

December 9, 2014

A regular meeting of the Council of the Town of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., December 9, 2014.

Members present: Mayor Robert T. Wandrei; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman W. D. Tharp; and Vice Mayor James A. Vest

Members absent: None

Staff present: Barrett F. Warner, Assistant Town Manager; Town Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Staff absent: Town Manager Charles P. Kolakowski

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

Mayor Wandrei declared that the minutes of a regular Council meeting held on November 25, 2014, were approved as distributed.

Assistant Town Manager Warner reported on the following:

- Last weekend's events: English Meadows (former Elk's Home) Christmas lights were turned on; Bedford YMCA 5K race; annual Christmas parade; and the Artisan Trail hosted an event
- A meeting has been scheduled with Delegate Terry Austin on December 18 at 3:00 p.m.
- Town Holiday schedule: will close at noon on Wednesday, December 24 and reopen on Monday, December 29; and will be closed on January 1 and January 2
- Council's reorganization meeting will be held on Monday, January 5 at 6:00 p.m. in the Council Hall
- Noted this will be the last regular meeting for Councilman Stanley and Councilman Tharp and on behalf of the staff thanked them for their efforts on behalf of the Town

Mayor Wandrei thanked Councilman Tharp and Councilman Stanley for the services they have rendered as members of Council and presented each of them with a gift.

Vice Mayor Vest stated that he accompanied Mr. Beckham Stanley to meet with Delegate Austin.

The Mayor added a Closed Session regarding personnel matters.

Mr. Warner reviewed the following Notice of Public Hearing:

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PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the Town Planning Commission at 5:30 p.m. on Thursday, December 4, 2014 and Town Council at 7:00 p.m. on Tuesday, December 9, 2014 at the Town Municipal Building, Council Hall, 215 E. Main Street for the following purpose:

- To consider an amendment to Section 904 of the Town of Bedford Land Development Sign Regulations, to allow digital signage provided that it is located on streets or highways with a minimum posted speed limit of 45 miles per hour and with restrictions to size and imaging.

Information regarding this amendment 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 views at this hearing.

By the Authority of the Planning Commission
and Town Council of the Town of Bedford

Mayor Wandrei opened the Public Hearing at 7:04 p.m. As there were no comments, the Mayor closed the Public Hearing at 7:04 p.m.

Mr. Warner reported that the term of Mr. Walter Siehien on the Bedford Regional Water Authority will expire on December 31, 2014. Mr. Siehien has expressed a willingness to serve another term on the Authority, if reappointed by Council. The vacancy has been advertised in the local newspaper, and no other citizens have volunteered to serve. Council was requested to reappoint Mr. Walter Siehien to serve a four-year term on the Bedford Regional Water Authority, said term to expire December 31, 2018.

On motion by Vice Mayor Vest, seconded by Councilman Rush, voted upon and carried unanimously by a roll call vote, Council reappointed Mr. Walter Siehien to serve a four-year term on the Bedford Regional Water Authority, said term to expire December 31, 2018. Roll call vote follows:

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| Councilman Carson | aye |
| Councilman Hailey | aye |
| Councilman Rush | aye |
| Councilman Stanley | aye |
| Councilman Tharp | aye |
| Vice Mayor Vest | aye |
| Mayor Wandrei | aye |

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Ms. Megan Lucas, CEO of Region 2000 Business and Economic Development Alliance, reported that the Alliance has reorganized and is focused on generating jobs and capital investment and growing and expanding the recognition of its image and brand to generate the jobs and investment needed throughout the entire region. Ms. Lucas said the Alliance is that lead generating marketing arm that will produce leads to the regional economic developers on the ground in the Region 2000 footprint.

Mr. Ben Bowman, Executive Director of the Workforce Investment Board, reviewed highlights of the Region 2000 Workforce Investment Board's Annual Report for 2014. Mr. Bowman reported that a new web site has been launched that is part of the Board's awareness campaign trying to increase awareness of job seekers as well as employers regarding the services that are available.

Mr. Gary Christie, Executive Director of the Region 2000 Local Government Council, explained how the Alliance, the Workforce Investment Board, and the Local Government Council work together as the leadership team to push economic development and to strengthen the area's infrastructure. Mr. Christie said the Local Government Council helps the communities with grants, with project management, as well as using those grants to build infrastructure that is needed for economic development and quality of life purposes such as industrial parks, water lines, and community parks.

Mr. Warner said in recognition of changes in technology, the Planning Commission recommends amending the Land Development Regulations to permit digital signs within the B-2 zoning district under the following conditions:

- Signs may only be allowed for a permitted use located on a property adjacent to a street or highway with a minimum posted speed limit of 45 miles per hour;
- Signs must be ground mounted;
- Images displayed on signs must remain static for a minimum of 8 seconds;
- A change of image must be accomplished within one second or less; and
- Animation, scrolling, or action videos may not be displayed.

Mr. Warner reported that the Planning Commission met and recommended adoption of the proposed ordinance. Council was requested to adopt the proposed ordinance amending the Land Development Regulations to permit digital signs with the aforementioned conditions.

Councilman Rush moved that Council adopt the proposed ordinance amending the Land Development Regulations to permit digital signs with the aforementioned conditions. The motion was seconded by Councilman Carson.

There was discussion regarding the proposed ordinance being changed to 35 miles per hour as requested by Mr. David Whitehurst.

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

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| Councilman Hailey | aye |
| Councilman Rush | aye |
| Councilman Stanley | aye |
| Councilman Tharp | nay |
| Vice Mayor Vest | aye |
| Councilman Carson | aye |
| Mayor Wandrei | aye |

The ordinance follows as adopted:

ORDINANCE NO. 14-14

AN ORDINANCE AMENDING THE TOWN OF BEDFORD LAND DEVELOPMENT REGULATIONS

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

Section 1. Section 302.138 of the Land Development Regulations is amended as follows:

302.138 Sign, Flashing. A sign used for identification, direction, advertising or promotion that includes lights that flash, blink, turn on and off intermittently and/or display a static image for fewer than 8 seconds.

Section 2. Section 302.182 of the Land Development Regulations is enacted as follows:

302.139 Sign, Digital. A sign employing transmission of video programming in which video or multimedia content is displayed in public places for informational or advertising purposes. A digital sign usually consists of a computer or playback device connected to a large, bright digital screen such as a liquid crystal or plasma display.

Section 3. Miscellaneous provisions for freestanding signs contained in Table 904.09 of Section 904.09 of the Land Development Regulations of the Town of Bedford, Virginia, are amended by inserting the following proposed language:

Table 904.09 Sign Regulations for the B-1, B-2, CLI, and M-1 Zones.

| Type | Maximum Number | Maximum Size (sq. feet) | Miscellaneous Provisions | Maximum Height (ft.) | Location/ Clearance |
|---------|--------------------------|-------------------------|--------------------------------|----------------------|------------------------|
| Digital | For 1 use on 1 lot; 1 if | 20 | Permitted only in B-2 district | 20 | Within area landscaped |

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|--|---|-----------|---|-----------|---|
| | <p>building takes up less than 50% of total lot area</p> | | <p>for a permitted use located on a property adjacent to a public street or highway that has a minimum posted speed limit of 45 miles per hour.</p> <p>Must be ground mounted.</p> <p>May include address, name, and/or logo of tenant or building.</p> <p>Images displayed must remain static for a minimum of 8 seconds. A change of image must be accomplished within one second or less. Animation, scrolling, or action videos may not be displayed.</p> | | <p>with ornamental plantings. Minimum 25' separation from any other freestanding sign and setback at least 7' from the public right of way.</p> |
| | <p>1 for a Shopping Center and/or multiple tenant development</p> | <p>60</p> | <p>Permitted only in B-2 district for a permitted use located on a property adjacent to a public street or highway</p> | <p>20</p> | |

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| | | | <p>that has a minimum posted speed limit of 45 miles per hour.</p> <p>Must be ground mounted.</p> <p>May include address, name, and/or logo of tenant or building.</p> <p>Images displayed must remain static for a minimum of 8 seconds. A change of image must be accomplished within one second or less. Animation, scrolling, or action videos may not be displayed.</p> | | |
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Section 2. This ordinance is effective upon enactment.

The Assistant Town Manager said that in 2008, the City Code was amended to effectively merge the Electric and Public Works departments into a single entity known as the Department of Public Services. This was done in the face of then-current economic challenges and the effort of the City to consolidate services prior to consideration of reversion to Town status. Mr. Warner said the accomplishment of the reversion to Town status, the subsequent realignment of resources, and the recent retirement of the director of the combined department indicate that the efficient provision of Town services would be best served by re-establishing Electric and Public Works as separate administrative departments of the Town. This proposal would have no net effect on current staffing levels. The ordinance which would accomplish this task has been

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provided to Council and has been property posted. Mr. Warner mentioned an error in the proposed ordinance: Section 2-95 – the Department of Public Works would no longer include water, sewer, or the office of City Engineer, and asked that Council consider adopting the ordinance with the amendment. Mr. Warner said there are also several references to the City of Bedford that are contained throughout the existing code currently, which still needs to be codified, and said that Council may want to recognize the change from City to Town.

On motion by Councilman Rush, seconded by Councilman Hailey, voted upon and carried unanimously by the following roll call vote, Council adopted the proposed amended ordinance which amends sections 2-90, 2-95, and 2-96 of the Bedford Town Code. Roll call vote follows:

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| Councilman Rush | aye |
| Councilman Stanley | aye |
| Councilman Tharp | aye |
| Vice Mayor Vest | aye |
| Councilman Carson | aye |
| Councilman Hailey | aye |
| Mayor Wandrei | aye |

The ordinance follows as adopted:

ORDINANCE NO. 14-15

**AN ORDINANCE AMENDING SECTIONS 2-90, 2-95,
AND 2-96 OF THE TOWN OF BEDFORD CODE**

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

Section 2-90 of the Code of the Town of Bedford, Virginia, is hereby amended as follows:

**Sec. 2-90. Certain offices and departments created; new offices and
departments, reorganization, etc.**

(a) The following administrative offices and divisions of the town government are hereby created:

(1) Office of town attorney.

(2) Department of finance.

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(3) Police department.

(4) Department of public works.

(5) Department of electric utilities.

(6) Fire department.

~~(7) Department of parks and recreation.~~

(8) Department of planning and community development.

~~(9) Department of human resources.~~

(b) The foregoing enumeration of offices and divisions shall not be exclusive; and both the town council and the town manager, within the scope of his or her authority, may from time to time create such other administrative offices, divisions and units, however designated, as may be deemed desirable in the interest of efficient and economical administration of the functions of the town government.

Section 2-95 of the Code of the Town of Bedford, Virginia, is hereby amended as follows:

Sec. 2-95. Department of public works.

The department of public works shall be composed of the divisions of public works. The department of public works shall be under the immediate supervision of the town manager, who shall exercise general control over all division, offices and agencies within the department not inconsistent with other applicable sections of the Charter and the provisions of this Code.

(Code 1984, § 2-38)

Section 2-96 of the Code of the Town of Bedford, Virginia, is hereby enacted as follows:

Sec. 2-96. Department of electric utilities.

The department of electric utilities shall be under the immediate supervision of the town manager who shall exercise general control over the entire department

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not inconsistent with other applicable sections of the Charter and the provisions of this Code.

(Code 1984, § 2-39)

This ordinance is effective upon enactment.

Councilman Tharp moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(1) of the Code of Virginia of 1950, as amended, to discuss personnel matters. Councilman Stanley seconded the motion. The motion was voted upon and carried by the following roll call vote:

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| Councilman Stanley | aye |
| Councilman Tharp | aye |
| Vice Mayor Vest | aye |
| Councilman Carson | aye |
| Councilman Hailey | aye |
| Councilman Rush | aye |
| Mayor Wandrei | aye |

Council adjourned into closed session at 7:25 p.m. The following non-council members attended: Assistant Town Manager Barrett Warner, Town Attorney W. W. Berry, IV, Mr. Tim Black and Mr. Beckham Stanley, future Council members.

Council reconvened into open session at 7:42 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the Town 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 seconded by Councilman Rush, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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| Councilman Tharp | aye |
| Vice Mayor Vest | aye |
| Councilman Carson | aye |
| Councilman Hailey | aye |
| Councilman Rush | aye |

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| Councilman Stanley | aye |
| Mayor Wandrei | aye |

On motion by Councilman Rush, seconded by Councilman Hailey voted upon and carried unanimously, Council appointed the following individuals to the Middle School Advisory Board: Nick Soukhanov, Courtney Holdren, Barbara Owen, Dave Sensenig, John Bond, Brad Creasy, Susan Martin, Melvin Wright, and Patrick Ellis.

Mayor Wandrei adjourned the meeting at 7:44 p.m. until December 18, 2014, at 3:00 p.m. in the Council Hall.