



**Town Council
Regular Meeting Minutes
March 10, 2020**

The Bedford Town Council of the Town of Bedford held a regularly scheduled meeting Tuesday, March 10, 2020 at 7:00 p.m. in the Town Municipal Building Council Hall.

Town Council members present:

Mayor Steve Rush, Vice Mayor Tim Black, Councilman Stacey Hailey, Councilman Bruce Johannessen, Councilman Bryan Schley, Councilman Darren Shoen, and Councilman C. G. Stanley

Town Council members absent:

None

Town Staff present:

Town Manager Bart Warner; Assistant Town Manager Sonia Jammes; Town Attorney William W. Berry, IV; Director of Public Works D. W. Lawhorn; Police Chief Todd Foreman; Fire Chief Brad Creasy; Economic Development Coordinator Mary Zirkle; IT Administrator Christie Crouch; Director of the Electric Department John Wagner; Clerk of Council Debra B. Anderson and Recording Secretary Julia Peters Clerk of Council Debra B. Anderson and Mary Boone Recording Secretary

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

APPROVAL OF MINUTES:

Mayor Rush declared that the minutes of the regular Council meetings held on January 28, 2020 and February 11, 2020 were approved as distributed. The minutes of the Council Retreat held on February 29, 2020 were also approved as distributed.

REPORT OF TOWN MANAGER:

Town Manager Bart Warner reported:

- Staff continues to work on code enforcement issues related to the property at 1508 Longwood Avenue. Presently the property is in compliance with applicable zoning regulations. One of the most visible aspects of that are the fences that were recently

erected which was done to screen the activity from view from the public right-of-way. There is a remaining occupancy issue that is still being addressed by the building official in cooperation with the property owner.

- Recovery work at the Bedford Middle School site continues. Temporary electrical service has been restored along with some approved temporary lighting. He spoke with Dave McCormack just today and he believes he has his insurance issues worked out and is ready to commence with clean-up efforts. However, he would like to meet with us to talk about possible changes in scope that would affect the way the clean-up takes place. Once he begins the clean-up work, he has advised us it will take approximately 60 days to complete.
- Cop Camp this year will be hosted at the Thomas Road Outpost. This is being done to reduce the costs for the program and to enhance some of the on-site activities that will be offered.
- The Spring Clean-up Week is scheduled to take place from Monday, March 30 through Friday, April 3, 2020.

Mr. Warner deferred to Police Chief Foreman for a special presentation.

Chief Foreman invited Troy Weaver to come forward for his Officer Swearing-In Ceremony. Officer Weaver came to Bedford Police Department from another agency. Officer Weaver has worked for a local police department, Bedford County Sheriff's Office, and recently for the Virginia ABC. The Clerk of Council read the Oath and Officer Weaver repeated and affirmed the Oath. Chief Foreman congratulated Officer Weaver and said he will be a great asset to the Police Department. Council members also welcomed Officer Weaver aboard.

APPEARANCES BEFORE COUNCIL:

None.

COUNCIL COMMENTS

Mayor Rush said he and Vice Mayor Black spent about three hours with Bob Carson on Saturday in the Edmond Street Park area. They brought to Mr. Carson's attention some concerns they had and will probably talk about them as Council gets into the budget.

Vice Mayor said it was a very good meeting and they came up with some ideas that they will share with the other Council members at the appropriate time to get their opinions.

REPORT OF COUNCIL COMMITTEES:

None.

REVISIONS TO THE AGENDA:

None.

PUBLIC HEARINGS:

None.

CONSENT AGENDA:

Appointment of Members – Town Planning Commission

The terms of Frances Coles and Jason Horne on the Town Planning Commission will expire on March 31, 2020. Both have agreed to serve another term if reappointed by Council and have requested such reappointment. The vacancies have been advertised in the local newspaper, and no other citizens have volunteered to serve.

ACTION REQUESTED:

Council is requested to reappoint Frances Coles and Jason Horne to serve four-year terms on the Town Planning Commission, said terms to expire March 31, 2024.

Mr. Hailey moved, seconded by Mr. Shoen, to reappoint Frances Coles and Jason Horne to serve on the Town Planning Commission, said terms to expire March 31, 2024.

Voted upon and carried by a roll call vote. Roll call as follows:

Vice Mayor Black	aye
Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Schley	aye
Councilman Shoen	aye
Councilman Stanley	aye
Mayor Rush	aye

The motion carries with seven members voting aye.

OLD BUSINESS:

None.

NEW BUSINESS:

Opportunity to purchase two tracts of land adjacent to Liberty Lake Park

The Town has the opportunity to purchase two tracts of real estate which border Liberty Lake Park. One tract containing 8.112 acres fronts on Burks Hill Road and lies just North of a portion of the park that also fronts on the road. The second tract containing 4.925 acres is located further back from Burks Hill Road, but it also adjoins the present northern boundary of the park.

The two tracts are close to each other, but do not border each other. Both border Liberty Lake Park, and the owners of each tract have agreed to give the Town an option to purchase the respective tract.

Under the arrangement with each of the owners, the Town Council at its March 10 meeting will discuss these two opportunities. In respect to each tract the Council after considering each tract separately has the following options:

- a) The Council is not interested in purchasing the tract, or
- b) The Council wishes to proceed with an option to purchase it for a set price, or
- c) The Council desires to study the proposal further and then make a decision on the option to purchase at the next regular meeting on March 24.

ACTION REQUESTED:

Town Council is requested to determine by proper vote which choice it wishes to make at this time in respect to each tract and to approve a purchase price if Council elects to exercise its option to purchase in respect to either tract.

Mayor Rush noted that the contracts for purchase were included in the Council members' agenda packets and should have been read by the Council members.

On a motion by Councilman Schley, seconded by Councilman Hailey, to proceed with the option to purchase for a set price of \$30,000, the tract containing 4.925 acres.

Voted upon and carried by a roll call vote. Roll call as follows:

Councilman Hailey	aye
Councilman Johannessen	aye
Councilman Schley	aye
Councilman Shoen	nay
Councilman Stanley	aye
Vice Mayor Black	aye
Mayor Rush	aye

The motion carries with six members voting aye and one member voting nay.

On a motion by Councilman Schley, seconded by Vice Mayor Black, to proceed with the option to purchase for a set price of \$125,000, the tract containing 8.112 acres.

Discussion followed. Mr. Black asked if enough funds were available for these purchases and would not take away from other commitments. Ms. Jammes said she would not have recommended it if the funds were not available. Mayor Rush asked Mr. Lawhorne to bring the Council up-to-date.

Mr. Lawhorne said they surveyed and identified all the corners of the property. There are some old buildings on the land but it is a good layout for future use. Potential use could include a football field, a soccer field, and another ball field. He had discussions with the County and soccer has picked up a lot and will continue to grow and they are in need of more areas for play. We could make a multi-purpose field for soccer and football in cooperation with the County's Parks and Recreation Department. The park is getting a lot of great use and more people are utilizing it which is what we want. Many events are taking place there now and the new land will enhance what we currently have at the park. The park would continue to have just one entrance and between the fields or behind the building a road can be constructed to get to that section. The timber could be cut off the land which would open up the views and in July the fireworks event would be easily seen. The property has the potential of giving our money back from the timber.

Voted upon and carried by a roll call vote. Roll call as follows:

Councilman Johannessen	aye
Councilman Schley	aye
Councilman Shoen	nay
Councilman Stanley	aye
Vice Mayor Black	aye
Councilman Hailey	aye
Mayor Rush	aye

The motion carries with six members voting aye and one member voting nay.

Extension of Waukeshaw Lease and Due Diligence Period

The performance agreement between the Town and Waukeshaw was executed on April 9, 2019, for a period of six months. Section 1.a indicates that if Waukeshaw is diligently pursuing due diligence items, the Due Diligence Period may be extended for one additional six-month term at the discretion of the Town. Such an extension was granted by Town Council on October 8, 2019.

As a result of the fire event in late January, Dave McCormack (President of Waukeshaw) has submitted an email requesting a further extension of the existing terms for an additional 90 days to July 9, 2020.

ACTION REQUESTED:

Town Council is requested to consider the extension of the Lease and Due Diligence Period for 90 days. This would extend the new expiration date to July 9, 2020.

Councilman Schley moved, seconded by Councilman Hailey, to extend the Waukeshaw Lease and Due Diligence Period for an additional 90 days.

Discussion followed. Mr. Warner reported that Mr. McCormack has his insurance issues resolved but he wants to talk to us about a change in scope. If the extension is granted, we will have 90 days to also have that discussion. If there is a change in scope that the Council wants to consider and renegotiate, it will affect the clean-up activity. The agreement will expire if we do nothing at this point. Essentially, then we will have no relationship and a burned out building that we own. Mr. McCormack wants to discuss with Council proceeding under the same terms with the same uses that were approved. Unfortunately, with the effect of the fire driving costs up, he wants to see if Council is amenable to other options that would be at a reduced cost but still meet our goals. Mr. Warner answered a few clarifying questions from Council.

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

Councilman Schley	aye
Councilman Shoen	aye
Councilman Stanley	aye
Vice Mayor Black	aye
Councilman Hailey	aye
Councilman Johannessen	aye
Mayor Rush	aye

The motion carries with seven members voting aye.

Mayor Rush stated that the regular Council meeting has concluded and after a five minute break, Council will return to the budget work session.

ADJOURNMENT:

7:29 p.m.

Steve Rush, Mayor

Debra Anderson, Clerk of the Council

