICT (SCOD)

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

Section 1. The Land Development Regulations of the City of Bedford, Virginia, are amended by adding the following new provisions:

601.12 Intent of the Special Corridor Overlay District (SCOD). The Special Corridor Overlay District, SCOD is intended to maintain the long-term mobility of arterial roadways (such as Routes 122, 221, and 460); to limit access and the number of conflicts (thereby reducing the need for additional crossover locations and traffic signals); to promote improved pedestrian and vehicular circulation; to encourage land assembly and the most desirable use of land in accordance with the comprehensive plan; to promote architectural continuity; to encourage designs which produce a desirable relationship between individual buildings, the circulation systems and adjacent areas; and to permit a flexible response of development to the market. The district shall apply only to specific areas as determined by City Council.

Section 618 Special Corridor Overlay District (SCOD)

618.01 Access to Arterial Roads

- a. "Arterial roads" are defined as primary roads designated by the Commonwealth of Virginia. For purposes of this ordinance, the following routes are identified as arterial roads: U.S. Highway 460, Route 221, Route 122, and Route 43.

- b. Any parcel or lot having frontage along an arterial road and in existence prior to February 1, 2006 shall be permitted one (1) direct access to that arterial unless the lot has other means of access to the arterial. If the lot has other means of access to the arterial, no direct access shall be permitted.
- c. At the time of plan submission and approval, if two (2) or more parcels in existence prior to February 1, 2006 are placed under one (1) ownership, control and/or maintenance, such assembly shall be permitted one (1) direct access to the arterial.
- d. Access to the arterial road shall be provided by a public street constructed to City standards, unless otherwise specified.

618.02 Permitted Uses. All permitted uses allowed under the provisions of the underlying zoning district.

618.03 Connectivity Required

- a. All streets and sidewalks, existing and proposed, shall interconnect within a development and with adjoining development unless otherwise specified.
- b. Where applicable, street and sidewalk stubs shall be provided with development adjacent to open land to provide for future development. At such time that open land is developed, it shall be connected to the existing development at the point of the street and sidewalk stubs.
- c. All private drives, sidewalks, means of ingress and egress, and/or parking lots shall be interconnected with adjoining development. Where applicable, stubs shall be provided with development adjacent to open land to provide for future development. At such time that open land is developed, it shall be connected to the existing development at the point of drive, sidewalk, and/or point of ingress and egress stubs.

Section 2. This ordinance should be effective upon enactment.

Public Works Director Clarke Gibson stated the City advertised a Request for Proposals for professional environmental services for the Corrective Action Plan implementation at the City's closed landfill on February 1, 2006. Mr. Gibson stated that two proposals were received and the staff recommends that Council approve the contract with Golder Associates, Inc.

On motion by Councilman Wandrei, seconded by Councilwoman Flood, voted upon and carried by a roll call vote, Council approved the contract for professional environmental services for the City of Bedford landfill permit Nos. 196 and 569, transfer station and compost facility. Roll call vote follows:

Vice Mayor Tharp	absent
Councilman Wandrei	aye

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	absent
Councilman Stanley	aye
Mayor Messier	aye

Public Works Director Gibson stated the City has been invited to participate in the Roanoke Valley-Alleghany Regional Water Supply Plan. Mr. Gibson reported as a result of the 1999 drought that the state experienced the State is requiring localities to submit a local water supply plan and are encouraging regional efforts to create these plans. Mr. Gibson stated the City is already participating in the Region 2000 Water Supply Plan, which meets the State requirement. The staff recommends that Council adopt the proposed resolution to support the Roanoke Valley-Alleghany Regional Water Supply Plan because this plan may offer some other options as far as water supply is concerned for the City's future that the Region 2000 Plan may not address. The costs are not available at this time, as engineering firms have not been procured. Mr. Gibson stated when costs are received, the City will reevaluate its position on this and can opt out of participation.

Mayor Messier dispensed with the reading of the proposed resolution.

On motion by Councilman Stanley, seconded by Councilman Wandrei, voted upon and carried by a roll call vote, Council adopted the proposed resolution regarding support of a Regional Water Supply Plan coordinated by the Roanoke Valley-Alleghany Regional Commission. Roll call vote follows:

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

The resolution follows as adopted:

RESOLUTION

In Support of a Regional Effort to Develop a Regional Water Supply Plan In Accordance with Virginia's Local and Regional Water Supply Planning Regulations

WHEREAS, improved coordination of drought response and water resources management activities at the local, regional and state levels are essential to guaranteeing the adequacy of Virginia's water supplies to meet the current and future needs of Virginia's citizens in an environmentally sound manner; and

WHEREAS, the Code of Virginia, as amended, requires the development of a comprehensive statewide water supply planning process to: (1) ensure that adequate and safe drinking water is available to all citizens of the Commonwealth, (2) encourage, promote, and protect all other beneficial uses of the Commonwealth's water resources, and (3) encourage, promote, and develop incentives for alternative water sources; and

WHEREAS, Virginia's Local and Regional Water Supply Planning Regulation requires that "all counties, cities and towns in the Commonwealth of Virginia shall develop a local water supply plan or shall participate in a regional planning unit in the submittal of a regional water supply plan to the Board in accordance with this chapter"; and

WHEREAS, the regulation, defines a "Regional Planning Unit" as a collection of local governments who have voluntarily elected to develop and submit a regional water plan, and local governments electing to participate in the submittal of Regional Water Supply Plans must notify the Virginia Department of Environmental Quality of the intent to participate in a Regional Plan by November 2008; and

WHEREAS, the Counties of Bedford, Botetourt, Franklin, and Roanoke, the Cities of Roanoke and Salem, and the Towns of Boones Mill, Rocky Mount, and Vinton desire to participate in a cooperative regional effort to develop and submit a regional water plan, as a "Regional Planning Unit", where the plan will result in the proposed development of future water supply projects that accommodate the long-range water supply needs of the participating local governments; and

WHEREAS, the Roanoke Valley-Alleghany Regional Commission has agreed to assist participating localities in applying for and coordinating a regional Water Supply Planning Grant from the Virginia Department of Environmental Quality to assist in development of a regional water supply plan that meets the criteria and conditions established in the Commonwealth's Local and Regional Water Supply Planning Regulation.

NOW, THEREFORE BE IT RESOLVED, that the City of Bedford will participate, as part of a regional planning unit, in a water supply planning effort to develop a regional water supply plan in accordance with Local and Regional Water Supply Planning Regulation (9 VAC 25-780).

Mr. Gross stated that Central Virginia Community Services would like to participate in the VML/VACO Commercial Paper Finance Program recently developed for Community Service Boards. CVCS has several facilities financed by bank loans, and refinancing with this program could reduce interest costs by up to forty percent. Each of its

participating jurisdictions is being requested to adopt a resolution approving the application.

Mayor Messier dispensed with the reading of the proposed resolution.

On motion by Councilman Stanley, seconded by Councilman Wandrei, voted upon and carried by a roll call vote, Council adopted the resolution approving the issuance of debt by the Central Virginia Community Services Board and related matters. Roll call vote follows:

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

The resolution follows as adopted:

**RESOLUTION OF THE
BEDFORD CITY COUNCIL
APPROVING THE ISSUANCE OF DEBT BY THE
CENTRAL VIRGINIA COMMUNITY SERVICES BOARD
AND RELATED MATTERS**

WHEREAS, the Board of Directors of the Central Virginia Community Services Board (the “Board”) has authorized the submission of a financing application (the “Application”) to the Virginia Municipal League/Virginia Association of Counties Commercial Paper Finance Program (the “VML/VACo Commercial Paper Program”) for the purpose of refinancing certain existing indebtedness of the Board (the “Existing Indebtedness”) through the issuance of one or more notes or bonds of the Board in a principal amount not to exceed \$1,700,000 (the “Note”).

WHEREAS, pursuant to Chapter 5, Subtitle II, Title 37.2 of the Code of Virginia of 1950, as amended (the “Act”), including Section 37.2-504 of the Act, the Board is authorized to accept loans as authorized by the governing bodies of the political subdivisions that established, which consist of Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg (collectively, the “Member Jurisdictions”), and such consent is being requested prior to the issuance of the note by the Authority

NOW, THEREFORE, BE IT RESOLVED:

1. The Bedford City Council (the "Locality") hereby approves the submission of the Application and consents to the issuance of the Note by the Board in order to refinance the Existing Indebtedness and to pay related costs and expenses, upon terms and conditions, and pursuant to such financing, collateral, and other documents, as shall be approved by the Board pursuant to a subsequent resolution adopted by the Board.

2. Each duly authorized officer of the Locality is hereby authorized to execute and deliver such additional instruments or to take such additional action as may be reasonably necessary to effectuate the purposes and intent of this Resolution and the issuance of the Note by the Board. Under no circumstances, however, shall the payment of debt service on the Note constitute general obligation indebtedness or a pledge of the full faith and credit or taxing power of any of the Member Jurisdictions.

3. This resolution shall take effect immediately.

Mr. Gross stated the City of Bedford recognizes the valuable role senior citizens play in the 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 4 and 5, 2006, which is a special event to honor senior citizens.

Mayor Messier dispensed with the reading of a proposed resolution in support of Older Americans' Month and the Elderfest Celebration.

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

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

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 4 and 5, 2006; 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 2006 be recognized as Older Americans' Month, and that the City supports the Elderfest celebration to be held to honor and celebrate our senior citizens.

Interim City Manager Gross stated that because of personal commitments he would be unable to work during the month of March. Mr. Gross stated his sincere appreciation to Council for providing him with the opportunity to serve as Interim City Manager for the past six months. Mr. Gross also thanked the staff for their help and stated he could not have gotten along without their cooperation, assistance and expertise. Mr. Gross recommended that Council appoint Bart Warner, Assistant to the City Manager, as Acting City Manager until the arrival of Mr. Kolakowski on March 27.

On motion by Councilman Wandrei, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council appointed Mr. Warner as Acting City Manager and commended Mr. Gross for acting as Interim City Manager. Roll call vote follows:

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

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