

January 10, 2012

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., January 10, 2012.

Members present: Mayor W. D. Tharp; 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: Councilwoman Mary L. Flood

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 December 7, 2011, were approved as amended; and the minutes of a regular Council meeting held on December 13, 2011, were approved as distributed.

City Manager Kolakowski reported on the following:

- As a result of the Council retreat, a number of ideas were raised by Council and the staff has been exploring those and will report back to Council.

Brad Creasy, Fire Chief, gave members of Council the Fire Department's annual report and said for Council members to call him with any questions. He said that the Fire Department appreciates the City's support.

Councilman Vest, Chairman of the Finance Committee, said the Committee met earlier in the evening regarding how to contain costs and the Audit Report with the Director of Finance and the Public Services Director regarding some of the findings that came out of the audit.

Councilman Murray mentioned the news report of Roanoke City garbage trucks being vandalized on January 9.

The City Manager said Bedford's garbage trucks are kept inside a fence and sometimes inside buildings.

City Manager Kolakowski said it is a violation of state law for any person to advertise or conduct a sale for the purpose of discontinuing a retail business or to use the term of "going-out-of-business" unless the person obtains a permit to conduct such sale from the City wherein the sale is to be conducted. Under state law a violation constitutes a Class One Misdemeanor. Every city is required to issue permits to retail merchants for such special sales upon application. Mr. Kolakowski stated that state law further provides that a city is authorized to charge a fee for issuance of special license permits in an amount not to exceed \$65. The current City Code establishes the license application fee of \$65.

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The City Manager reported that Council reviewed this matter at its meeting on December 13, 2011 and directed that an ordinance be advertised repealing the \$65 license application fee. An ordinance repealing the proposed fee effective July 1, 2011, has been advertised in accordance with City Code provisions.

On motion by Councilman Murray, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the ordinance repealing the license application fee. Roll call vote follows:

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

The Ordinance follows as adopted:

**Ordinance No. 12-1**

**AN ORDINANCE REPEALING THE APPLICATION  
FOR GOING-OUT-OF BUSINESS LICENSE FEE**

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

Section 1. Section 14-23 of the City Code, which provides that an applicant for a going-out-business permit shall pay a license fee prior to the issuance of a license, is repealed.

Section 2. The provision of Section 1-16 establishing the amount of license fee for going-out-of-business at \$65 is repealed, and paragraph (1) of Section 1-16 is amended and re-enacted as follows:

(1)	City Managers Office	
	Loudspeaker	\$25.00
	Canvasser/agents/per person	5.00
	Fireworks	25.00

Section 3. This ordinance shall take effect immediately upon passage and shall be retroactive from July 1, 2011, and the City Treasurer is directed to reimburse any going-out-of-business application fees paid or submitted with an application for a license permit after June 30, 2011.

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The City Manager said the gravel road leading to the public safety tower on No Business Mountain is in need of repair. The tower supplies radio signals to the City of Bedford, Bedford County, City of Lynchburg and Amherst County. When the lease with U.S. Cellular was negotiated, the City agreed to be responsible for maintenance to the road. The City will have the road repaired and will then be reimbursed by the Central Virginia Communications Board. The cost is expected to be from \$15,000 to \$20,000. City Manager Kolakowski said Council is requested to appropriate funding necessary to perform the needed repair work to the road leading to the communications tower on No Business Mountain with the understanding that the Communications Board will reimburse the City.

On motion by Councilman Stanley, seconded by Vice Mayor Wandrei, voted upon and carried by a roll call vote, Council appropriated funding necessary to perform the needed repair work to the road leading to the communications tower on No Business Mountain with the understanding that the Communications Board will reimburse the City. Roll call vote follows:

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

The Mayor adjourned the meeting at 7:12 p.m.