

April 12, 2011

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., April 12, 2011.

Members present: Mayor W. D. Tharp; Councilwoman Mary L. Flood; Councilman Guy E. Murray, Jr.; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; 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 a regular Council meeting held on March 22, 2011, and the minutes of an adjourned meeting held on March 29, 2011, were approved as distributed.

City Manager Kolakowski reported on the following:

- Congratulated Jeff Weddle, Corey Crompton, D. W. Lawhorne, and the rest of the City staff for putting on a great cleanup week; there was a great turnout for E-Waste Day – almost 20 tons of electronic waste was recycled, documents were shredded, and a couple hundred gallons of paint was collected; almost 70 volunteers showed up for Cleanup Day.

The Consent Agenda consisted of the following items:

- Request to Close Streets for 2nd Annual Car Show – Main Street United Methodist Church Men’s Club - Saturday, June 4, 2011, from 8:00 a.m. until 2:00 p.m. The streets are as follows:

South Street from Main Street to Washington Street from 8:00 a.m. until 2:00 p.m. and Washington Street from Otey Street to South Street from 11:00 a.m. until 2:00 p.m. They would also like permission to use the parking lot behind the County Administration Building to place cars for the car show from 8:00 a.m. until 2:00 p.m.

- Reappointment of Mr. Billy Hackworth, Mr. Edgar Mitchell and Mr. Jerry Brown to each serve a five-year term on the Local Building Code Board of Appeals, said terms to expire June 11, 2016.

On motion by Vice Mayor Wandrei, seconded by Councilman Murray, voted upon and carried unanimously by a roll call vote, Council approved the Consent Agenda. Roll call vote follows:

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Councilwoman Flood	aye
Councilman Murray	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Mayor Tharp	aye

The City Manager said that Christmas in Action of Bedford, Inc. is requesting a waiver of landfill tipping fees and building permit fees in connection with the group's scheduled projects within the City, as well as any landfill tipping fees that might be applicable. They have selected three homes for this year in the City.

City Manager Kolakowski explained that Christmas in Action is a volunteer, nonprofit organization committed to helping home owners who are unable, either financially or physically, to repair or refurbish their homes by their own means. The estimated cost for the permit fees and landfill tipping fees would amount to approximately \$300.00. The staff has recommended the waiving of the fees; however, permits should be required for both zoning and building code purposes. In addition, it should be understood that any removal of asbestos must be done under EPA guidelines.

On motion by Councilman Murray, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council waived the building permit fees and landfill tipping fees for projects to be undertaken by Christmas in Action of Bedford, Inc., within the City. Roll call vote follows:

Councilman Murray	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Mayor Tharp	aye

The City Manager reported that the Wharton Memorial Foundation has presented a proposed deed to convey to the City a strip of land adjoining Wharton Gardens to become a part of the right-of-way of Robinson Way. The strip of land includes a sidewalk and additional parking area which the Foundation had agreed to convey to the City. State law requires that City Council approve acceptance of such real estate. The City Manager requested that Council adopt the resolution approving acceptance of the conveyance from Wharton Memorial Foundation.

On motion by Vice Mayor Wandrei, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the resolution approving acceptance of the conveyance from Wharton Memorial Foundation. Roll call vote follows:

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Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Murray	aye
Mayor Tharp	aye

The resolution follows as adopted:

RESOLUTION DIRECTING APPROVING AND ACCEPTING A STRIP OF LAND CONTAINING 0.026 ACRES FROM WHARTON MEMORIAL FOUNDATION.

WHEREAS, the Wharton Memorial Foundations desires to give a certain strip of land to the City of Bedford, which property contains 0.026 acres; and

WHEREAS, the City has caused a survey to be prepared showing the meets and bounds of the proposed gift containing 0.026 acres, as shown on the plat of survey entitled "Plat of 0.026 Acres to be Acquired by the City of Bedford..." prepared by Donnie W. Slusher, dated April 11, 2011; and.

WHEREAS, Wharton Memorial Foundation has delivered to the City of Bedford, Virginia, a proposed deed dated April 11, 2011, conveying the 0.026 acres as shown on the new City of Bedford Plat; and

WHEREAS, the City Council deems it in the best interest of the City to accept the proposed deed and to record a certificate to that effect in accordance with statutory provisions for acceptance of deeds of conveyance to municipal corporation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEDFORD AS FOLLOWS:

1. The City Council hereby approves acceptance of the Deed from Wharton Memorial Foundation dated April 11, 2011, conveying the 0.026 acres.

2. The Mayor, the City Clerk, and the City Attorney are hereby authorized and directed to execute for recordation an Approval and Acceptance of conveyance indicating such acceptance pursuant to Virginia Code Section 15.2-1803.

4. This Resolution shall take effect upon enactment.

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City Manager Kolakowski said the City of Bedford recognizes the valuable role senior citizens play in our community and would like to pay tribute to them in declaring the month of May as Older Americans' Month and supporting the 32nd Anniversary Celebration of Elderfest to be held on May 5 and 6, 2011, which is a special event to honor senior citizens. The City Manager stated that Council was requested to adopt a Resolution in support of Older Americans' Month and the 32nd Anniversary Celebration of Elderfest.

On motion by Councilman Stanley, seconded by Councilman Murray, voted upon and carried by a roll call vote, Council adopted the resolution in support of Older Americans' Month and Elderfest Celebration. Roll call vote follows:

Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Murray	aye
Councilman Rush	aye
Mayor Tharp	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 32nd Anniversary Celebration of Elderfest to be held on May 5 and 6, 2011; and

WHEREAS, the Bedford City Recreation Department will proudly host the 32nd Anniversary Celebration of Elderfest 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 2011 be recognized as Older Americans' Month, and that the City supports the 32nd Anniversary Celebration of Elderfest to be held to honor and celebrate our senior citizens.

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Vice Mayor Wandrei moved that Council adjourn into closed session pursuant to Section 2.2-3711 (a) (7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation. Councilman Rush seconded the motion. The motion was voted upon and carried by the following roll call vote:

Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Murray	aye
Councilman Rush	aye
Councilman Stanley	aye
Mayor Tharp	aye

Council adjourned into closed session at 7:08 p.m. The following non-council members attended: City Manager Kolakowski, City Attorney Berry, and Assistant City Manager Warner.

Council reconvened into open session at 8:07 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

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

Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Councilman Murray	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Tharp	aye

The Mayor stated that Council met in closed session to discuss the contract that deals with Bedford Primary School. Mayor Tharp said that Council will reconvene on April 20, 2010 at 5:30 p.m. to consider any additional information.

Mayor Tharp adjourned the meeting at 8:08 p.m. until Wednesday, April 20, 2011, at 5:30 p.m.