

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 22, 2007.

Members present: Mayor W. D. Tharp; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman C. G. Stanley, Jr.; Councilman Thomas M. Padgett; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei.

Members absent: None

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Tharp declared that the minutes of an adjourned Council meeting held on May 2, 2007, and a regular Council meeting held on May 8, 2007, were approved as distributed.

City Manager Kolakowski reported on the following: meetings have been scheduled for continued discussions with Bedford County and the Bedford County Public Service Authority and he will report back to Council on the progress.

Councilman Vest, Chairman of the Finance Committee, reported that the Committee met earlier in the evening regarding: report from Bedford Main Street regarding its focus and held a closed session about property.

Mayor Tharp opened the public hearing regarding the FY 2007-2008 budget at 7:33 p.m.

The public hearing notice follows:

**NOTICE
SYNOPSIS OF BUDGET FOR
FISCAL YEAR JULY 1, 2007 TO JUNE 30, 2008
CITY OF BEDFORD, VIRGINIA**

Notice is hereby given that a public hearing will be held by the City Council May 22, 2007 at 7:30 p.m. in the Council Hall of the City Municipal Building in relation to the budget for the City of Bedford for Fiscal Year 2007-08, at which time any citizen of the City shall have the right to attend and state his or her views. Detailed copies of the budget are available for inspection during normal office hours in the office of the City Manager and the office of the Clerk of Council.

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

Mayor Tharp opened the public hearing about amending the City of Bedford Land Development Regulations, Section 603.01, at 7:34 p.m.

The Public Hearing Notice follows:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the City Council at 7:30 p.m. on Tuesday, May 22, 2007 at the City Municipal Building, Council Hall, 215 East Main Street for the purpose of:

- To consider amending the City of Bedford Land Development Regulations, Section 603.01 b., to delete two-family dwellings as a permitted use in the R-1A, Low Density Residential district.

The request is made by the City of Bedford.

Information regarding these requests 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 City Council of the City of Bedford

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

Mayor Tharp opened the public hearing regarding appointments to the City School Board at 7:35 p.m.

The Public Hearing Notice follows:

NOTICE OF PUBLIC HEARING

Notice is hereby given that, pursuant to Section 22.1-29.1 of the Code of Virginia of 1950, as amended, the City Council of the City of Bedford will hold a public hearing at 7:30 p.m. on May 22, 2007, in the Council Hall of the Municipal Building, for the purpose of receiving the views of citizens on the appointment of members to the City School Board.

Any citizens who wish to be considered for appointment to the City School Board should notify the office of the City Manager, P. O. Box 807, Bedford, VA 24523, phone 587-6001, no later than May 16, 2007.

As there were no comments, the Mayor closed the public hearing at 7:35 p.m.

Mr. John Brinker, Vice President of Operations with JetBroadBand, spoke regarding transfer of Suddenlink Broadband's cable television franchise to JetBroadBand. Mr. Brinker reviewed the company's history and plans for the system.

Councilman Vest asked if the City could go to bid for the cable television franchise. City Attorney Berry stated he would have to check on that.

The City Manager stated Council was being asked to consider an amendment of the City of Bedford Land Development Regulations, Section 603. The amendment would delete Section 603.01.b, which currently allows two-family dwellings as a permitted use in the Low Density Residential (R-1A/R-1E) zoning. City Manager Kolakowski reported the Planning Commission recommends that Council approve the amendment.

Mr. Bart Warner, Assistant to the City Manager, stated the request comes from the Planning Commission and there will be some follow up items coming before Council. Mr. Warner stated the general intent is to simplify the Land Development Regulations by preserving the Single Family Residential District intact.

On motion by Vice Mayor Wandrei, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the Ordinance amending Section 603 of the Land Development Regulations. Roll call vote follows:

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

The ordinance follows as adopted:

Ordinance No. 07-5

**AN ORDINANCE AMENDING SECTION 603
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 deleting the following language:

603. Low Density Residential R-1A and R-1E

603.01 Permitted Uses. Within Residential Districts R-1A and R-1E, the following uses are permitted.

b. Two-family dwellings provided that one of the units is occupied by an owner of the property and that the following special requirements are met.

1. The rental unit shall be totally within the main building and shall not occupy more than sixty percent (60%) of the floor area within said building.
2. The building in which the rental unit is to be located must be an existing structure and not a proposed structure.
3. The presence of the rental unit shall not change the outside appearance of the dwelling.

Section 2. This ordinance is effective upon enactment.

The City Manager stated Council had received a proposed ordinance that readopts and reenacts Section 34-2 of the City Code, incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation. Failure to adopt this ordinance would mean that offenders would have to be charged under the State law rather than the City law. Any fines collected would then be payable to the State rather than to the City. The City Manager reported that the ordinance had been properly posted.

On motion by Vice Mayor Wandrei, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance dealing with traffic laws. Roll call vote follows:

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

The ordinance follows as adopted:

Ordinance No. 07-6

**AN ORDINANCE TO READOPT AND REENACT
SECTION 34-2 OF THE CITY CODE
INCORPORATING BY REFERENCE CURRENT PROVISIONS
OF THE CODE OF VIRGINIA DEALING WITH
TRAFFIC LAWS AND MOTOR VEHICLE OPERATION**

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

Section 1. Sec. 34-2 of the City Code is hereby readopted and re-enacted as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 in Article 9 (Sec. 16.1-278 et seq) of Chapter 11 of Title 16.1, and in Article 2 (Sec. 18.2-266 et seq) of Chapter 7 of Title 18.2, of the Code of Virginia, except those provisions and requirements the violation of which constitute a felony, and except those provisions and requirements which by their very nature can have no application to or within the City, are hereby adopted and incorporated herein by reference and made applicable within the City. References to "Highways of the State" contained in such provisions and requirements hereby adopted, shall be deemed to refer to streets, highways and other public ways within the City. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as those set forth at length herein, and it shall be unlawful for any person, within the City, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 9 of Chapter 11 of Title 16.1 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which are adopted by this Section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under such titles of the Code of Virginia.

Section 2. This Ordinance shall become effective on July 1, 2007, upon publication one time, immediately following its passage, in some newspaper published in the City or upon posting at three or more public places in the City for one week, as required by Section 19 of the City Charter.

Mayor Tharp stated he distributed to members of Council evaluation forms of the City Manager and the City Attorney and asked for the forms to be returned to him by May 30 either at his place of business or to the City Manager's administrative assistant in a sealed envelope.

The Mayor adjourned the meeting at 7:55 p.m.