



Town Council
Regular Meeting Minutes
August 13, 2019

The Bedford Town Council of the Town of Bedford held a regularly scheduled meeting Tuesday, August 13, 2019, 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 and Councilman Darren Shoen

Town Council members absent:

Councilman Robert Wandrei

Town Staff present:

Town Manager Bart Warner, Assistant Town Manager Sonia Jammes, Town Attorney William W. Berry, IV, Director of Public Services D. W. Lawhorne, Chief of Police Todd Foreman and Mary Boone Recording Secretary.

Town Staff absent:

None

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 Meeting held on July 23, 2019, were approved as distributed.

REPORT OF TOWN MANAGER:

Town Manager Bart Warner reported:

- I am going to defer my time to Mr. Lawhorne to make a very special presentation on behalf of the Keep Bedford Beautiful Commission.

Mr. Lawhorne said this year the KBBC has decided to go out into the community and find

beautification projects to give somebody an annual award for that. We have our first one tonight and I'm going to ask Teresa Hailey, Vice Chair of KBBC, to come up and explain, she interviewed people and she can take it from there.

Teresa Hailey said good evening members of Council, my name is Teresa Hailey and I am the Vice President of the KBBC. What we decided to do is a rotating plaque which we will have an award that will be given one time a year. After that a certificate will be presented to that person. The plaque will be given back and then it will rotate at least twelve times. It was very hard to figure out who we wanted to win this. We had four nominees, Bedford Urban Garden, BVA Mercantile, The Alpaca Store and Wharton Story Book Garden, I interviewed Fred Duis and Libby Berry and they are here tonight to accept the award. The award was presented to Fred Duis and Libby Berry on behalf of the Wharton Story Book Garden.

Mr. Warner said that concludes my report and will be happy to respond to questions or comments you may have.

APPEARANCES BEFORE COUNCIL:

None

COUNCIL COMMENTS:

Councilman Johannessen – Mr. Rush, Mr. Black and Mr. Schley all did a great job planning the baseball celebration on Friday night. It came off very well.

Councilman Hailey – Thank you to Councilman Black, Councilman Schley and Mayor Rush for the event Friday night. We had Terry Austin here and I think it was a great turnout to show our support for our kids. Also, I would like to thank D.W. Lawhorne and Todd Foreman for National Night Out.

Vice Mayor Black – I echo Stacey on the National Night Out. I think that event continues to grow. Everyone did a great job with that.

Councilman Shoen – The softball ceremony was great. I do want to make a comment as far as how the signage was taken down. I was taken off guard because I came back from vacation and I was approached and asked what happened to the signs and I had no idea those signs were coming down. From there I made some calls and so forth and it is my understanding that many people in the Town believe that we voted to remove those signs. I want it on the record that I certainly didn't. It was a great event.

Mayor Rush – Same thing about the Night Out. Regarding the event the another night, the softball ceremony, the credit goes to Bryan and Tim. I just had to show up as Mayor and make my speech.

REPORT OF COUNCIL COMMITTEES:

Electric Committee – Councilman Bryan Schley

We had an electric committee meeting yesterday to discuss contractual issues that we are working through. We will give a report once that is finalized.

Economic Development – Councilman Bryan Schley

Economic Development met afterwards which I thought was extremely interesting. We went through a bunch of really lengthy reports, very knowledgeable, which highlighted some of the issues we have. One being that we have a lot of existing businesses that have needs, they have positions that need to be filled. I know we want to continue to grow and bring in more businesses but at the same time we have existing businesses that are here that can't fill. I think it is something we need to look at and not ignore going forward.

Public Safety – Councilman Hailey

Public Safety met this evening and Brad Creasy talked about some concerns with the fire department and the new truck is coming up next year.

REVISIONS TO THE AGENDA:

Public Hearing request to close streets will be moved to the consent agenda.

PUBLIC HEARINGS:

None

CONSENT AGENDA:

Request to Block Streets – “Boys With A Dream” Domestic Violence 5K Run/Walk

The Boys With A Dream Board of Directors is requesting permission to hold the third annual “Boys With A Dream” Domestic Violence 5K Run/Walk on Saturday, August 24, 2019, and to block the following streets from 9:00 a.m. to 12:00 Noon:

The course will start at the Bedford Middle School, exit onto Peaks Street, turn right on Whitfield Drive and left onto Oakwood Street. The 5K will continue down Oakwood Street for .28K more and turn around. Once the runners are heading back toward town on Oakwood Street, they will turn right onto Longwood Avenue and continue toward Bedford Middle School entering at the upper Longwood Avenue entrance.

They would like to request that the right lane of traffic be closed off with cones beginning at Longwood Baptist Church, and continuing to Elm Street on Longwood Avenue.

ACTION REQUESTED:

Town Council is requested to approve the closing of the above streets for the third annual “Boys With A Dream” Domestic Violence 5K Run/Walk from 9:00 a.m. to 12:00 Noon on August 24, 2019.

On a motion by Councilman Hailey, seconded by Vice Mayor Black, discussion ensued regarding when we get these requests including the Middle School should we have the entities have something included in this request saying they have permission from Waukeshaw Development, people are being referred to Waukeshaw but it would a good idea to have an acknowledgment, has the property been posted, the property has not been posted, organizations should have permission from Council before posting events, it should go through D. W., then fees, then before Council, we can have a checklist and say do this, this and this before it comes before Council, voted upon and carried by a roll call vote, Council approved the closing of the above streets for the third annual “Boys With A Dream” Domestic Violence 5K Run/Walk from 9:00 a.m. to 12:00 Noon on August 24, 2019. Roll call vote follows:

| | |
|------------------------|--------|
| Vice Mayor Black | aye |
| Councilman Hailey | aye |
| Councilman Johannessen | aye |
| Councilman Schley | aye |
| Councilman Shoen | aye |
| Councilman Wandrei | absent |
| Mayor Rush | aye |

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

OLD BUSINESS:

None

NEW BUSINESS:

The Bedford Area Family YMCA is requesting permission to hold the 40th YMCA’s Annual Peaks Otter Christmas Classic Foot Race on Saturday, December 7, 2019, and to block the following streets:

The course will start on Jackson Street, cross over N. Bridge Street and on to Bedford Avenue, turn right onto Ashland Avenue and continue on Ashland Avenue past College Street. The 5K will continue down Ashland and turn right on Lake Drive, turn right on Peaks Street, turn right on Avenel Avenue, turn left back onto Bedford Avenue. Once the

runners are headed back down Bedford Avenue, they will cross over N. Bridge Street once again and continue on Jackson Street, turn right on Grove Street and finish up a short distance past Beale's Brewery.

They would also like to request that the right lane of traffic be closed off using cones beginning at Jackson and Grove Streets and continuing throughout the course. Also, the left lane closed off on Grove Street in front of Beale's until Church Street. This will provide their participants with an extra margin of safety on Longwood Avenue. This road will need to be coned off from 7:30 a.m. – 10:30 a.m.

In addition to the 5K course, they will be running a kids one mile on the sidewalk. There are two locations where they will need to cross the street – one on Grove and Lee Streets and the other on Lee and North Streets. They are not requesting roads closed at those two points but are requesting police assistance to direct traffic while they cross unless the Town suggests otherwise.

ACTION REQUESTED:

Town Council is requested to approve the closing of the above streets for the 40th YMCA's Annual Peaks Otter Christmas Classic Foot Race from 7:30 a.m. to 10:30 a.m. on December 7, 2019.

On a motion by Councilman Schley, seconded by Vice Mayor Black, discussion ensued, Josh Raney with the Bedford YMCA was invited to participate in the discussion, regarding using Bedford Avenue in front of the fire and rescue squad and will it interfere with their ability to provide emergency services, parade route, Bridge St., Jackson St, and Bedford Avenue intersection is a major intersection is this going to be a problem, do not want the intersection closed for a major length of time, use of the Middle School is not going to be possible, bring in 600+ people into one area, Murray Bowling and that has area has the best parking, only need one lane so fire and rescue will have the whole other section to work with, we will only be running through that area from 8:30 a.m. to maybe at the most 9:00 a.m., walkers will be on the sidewalks, no problem with floats setting up, moved to Beale's because of use of electricity, everything will be closed off and possible construction at the Middle School, possible use of Bedford Baptist Church, wanting to honour Winston Chapman this year because he passed away and was one of the founders of this race and this is the 40th year, amount of police officers needed, using extra volunteers and working with Diane, parade coordinator, communication will be key, roads would be open between the race and parade, race should be over by 9:30 ish, Chief Foreman stated this will be a challenge and will do whatever Town Council approves, doing an alternate route and contacting Bedford Baptist Church, voted upon and carried by a roll call vote, Council approved the closing of the above streets for the 40th YMCA's Annual Peaks Otter Christmas Classic Foot Race from 7:30 a.m. to 10:30 a.m. on December 7, 2019. Roll call vote follows:

| | |
|------------------------|--------|
| Councilman Hailey | aye |
| Councilman Johannessen | aye |
| Councilman Schley | aye |
| Councilman Shoen | aye |
| Councilman Wandrei | absent |
| Vice Mayor Black | aye |
| Mayor Rush | nay |

The motion carries with five members voting aye, one member voting nay, one member absent.

The Town Attorney has prepared an ordinance revising the provisions of the Town Code dealing with the appointment and qualification, duties generally, and compensation of the Town Attorney.

The changes primarily address matters that relate to changes in the position which have occurred since much of the existing ordinance tracks language in the Town Code in the 1960s. A contract between the Town Attorney and the Town shall be used to reflect the details from time to time setting forth the duties and manner of compensation of the Town Attorney.

The ordinance has been posted for one week prior to the meeting as required by the Town Code.

ACTION REQUESTED:

Town Council is requested to adopt the proposed ordinance if it meets with Council’s approval.

On a motion by Councilman Hailey, seconded by Councilman Schley, voted upon and carried by a roll call vote, Council adopted the proposed ordinance. Roll call vote follows:

| | |
|------------------------|--------|
| Councilman Johannessen | aye |
| Councilman Schley | aye |
| Councilman Shoen | aye |
| Councilman Wandrei | absent |
| Vice Mayor Black | aye |
| Councilman Hailey | aye |
| Mayor Rush | aye |

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

The Ordinance is as follows:

ORDINANCE NO. 9

AN ORDINANCE AMENDING AND RE-ENACTING SECTIONS 2-330 THROUGH 2-332 CONCERNING THE APPOINTMENT, POWERS, DUTIES, AND COMPENSATION OF THE TOWN ATTORNEY

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

Section 1. The provisions of the Town Code, Section 2-330-332 constituting Division 7 (Town Attorney), Article IV (Officers and Employees), Chapter 2 (Administration) ARE amended and re-enacted to read as follows:

DIVISION 7. TOWN ATTORNEY

Section 2-330. Appointment and Qualification.

Pursuant to the Charter, the Town Council shall appoint an attorney for the Town who shall have been admitted to practice law in the courts of the state and who shall be designated as Town Attorney, and who shall serve at the pleasure and will of the Council.

Section 2-331. The Duties of the Town Attorney and the Compensation.

The Duties of the Town Attorney and the compensation, whether at a fixed salary or at an hourly rate, or a combination, as set from time to time by the Council shall be set forth in a written contract of employment between the Town Council and the Town Attorney. The attorney shall be allowed to recover such reasonable costs and expenses as may be approved by the Town Council. When services are performed at an hourly rate and when there are requests for reimbursements of costs, any payment shall be based on itemized lists of costs and services.

Section 2. This ordinance shall take effect immediately upon passage.

ADJOURNMENT:

Mayor Rush adjourned the meeting at 7:32 p.m.