

September 27, 2016

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., September 27, 2016.

Members present: Councilman Tim Black; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Vice Mayor Steve C. Rush; Councilman Beckham A. Stanley; and Councilman James A. Vest

Members absent: Mayor Robert T. Wandrei

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

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

Vice Mayor Rush declared that the minutes of a regular Council meeting held on September 13, 2016, were approved as corrected.

Town Manager Kolakowski said that Finance Director Jammes would report on a proposal for a bonus for Town employees. Mr. Kolakowski said some concern was brought up at a previous meeting for the employees, particular the lower paid employees, having difficulty due to the rising cost of health care every year and inflation. He said there was some thought that a bonus given to the employees might help them get by and cover the expenses for health care or for whatever purpose the employees would choose to do.

Finance Director Jammes explained how the bonus would be given in order for the employees to net \$500. She said that the bonus would not include department heads or upper administration. Ms. Jammes said there was some salary savings in the compensation line of about \$111,114. The bonus would be taken out of those salary savings. She said if Council approves this, the plan is to issue the checks in an off payroll week and that this could be done on Friday, October 7. Ms. Jammes said this would not apply to part-time employees.

Electric Director John Wagner reported that the Power Cost Adjustment (PCA) for October will be slightly higher than it was in September. Mr. Wagner said the PCA has been in effect for a little over a year and was started before he became director. Mr. Wagner stated that the structure of it is not something he particularly likes. He said the Town may want to consider restructuring this. Mr. Wagner indicated he would like to discuss this with the Electric Committee. The Snowden Hydro Plant is offline for maintenance and will probably be offline for the next four to five weeks.

Mr. Wagner continued his report: the Town received the check from VML for the speed increaser; preliminary discussions have been held with the recommended contractor for the peaking capacity project; the control system for the Hydro Plant is getting underway as well; tree trimming and vegetation control is continuing; discussions have been held

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with the Electric Committee about trying to acquire a little more land around the Colton Mill Substation; and an industrial engineer met with a large industrial customer who has had power quality issues and the department is trying to work on a solution for that customer.

Brad Creasy, Fire Chief, reported on the following: the department received a check from FEMA - it was a reimbursement check for a grant that was received about two years ago; hydrant maintenance is occurring - the hydrants are getting a face lift to meet national standards; some grants have been submitted; the department has participated with the Police Department and Sheriff's Department in a mass shooting drill; the Fire Department is experiencing lower than usual turn out numbers and a committee has been formed to look at what can be done to try to offer some incentives, such as college tuition assistance; statistically the number of working fires is down - the department continues to outreach in the community with the fire safety program, fire prevention, and the smoke detector program.

Ron Brown, 1221 Longwood Avenue, spoke about a vision for the Town and suggested that the Town work at becoming the World War II community and patriotic center. He said he would like for the Town to develop a tourism program based around the World War II era and reexamine Main Street based on that. Mr. Brown suggested that Bedford should declare a Town holiday on the anniversary of D-Day.

Sara Smith, Executive Director of Bedford Main Street, presented a Beautification Award to Bryan Schley for his business at 1000 Grove Street. She explained that Main Street's request to extend the time for street closures for Centerfest is due to the high number of vendors and this will allow the cleanup crew more time to clean the streets. Ms. Smith spoke about a new business coming to downtown by the end of October and said that the owner of another building downtown is currently recruiting a business.

Town Manager Kolakowski reviewed documents that were included in the Council packets: flyer about the regional suppers for 2016 that the Virginia Municipal League sponsors regarding legislative issues; Launch Party - Lynchburg Regional Business Alliance and Region 2000 - GO Virginia Area; NAACP Freedom Fund Banquet is scheduled for October 22; letter Mayor Wandrei sent to the Virginia Department of Transportation asking VDOT to expand its right-of-way maintenance at certain areas. VDOT, through its policy and through its budget restrictions, only cuts the grass and the weeds back twice a year; the Mayor forwarded a letter to the Middle School to encourage them to take part in the "If I Were Mayor" essay contest.

Town Manager Kolakowski reported on the following:

- a metal roof fabrication company is looking to locate on Route 460; the new owners of Huddle House have received approval for their refinancing so that they will be able to reopen; Fat Daddy's Barbeque is reopening as a restaurant; the new operation at the old Trident/Golden West facility is getting closer to operation.

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- Mr. Kolakowski said the Finance Committee has been tasked by the Mayor to review the Municipal Code and to update and make recommendations for the changing of the Code to reflect the new status as a town and also updating by removing some outdated references in the Code. He said that a much easier version of the Code has been obtained for use during the process instead of the book.
- Christie Crouch, IT Department, will be in touch with Council over the next month to talk about each Council member's page on the new website and will also meet with the department heads.
- The expansion of the Enterprise Zone is very close - there is a large industry in the expanded area that has done significant investment and will be eligible for the awards from the State and also for the local incentives.
- D. W. Lawhorne, Public Works Director is recovering from surgery and will probably be come back to work part time next week. He has passed along the following updates from his department: the trash carts have been delivered to all the residents in Town and a policy needs to be determined on the cost of the second carts; the new leaf machine was delivered on September 24; the fall cleanup begins next week; public works staff will be working on the Centerfest celebration; Mr. Lawhorne will give an update on the landfill operations when he returns to work; Mr. Lawhorne will report on the handicap playground equipment that is included in the budget; the rehabilitation work on the Grove Street brewery has started - a groundbreaking ceremony is tentatively scheduled on October 13 at 11:00 a.m. - the name of the business is Beales Brewery; that same area of town has received approval for preliminary funding for a planning grant from the Housing and Community Development group in the amount of \$5,000 as part of a possible \$35,000 planning for neighborhood improvement in that section of town, going all the way up to the Middle School; it was brought up a committee meeting that some repair work needs to be done at Liberty Lake pond on some docks and benches, and repairs will be made on potholes - ongoing steady improvements need to be done with that facility or a major project needs to be done; work is being done at the Fostek Corporation as far as providing better quality electrical services; Christie in the IT Department is working on the Shentel renewal focusing on the provision of broadband - a report will be made at the next Council meeting as to whether the franchise agreement needs another extension; asked that a Public Safety Committee be held prior to the next Council meeting to discuss a number of issues: the volunteer situation with the Fire Department and the situation with recruiting for the Police Department.

Vice Mayor Rush asked about the trash carts. The Town Manager said it was decided that once the carts were delivered, the policy regarding providing a second cart would be determined. Mr. Lawhorne will make a recommendation at the next Council meeting about establishing a charge for having a second cart.

Councilman Black spoke about encouraging businesses to make announcements regarding joint economic development. The Town Manager said there are a growing number of businesses that are locating and expanding in the Town.

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Vice Mayor Rush, Chairman of the Community Development Committee, reported the committee met last week and talked about some downtown improvement, parking lots, Liberty Lake Park repairs, and revenue sharing issues.

Upon a question by Councilman Vest, Mr. Kolakowski reported that he and Mr. Warner met with the Bedford County Administrator and the Director of Development for the County on September 28 to discuss building inspections and asked that they schedule another meeting with the committees to discuss the issue of duplication of billing and some other issues of common interest with the County.

The Vice Mayor said that Supervisor Andy Dooley had suggested that the Board of Supervisors have a joint meeting with Town Council.

Vice Mayor Rush said the following items were revisions to the agenda: Discussion of Bonuses for Town employees; Resolution - Proceeds from the Court; and Main Street Change of Time for Closure of Streets for Centerfest.

Councilman Hailey asked when the tablets for Council members would be ready. The Town Manager stated that Ms. Crouch is working on getting the tablets out to Council.

Town Manager Kolakowski reported that the Industrial Development Authority of the City of Bedford, Virginia, was created by ordinance on November 10, 1970. Because of the reversion of the City of Bedford to the Town of Bedford, and because industrial development authorities promote a wide range of other economic development activities, the Authority wishes to change its name to the "Economic Development Authority of the Town of Bedford, Virginia." Mr. Kolakowski said that Council must adopt an ordinance reflecting the change. Council was requested to adopt the proposed ordinance reflecting the name change.

On motion by Councilman Black, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the ordinance regarding the Industrial Development Authority name change. Roll call vote follows:

Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Wandrei	absent

The ordinance follows as adopted:

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**ORDINANCE NO. 16-10**

**ORDINANCE TO AMEND AND REENACT THE ORDINANCE CREATING THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF BEDFORD, VIRGINIA,” BY CHANGING ITS NAME TO THE “ECONOMIC DEVELOPMENT AUTHORITY OF THE TOWN OF BEDFORD, VIRGINIA.”**

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

1. that by ordinance adopted on November 10, 1970, the Bedford City Council created the Industrial Development Authority of the City of Bedford, Virginia (the “Authority”);

2. that by resolution adopted on September 12, 2016, the directors of the Authority requested that Town Council of the Town of Bedford, Virginia to adopt an ordinance amending the name of the Authority to the “Economic Development Authority of the Town of Bedford, Virginia”.

3. that the purpose of amending the name of the Authority is to reflect the fact that in addition to promoting manufacturing and industrial development within the Town, the Authority also promotes a wide range of other economic development activities, and also to reflect the reversion of the City of Bedford, Virginia to the Town of Bedford, Virginia.

4. that the name of the “Industrial Development Authority of the City of Bedford, Virginia” be and hereby is amended to the name of the “Economic Development Authority of the Town of Bedford, Virginia.”

**FURTHER** because the General Assembly of Virginia has rewritten Sections 15.1-1373 through 15.1-1390 of the Code of Virginia, the references to Sections 15.1-1373 through 15.1-1390 are now contained in Sections 15.2-4900 through 15.2-4920, and the Authority shall have the same power and duties and obligations as set forth in Sections 15.2-4900 through 15.2-4920, inclusive, of the Code of Virginia, or as any of said sections may hereafter be amended.

5. that except as amended herein, all of the terms and conditions contained in the ordinance adopted by City Council of the City of Bedford on November 10, 1970 shall remain in full force and effect.

This Ordinance shall become effective upon its adoption.

On motion by Councilman Hailey, seconded by Councilman Carson, voted upon and carried by a roll call vote, Council adopted the resolution requesting payment to the

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Town of Bedford of a pro-rata share of amounts secured by lien of unknown beneficiary in delinquent tax sale suite (Bedford v. Edna Reese, et al). Roll call vote follows:

Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Mayor Wandrei	absent

The resolution follows as adopted:

**RESOLUTION REQUESTING PAYMENT TO THE TOWN OF BEDFORD  
OF A PRO-RATA SHARE OF AMOUNTS SECURED BY  
LIEN OF UNKNOWN BENEFICIARY IN DELINQUENT  
TAX SALE SUIT (Bedford v. Edna Reese, et al)**

**WHEREAS**, the Town of Bedford is a party to a delinquent real-estate tax suit styled Town of Bedford v. Edna Reese et al, Case No. CL13000269; and

**WHEREAS**, such lawsuit has resulted in certain surplus proceeds being held by the Clerk of the Circuit Court for the County of Bedford; and

**WHEREAS**, by law, the Clerk of Circuit Court has held such surplus proceeds for a period of two years to allow any claims for such proceeds to be filed; and

**WHEREAS**, no such claims have been made within the statutory two-year deadline, and a hearing has been set to distribute the subject proceeds on October 6, 2016.

**NOW THEREFORE, BE IT RESOLVED**, that the Council of the Town of Bedford, Virginia does hereby request distribution of its pro rata share of the aforesaid proceeds to the Town of Bedford, Virginia, pursuant to Section 58.1-3967 of the Virginia Code.

The Town Manager said the next item on the agenda was a request by Bedford Main Street to make a modification to its street closing request for Centerfest 2016 as follows: to extend the time on Saturday, October 8, until 10:00 p.m. in the area on West Main Street from Bridge Street to Center Street.

On motion by Councilman Carson, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council approved the request of Bedford Main Street to extend

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the time on Saturday, October 8, until 10:00 p.m. in the area on West Main Street from Bridge Street to Center Street. Roll call vote follows:

Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Mayor Wandrei	absent

Town Manager Kolakowski said the next item on the agenda was employee bonuses, as recommended by the Finance Committee. Mr. Kolakowski stated the Finance Committee recommends that Council approve the awarding of a bonus to full-time employees, excluding department heads, of an amount that will yield them on average \$500.

Councilman Vest moved that Council approve the awarding of a bonus to full-time employees, excluding department heads, of an amount that will yield them on average \$500. The motion was seconded by Councilman Black.

Councilman Hailey suggested that part-time employees receive a bonus of \$250.

The Town Manager said that the City Attorney had requested to not be included in receiving the bonus. Mr. Kolakowski said that Mr. Berry suggested that the Clerk of Council also receive the part-time employee bonus.

Councilman Vest moved to amend his motion as follows: that the three part-time employees be included; exclude the Town Attorney; and add the Clerk of Council. Councilman Black seconded the motion. The motion to amend was then voted upon and carried by a roll call vote as follows:

Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Mayor Wandrei	aye

Councilman Vest's amended motion follows: that Council approve the awarding of a bonus to full-time employees, excluding department heads, of an amount that will yield them on average \$500 and that the three part-time employees and the Clerk of Council be included with the bonus yielding \$250; the Town Attorney will be excluded.

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

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Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Mayor Wandrei	absent

The Finance Director suggested that a note of thanks be written by the Mayor or a member of Council so the staff knows that this is a Council gift.

The meeting was adjourned at 8:10 p.m.