



**Town Council
Regular Council Meeting Minutes
August 24, 2021**

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, August 24, 2021, at 7:00 p.m. in the Council Chambers of the Town Municipal Building at 215 East Main Street, Bedford, Virginia.

Town Council members present:

Mayor Tim Black, Vice Mayor Steve Rush, Councilman Stacey Hailey, Councilman Bruce Hartwick, Councilman Bruce Johannessen, 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 Michael Lockaby, Chief of Police Todd Foreman, Electric Department Director John Wagner, Director of Planning and Community Development Mary Zirkle, Clerk of Council Debra B. Anderson, and Recording Secretary Julia Peters

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

APPROVAL OF MINUTES

Mayor Black declared that the minutes of the Town's regularly scheduled meeting of August 10, 2021 were approved as presented.

REPORT OF TOWN MANAGER

Town Manager Bart Warner reported:

- Condolences were extended to Mayor Black and his family on the passing of his uncle, Elbert Black from Pulaski.

APPEARANCES BEFORE COUNCIL

Susannah Allen, 1490 Education Way Lane, Big Island, VA

Ms. Allen said she was before Council on behalf of Liberty High School's Student Council. In years past, Liberty has put on a Homecoming Parade which features each class float, the marching band, and also some club members. She was asking for approval for this year's parade in downtown Bedford with a route as the same as in year's past, starting on College Street, to Peaks Street, up to Bridge Street, and onto Main Street. The parade will end at Bedrock Community Church. It will take place on Thursday, October 14, 2021. They will begin to line up on College Street at 4:45 p.m. with the parade beginning at 5:30 p.m. Liberty High School has found that the community and the school has greatly enjoyed putting on the parade each year with the exception of last year due to Covid. They would like to do so again this year if Council approves.

Mr. Warner noted the parade would be handled as a procession with no road closures. Chief Foreman said the roads were temporarily closed at the last parade two years ago. He said it normally is not a problem but with the line-up beginning at 4:45 p.m., they may have to close the streets a little longer. Vice Mayor Rush mentioned that businesses are still open in downtown Bedford until 5:00 p.m.-5:30 p.m. and people are parking in town and then trying to drive home. He asked if the parade could be moved to 6:00 p.m. Chief Foreman said traffic is normally not too bad with this parade because of its short duration. Mayor Black suggested starting the parade at 5:45 p.m. Council asked Ms. Allen to see if the parade could be postponed until around 6:00 p.m. and Mr. Warner said he would send her the proper paperwork so she could ask for the permission officially and the Council could give her approval formally at the next meeting.

COUNCIL COMMENTS

Mr. Hartwick said that last week there was an opening of the ElectricCoMarket. This business allows someone who had an idea for a new business or shop, to try out their ideas before they had to lease space or buy a building. It gives people an opportunity to try things out for their business in Town and also provides help for people here.

Mr. Stanley commended the Town and Beacon Credit Union for the Battle of the Bands on Saturday afternoon and evening. It was a very good time and everyone should try to go next year. It had a good car show, good food, good company, and good music.

REPORT OF COUNCIL COMMITTEES

None.

REVISIONS TO AGENDA

Mayor Black added one item to the Agenda under **New Business**. Mayor Black, Vice Mayor Rush and Chief Foreman wanted to give Council an update regarding the new police department building project.

PUBLIC HEARINGS

None.

CONSENT AGENDA

Appointment of Member– Local Board of Building Code Appeals

There is a vacancy on the Local Board of Building Code Appeals; said term is to expire on April 30, 2023. Mr. Matt Holmstrom has expressed an interest in the vacancy and is seeking appointment. Mr. Holmstrom is a recently retired local building contractor with extensive knowledge and experience with existing and historical buildings, as well as new construction in both residential and commercial structures. Satisfying the State mandated needs of this vacancy as an experienced builder, Mr. Holmstrom also fulfills an additional State requirement as an experienced commercial property manager.

ACTION REQUESTED:

Council is requested to appoint Mr. Matt Holmstrom to serve on the Local Board of Building Code Appeals, said term to expire on April 30, 2023.

Mr. Hartwick moved, seconded by Mr. Shoen to appoint Mr. Matt Holmstrom to serve on the Local Board of Building Code Appeals for the said term to expire on April 30, 2023.

Voted upon and carried by the following roll call vote:

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

The motion carried with seven members voting aye.

OLD BUSINESS

Permitting a Multifamily Residential Development and R-3 Single-Family Development Standards by Conditional Use Permit (CUP) in a PRD Zoning District

Mayor Black said this item has been postponed for some time and there has been a lot of discussion on the subject. The motion was tabled previously and now some action is needed.

Mr. Hailey moved, seconded by Mr. Hartwick to put the item regarding Governor's Hill multifamily residential development by CUP in a PRD zoning district back on the table.

By a voice vote, the motion passed.

Mr. Rush moved to withdraw his previous motion to approve a resolution permitting a multi-family residential development and R-3 single-family development by Conditional Use Permit in a PRD Zoning District and meeting all other conditions listed in the resolution. Mr. Hartwick, who had seconded the previous motion, agreed to the withdrawal.

Mr. Lockaby noted that the item is now on the floor for a staff presentation or for questions from Council and a new motion can be made.

Mayor Black stated that staff has been working on the item and a list of conditions was composed for Council's review. There were two issues that needed discussing. One issue was the road situation where there is only one exit/entrance into the development. A change was made to propose two exits/entrances. Council members needed to get a consensus on whether to agree to only one access road or two. Discussion followed.

Vice Mayor Rush said he was in favor of two exit/entrance points due to the eventual volume of traffic created by the new development if it passed. The subject has pitted the neighborhood against each other, Phase 1 versus Phase 2. There has to be two access roads otherwise all the traffic runs through the one road which is a lot.

Councilman Hartwick said the residents of Governor's Hill would rather have the second road out of the cul-de-sac as an emergency access only.

Councilman Johannessen did not like opening up the cul-de-sac to a road.

Councilman Hailey noted that having one road creates more of a problem and thought two roads was best, whether the second road was only for emergencies or not.

Councilman Shoen stated he did not support the project at all. He thought the whole thing was a mess and it was a mess from the beginning where the developer did a sloppy job.

Councilman Stanley said his opinion is closer to Mr. Shoen's and he doesn't know why Council is doing all of this. He felt he was only for one entrance/exit but was not sure what all of this was about and guessed they would get to that.

Mayor Black said he had been in the neighborhood multiple times and listened to the residents and he understands their points from a planning standpoint and looking to the future, all that traffic cannot be put onto one road. He supports two access points which puts Council in a dilemma with three wanting two roads, three wanting one road and one wanting no roads. He thought the Council members should mull that over and go through the new conditions that staff had compiled. Then maybe someone would be ready to make a motion after going through all the new conditions.

Mr. Hailey stated that either Council tries to impose more conditions on the project or not. Without conditions the project may be worse than what it would be with the conditions.

Mr. Lockaby noted that since the past meeting when the item came up, he and Ms. Zirkle have made modifications to the conditions that were suggested last time. They received a request from the developer asking to defer this item again, but it is entirely up to the Council.

Mayor Black thought they could go down each condition and if anyone had questions, Ms. Zirkle or Mr. Lockaby could answer them.

Mayor Black read each condition from the modified list dated August 19, 2021 and asked Council members for their questions, opinions, or revisions to each condition. Council members discussed, gave their responses, and staff answered their questions.

Mr. Rush moved to approve a resolution allowing the CUP as reviewed with the noted conditions for Governor's Hill Section 3 and access of two roads. The motion failed with no second.

Mr. Hartwick moved, seconded by Mr. Rush, to approve a resolution allowing the CUP as reviewed with the noted conditions for Governor's Hill Section 3, and full access of one road, Crestridge Drive, and emergency access only on the second road spurring off the cul-de-sac, Emerald View Court.

Voted upon by the following roll call vote:

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

The motion failed with three members voting aye and four members voting nay.

Mr. Shoen moved, seconded by Mr. Stanley to deny the CUP.

Voted upon and carried by the following roll call vote:

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

The motion carried with four members voting aye and three members voting nay.

NEW BUSINESS

Resolution - CDBG “Hilltop Community Revitalization Project” Housing Grant

The Town began work on the “Hilltop Community Revitalization Project” as a follow-up implementation strategy to the “School-to-School / Bridge Street Revitalization” project. The Town received a pre-planning grant in September 2019 and a full planning grant in January 2020 from the Virginia Department of Housing and Community Development (DHCD) to prepare and submit an application for a Community Development Block Grant (CDBG) by April 1, 2021 for the “Hilltop Community Revitalization Project”. After holding the second of two public hearings at its meeting on March 9, 2021, Town Council authorized submittal of a Community Development Block Grant (CDBG) application and committed the requested match for it.

DHCD awarded the Town the requested funds of \$921,983.00 to rehabilitate or rebuild 11 specific houses described in the application over two years. This award of funds is pending several documents and actions as part of the 120-day contract negotiation period. There are eight items that Town Council needs to approve or act on in order to meet the requirements of DHCD. They are as follows:

1. Memorandum of Understanding with the Redevelopment and Housing Authority that authorizes the Authority to administer certain financial and contractual arrangements related to the CDBG.
2. Residential Anti-displacement Policy
3. Non Discrimination Policy
4. Section 3 Local Business Plan
5. Section 504 Grievance Procedure
6. Fair Housing Certificate
7. Lead Based Paint Presumption (Summary)
8. Appoint the Hilltop Community Housing Rehabilitation Board (Policy Board).

ACTION REQUESTED:

Town Council is requested to adopt a resolution that encompasses these approvals and actions as required by DHCD for issuing a contract to the Town for awarded housing improvement funds.

Mr. Hartwick moved, seconded by Mr. Hailey, to adopt the resolution that encompasses the approvals and actions as required by DHCD for issuing a contract to the Town for awarded housing improvement funds.

Discussion followed and questions from the Council members were answered by staff.

Voted upon and carried by the following roll call vote:

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

The motion carried with seven members voting aye.

The resolution follows.

RESOLUTION

**APPROVING CERTAIN MATTERS RELATED TO A
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, the Town of Bedford (“Town”), in cooperation with the Town of Bedford Redevelopment and Housing Authority (the “Authority”), intends to accept that certain Community Development Block Grant 21-21-06 from the Virginia Department of Housing and Community Development (“DHCD”) relating to the rehabilitation of the Hilltop community within the Town (the “Project”); and

WHEREAS, the Council of the Town must adopt and approve certain policies and documents in order for the Authority to be enabled, under state and federal policy, to carry out the Project; and

WHEREAS, this resolution is adopted for the purposes of carrying out the purposes of the Community Development Block Grant Program, as provided by state and federal regulation and enabled by Section 15.2-956 of the Code of Virginia, 1950, as amended, and the Housing

Authorities Act of 1938, Chapter 1 of Title 36 of the Code of Virginia, 1950, as amended, and in order to ensure administrative support for the Authority's efforts with respect to the Project.

BE IT RESOLVED by the Town Council of the Town of Bedford, Virginia, that the following actions are hereby authorized and directed:

- The Town Manager shall execute and deliver the Memorandum of Understanding between the Authority and Council, a true copy of which shall be held among the records of the Town Council.
- The Council hereby approves the Residential Anti-displacement and Relocation Assistance Plan Certification Policy, a true copy of which shall be held among the records of the Town Council.
- The Council hereby approves the Non-Discrimination Policy, a true copy of which shall be held among the records of the Town Council.
- The Council hereby approves the Section 3 – Business and Employment Plan, a true copy of which shall be held among the records of the Town Council.
- The Council hereby approves the Section 504 Grievance Procedure, a true copy of which shall be held among the records of the Town Council.
- The Town Manager shall execute and deliver the Fair Housing Certification, a true copy of which shall be held among the records of the Town Council.
- The Town Council elects to presume that all painted surfaces are coated with lead-based paint in furtherance of a Notice of Lead-Based Paint Presumption Policy, a true copy of which shall be held among the records of the Town Council.
- The Department of Housing and Community Development (DHCD) requires the formation of a Hilltop Community Housing Rehabilitation Policy Board as part of the CDBG grant award. This group exists to make regular project decisions so that Council is not required to do so.

The following members, already part of the Housing Management Team for the project, shall be officially designated as appointed members:

Bart Warner, Town Manager
C.G. Stanley, Town Council Member
Mary Zirkle, Town Planning
Sonia Jammes, Finance
Gary McIver, Town Building Official
Matt Perkins, Program Administrator
Brian Goldman, Rehabilitation Specialist
Bob Carson
Gail Davis

- The Town Attorney is authorized to provide such legal services to the Authority as it may require, at the cost of the Town to the extent not paid from the funds provided in the Block Grant, to carry out the actions provided for herein, and is authorized to act as trustee for any loans made pursuant to the Block Grant.

- The Town Manager or his designee or designees is authorized and directed to carry out, or cause to be carried out, those tasks provided for in the agreements and policies adopted above.

Mayor Black asked Chief Foreman to give the Council an update on the police department study.

Chief Foreman reported that Wiley Wilson determined the size of the proposed building and what offices were needed based on the study results, including parking factors. They presented three conceptual designs for the committee to review. The committee provided feedback to Wiley Wilson who took the three conceptual designs and combined them into one building design. The new combined design is a square building with two floors and parking spaces. This design will be reviewed once more and thereafter it will be presented to Council.

Vice Mayor Rush recommended to Wiley Wilson that the building be open for public use of a meeting space and restrooms within the lobby.

Chief Foreman confirmed that they revised the floor plan to accommodate public access. Eventually, there will be a 3D version of the building and Council will be able to review the design and make changes. Chief Foreman added that the staff offices will be located on the second floor with records management and evidence on the first floor. He will also email the revised drawings to Council and he anticipates a CAD presentation and final cost estimate will be provided at the last Council meeting in September. He believes the square footage calculates at between 14,000 and 16,000 square feet.

Mayor Black noted that they have not seen any information yet on the parking study or the farmers' market study. Although they are moving ahead, they are a long way from finalization.

ADJOURNMENT

8:23 p.m.