



**Town Council
Regular Council Meeting Minutes
May 9, 2023**

The Town Council of Bedford, Virginia, held a regularly scheduled meeting on Tuesday, May 9, 2023, 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 C. G. Stanley, Councilman Bob Carson, Councilman Stacey Hailey, Councilman Bruce Hartwick, Councilman Bruce Johannessen, and Councilman Darren Shoen

Town Staff present:

Town Manager Bart Warner, Finance Director Anne Cantrell, Town Attorney Michael Lockaby, Electric Department Director John Wagner, Public Works Director D. W. Lawhorne, Director of Planning and Community Development Mary Zirkle, Clerk of Council Debra B. Anderson, and Recording Secretary Julia Peters

Mayor Black called the meeting to order and led all those present in reciting the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Mayor Black declared that the minutes of the Called meeting on April 19, 2023, the Budget Work Session on April 25, 2023, and the regular Council meeting on April 25, 2023 were approved as submitted.

REPORT OF TOWN MANAGER

Mr. Warner deferred to Mr. Wayne Hale, the Town's Engineering Services Coordinator, in recognition of his retirement. Mr. Hale and Mayor Black came forward and Mayor Black presented a small gift to Mr. Hale in appreciation of his long service to the Town. Mr. Hale began his career with the Town in 1991 and served in several positions throughout the years. His

depth of knowledge will be missed by Town residents and staff alike. Mayor Black wished Mr. Hale enjoyment in his retirement as it was well-deserved. Attendees applauded Mr. Hale.

APPEARANCES BEFORE COUNCIL

Bob Davis, District 6 Bedford County Supervisor, 1971 Johnson School Road, Thaxton, VA

Mr. Davis was speaking on behalf of the residents he represented in the Town and Country Subdivision in Bedford. He asked the Council members to vote “no” on annexing the subdivision involved in the Phase II Boundary Adjustment for the Town. He read text from the original agreement which stated that the agreement may be amended, modified, or supplemented in whole or in part by mutual consent of the City for the Town and the County by a written document of equal formality and dignity duly executed by the authorized representative of the City for the Town and the County without requiring further commission, review, or court approval. If annexation moves forward, these residents will receive little benefit. They already have trash pickup if they choose it. The Town will give them no choice, charge them \$25 per month, which is \$300 per year and adds significantly to their tax burden. They already have police protection under the Bedford County Sheriff’s Office, animal control, and fire protection and EMS. Their current tax rate is very affordable and many residents are on a fixed income, and the increased tax rate will cost them approximately \$800 more annually. The Town will net out approximately \$108,000 per year but will spend about \$150,000 to \$175,000 in salaries necessary to employ operators for a \$200,000 new garbage truck. The police force will also need to hire at \$50,000 per officer per year and a new police cruiser runs between \$130,000 to \$150,000 when fully equipped. Mr. Davis asked Council members if the costs were worth what the Town would receive on an annual basis. He has spoken to most of the residents and their reasons for living in Bedford County is because they appreciate the low tax rate and the quality of life. Back in 2013 when the reversion agreement was handed to the Board of Supervisors, it was probably the best deal that could be drawn up, but most people rely on their representatives to do the best for them and he takes his job seriously as a Supervisor. He asked Council to consider voting “no” regarding the annexation, knowing the reversion agreement included an opportunity to say “no” which would allow these residents to continue living the best they can at the standard of living they currently have.

COUNCIL COMMENTS

Councilman Hartwick thanked everyone for coming out to the meeting.

Councilman Hailey thanked Councilman Johannessen for saving the pig on Peaks Street and for putting all the flowers up in Town, making the Town more beautiful. He also thanked Mr. Lawhorne and his staff for working the Keep Bedford Beautiful Clean-up Day.

Mayor Black also thanked Mr. Lawhorne and the Liberty University group that came down and spent most of their day Saturday doing various projects picking up trash on the streets and helping out at the museum. He appreciated all the effort put into the event and hoped there would

be a few more people engaged in the activity next year. He also thanked Mr. Johannessen, the police, and the Bedford County Sheriff's Office for trapping the pig found on Peaks Street.

REPORT OF COUNCIL COMMITTEES

Councilman Shoen said the Finance Committee met earlier in the evening and addressed an uncollectible receivable which will have to be dealt with over the next couple months.

REVISIONS TO AGENDA

None.

PUBLIC HEARINGS

Mr. Warner read the following public hearing notice.

Insert Budget Page.

Mayor Black opened the public hearing at 7:15 p.m.

There being no one to come forward to speak, Mayor Black closed the public hearing at 7:15 p.m.

Mr. Warner read the following public hearing notice.

PUBLIC HEARING NOTICE

Town of Bedford 2nd Public Hearing HILLTOP COMMUNITY REVITALIZATION PROJECT – PHASE 2

The Town of Bedford will hold a public hearing on **Tuesday, May 9, 2023 at 7 p.m.** at the Town of Bedford Town Council Chambers located at **215 East Main Street, Bedford, VA 24523**. The purpose of the meeting is to solicit public input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for the Hilltop Community Revitalization Project-Phase 2. Residents of the project area are encouraged to attend. The Hilltop Community Revitalization Project-Phase 2 proposal will include the following activities: project intent, funding, eligible households, maximum CDBG funds available per home, and application schedule.

The draft CDBG proposal will be presented for comment along with information on the projected beneficiaries, including the number of low- and moderate-income residents to benefit from the proposed project, and plans to minimize displacement. Citizens will also be given the opportunity to comment on the Town of Bedford's past use of CDBG funds. A fact sheet on the proposed project and the draft proposal is available at the Town of Bedford Town Council meeting. For additional information, contact the Planning and Community Development office at **540-587-6006**.

Comments and grievances can be submitted in writing to Town of Bedford Planning and Community Development, 215 East Main Street, Bedford, VA 24523 or by phone at 540-587-6006, or fax at 540-587-6143, or Relay 711 for the hearing impaired until 5:00 PM on Monday, May 8, 2023.

To run Wednesday, April 26, 2023

Jefrado Granger, Community Development Planner, Central Virginia Planning District Commission

Mr. Granger said his office is seeking funding to extend community benefits through the CDBG program for the Hilltop Community grant program Phase 2 area. The Phase 2 area, which is defined as the area between west King Street to the north, Liberty Street to the south, and is

contained by Crenshaw Street to the west. The goal is to apply and receive CDBG funding to assist with housing rehabilitation repairs. This will be provided to eligible families with 0% interest forgivable loans as was provided in Phase 1. A community meeting was conducted on March 7, 2023, with over 12 families attending. There is one active CDGB project grant ongoing in Phase 1. There is one substantial reconstruction project finished on Crenshaw Street which was awarded last year. Mr. Granger said the program itself is very competitive, with \$18 million to \$21 million in funding, but \$50 million in requests. The main objective is to see interest in the community, and interest and support from the Town leaders and he hoped the Council would approve the resolution that would be presented later for the application.

There being no one else to come forward to speak, Mayor Black closed the public hearing at 7:20 p.m.

CONSENT AGENDA

Request to Close Streets – High School Senior Parade – Sara Reynolds

Sara Reynolds of Bedford is requesting permission to hold a High School Graduating Senior's Parade on Sunday, May 21, 2023, at 3:00 p.m., and to close the following streets:

Bedford Avenue Extension from 4th Street to the curve of the Recreation Field, Ashland Avenue from the curve of the Recreation Field to the Elks Home Driveway, College Street from Ashland Avenue to Peaks Street.

Peaks Street from College Street to North Bridge Street, North Bridge Street from Peaks Street to East Main Street, East Main Street from North Bridge Street to Otey St.

They will notify the Fire Department, Police Department and Bedford County Fire & Rescue of the street closings. The residents of the affected streets will also be notified and will have ingress and egress to their homes.

ACTION REQUESTED:

Town Council is requested to close streets for the High School Senior Parade on Sunday, May 21, 2023, at 3:00 p.m.

Mr. Hailey moved, seconded by Mr. Carson, to close streets for the high school senior parade on Sunday, May 21, 2023 at 3:00 p.m.

Discussion followed. Concerns were expressed about the timing of the parade. A baccalaureate would be starting at 2:00 p.m. The parade representative Ms. Gunter said the parade could be moved to 4:00 p.m so as not to conflict with the baccalaureate. Staunton River High School's baccalaureate would begin at 6:00 p.m. and those students would also have time to participate in the parade before their baccalaureate. Mr. Lawhorne said barricades would be put out but as soon

as the parade moved through the street, the barricades would be removed to keep traffic flowing. He did not think the parade would cause a traffic problem.

Mr. Hailey moved to amend his motion revising the start time of the parade from 3:00 p.m. to 4:00 p.m. Mr. Carson seconded the motion to amend.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

OLD BUSINESS

None.

NEW BUSINESS

Resolution – “Hilltop Community Revitalization Project” Housing Grant Application – Phase 2

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 submitted an application for a Virginia Department of Housing and Community Development (DHCD) Community Development Block Grant (CDBG) in April 2021 for the Revitalization Project for 11 selected houses. That first application submittal for \$921,983 was awarded for Phase 1 and will continue through 2023. The plan has been to submit requests for three phases of CDBG grants. Staff has been working with the Central Virginia Planning District Commission (CVPDC) for these first two phases.

The first of two mandatory public hearings for the current application was held at the Housing Authority meeting on March 9, 2023 to describe the project and to hear from the public if there were any questions or concerns. No public spoke at that first meeting. The second public hearing was held at the May 9, 2023 Council meeting.

The Redevelopment and Housing Authority, along with community members, has served as the Project Management Team. At its meeting on May 11, 2023, the Housing Authority is expected to provide a letter of support for the current application.

The Town is not requested to provide additional fund match for this second phase of the project. The grant application will request no more than our allowed cap of \$1,250,000 from DHCD to rehabilitate or rebuild up to 19 houses over the cycle of this next grant, if awarded. As the application is finalized prior to June 1, these numbers will change. The CVPDC will continue as grant manager, if an award is made, and will be paid with funds from the grant.

ACTION REQUESTED:

Town Council is requested to adopt the resolution authorizing submittal of the Phase 2 application.

Mr. Carson moved, seconded by Mr. Hailey to adopt the resolution authorizing submittal of the Phase 2 application.

Discussion followed. Mr. Warner confirmed that the Town would not be required to put money into the project. It was noted that there was a total of 11 homes involved in Phase 1 with 30% completed. A house on South Bridge Street was being repaired currently. Phase 2 would begin after the new year and there were between 12 to 19 families interested in participating.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

The resolution follows.

RESOLUTION

**TARGETED SITE HOUSING REHABILITATION
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION**

WHEREAS, financial assistance is available to units of local government through the Commonwealth of Virginia Community Development Block Grant (VCDBG); and

WHEREAS, in compliance with VCDBG requirements, two public hearings were advertised in a newspaper with general circulation in the Town, and distributed among community residents by community leaders and project management team members, and the hearings were held on March 9, 2023, and May 9, 2023, regarding this application; and

WHEREAS, the Town of Bedford wishes to apply for VCDBG funds not to exceed \$1,250,000 to be used to undertake a two-year Targeted Housing Rehabilitation project throughout the Phase 2 area of the Hilltop Community; and

WHEREAS, the project is anticipated to benefit an estimated 29 persons in 19 households, of whom all are low-and-moderate-income (LMI), by providing housing rehabilitation and replacement, which will meet Housing and Community Development Act of 1974 Section 104(b) National Objective of providing benefits to persons of low and moderate incomes; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bedford, Virginia, that pursuant to two public hearings, the Town of Bedford, Virginia wishes to apply for VCDBG Funds not to exceed \$1,250,000 to provide community improvements to the Hilltop Community Revitalization Project-Phase 2; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Bedford, Virginia, hereby authorizes the Town Manager to sign and submit appropriate documents.

Resolution – Authorizing Transfer of Property to the Economic Development Authority

The Town of Bedford owns land on Burks Hill Road that has economic development potential. In order to make this development more efficient and to be able to act in a timely manner for future development, Town Council is requested to transfer this land to its appointed Economic Development Authority.

ACTION REQUESTED:

Town Council is requested to adopt a resolution authorizing the transfer of land to the EDA of the Town of Bedford.

Mr. Hartwick moved, seconded by Mr. Carson, to adopt a resolution authorizing the transfer of land.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

The resolution follows.

RESOLUTION

AUTHORIZING TRANSFER OF CERTAIN PROPERTY TO THE ECONOMIC DEVELOPMENT AUTHORITY OF THE TOWN OF BEDFORD, VIRGINIA

WHEREAS, the Town of Bedford, Virginia (the “Town”) has created an authority pursuant to the Industrial Development and Revenue Bond Act, Title 15.2, Chapter 49, Code of Virginia, 1950, as amended (the “Act”), known as the Economic Development Authority of the Town of Bedford, Virginia (the “Authority”), which is a body corporate and politic and a political subdivision of the Commonwealth of Virginia; and

WHEREAS, in furtherance of its economic development purposes, the Authority contemplates using certain real estate located within the Town, which property is shown on a plat, a reduced version of which is attached to this resolution as **Exhibit A** (the “Property”), for the purposes of economic development, including the stimulation of economic activity, increase of the tax base and the creation of jobs within the Town, which are valid public purposes; and

WHEREAS, pursuant to Section 15.2-4917 of the Act and Section 15.2-953 of the Code of Virginia, the Town may authorize transfers and donations of land to the Authority for economic development purposes by resolution without need of a public hearing.

NOW THEREFORE, the Town Council of the Town of Bedford, Virginia, hereby resolves that:

1. The Mayor of the Town is authorized and directed to execute such deeds, plats and customary closing documents on behalf of the Town as may be necessary to consolidate the Property under ownership of the Town, upon final approval as to form by the Town Attorney; and
2. The Mayor of the Town is authorized and directed to execute and deliver a deed of transfer of the Property to the Authority, together with customary closing affidavits and signatures, upon behalf of the Town upon final approval as to form by the Town Attorney; and
3. This Resolution shall be in effect upon adoption.

Insert Exhibit A

Resolution – Business Appreciation Month 2023

The month of May 2023 has been designated as Business Appreciation Month in Virginia in recognition of the many benefits to Virginia communities derived from their businesses. In appreciation of our industries, small businesses and entrepreneurs, Council is asked to adopt a Resolution declaring May to be Business Appreciation Month in the Town.

ACTION REQUESTED:

Town Council is requested to adopt a resolution in support of Business Appreciation Month.

Mr. Johannessen moved, seconded by Mr. Hartwick, to adopt a resolution in support of Business Appreciation Month.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

The resolution follows.

BUSINESS APPRECIATION MONTH 2023

WHEREAS, the month of May 2023 is recognized as **BUSINESS APPRECIATION MONTH** in the **COMMONWEALTH OF VIRGINIA**; and,

WHEREAS, the Town of Bedford supports its businesses and their spirit of entrepreneurship to create a vibrant and sustaining community, recognizing the struggles and resilience of the business owners, especially moving on stronger from the pandemic; and

WHEREAS, the citizens of the Town of Bedford benefit from the positive business climate, economic growth, and job opportunities that result from the contributions of businesses; and

WHEREAS, Bedford has joined the Commonwealth in creating long-term economic revitalization by embracing diversity in its business community, fully integrating technology into business practices, and providing opportunities that support the economic well-being and ensuring safety for its citizens; and

WHEREAS, businesses in the Town of Bedford are integral in moving Bedford forward by contributing their presence and energy to our robust economy; and

WHEREAS, Business Appreciation Month increases public awareness of the valuable contributions that businesses make in our community.

NOW, THEREFORE, the Town Council of the Town of Bedford does hereby recognize the month of May 2023, as **BUSINESS APPRECIATION MONTH** in the Town of Bedford, and call this observance to the attention of all our citizens.

Ordinance - Readopting and Reenacting Code Provisions Dealing with Traffic Laws

Attached is an ordinance which readopts and reenacts §34-2 of the Town Code, incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation. Failure to adopt this ordinance would mean that offenders would have to be charged under the State law rather than the Town law. Any fines collected would then be payable to the State rather than to the Town. The ordinance has been posted in three locations in the Town, in accordance with §2-54 of the Town Code.

ACTION REQUESTED:

Town Council is requested to adopt the ordinance readopting and reenacting code provisions dealing with traffic laws.

Mr. Hailey moved, seconded by Mr. Stanley, to adopt the ordinance readopting and reenacting code provisions dealing with traffic laws.

Voted upon and carried by the following roll call vote.

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

The motion carried with seven members voting aye.

The ordinance follows.

ORDINANCE NO. 23-8

AN ORDINANCE TO READOPT AND REENACT SECTION 34-2 OF THE TOWN CODE INCORPORATING BY REFERENCE CURRENT PROVISIONS OF THE CODE OF VIRGINIA DEALING WITH TRAFFIC LAWS AND MOTOR VEHICLE OPERATION

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

Section 1. Sec. 34-2 of the Town Code is hereby readopted and re-enacted as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 in Article 9 (Sec. 16.1-278 *et seq*) of Chapter 11 of Title 16.1, and in Article 2 (Sec. 18.2-266 *et seq*) of Chapter 7 of Title 18.2, of the Code of Virginia, except those provisions and requirements the violation of which constitute a felony, and except those provisions and requirements which by their very nature can have no application to or within the Town, are hereby adopted and incorporated herein by reference and made applicable within the Town. References to "Highways of the State" contained in such provisions and requirements hereby adopted, shall be deemed to refer to streets, highways and other public ways within the Town. Such provisions and requirements are hereby adopted, *mutatis mutandis*, and made a part of this Chapter as fully as those set forth at length herein, and it shall be unlawful for any person, within the Town, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 9 of Chapter 11 of Title 16.1 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which are adopted by this Section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under such titles of the Code of Virginia.

Section 2. This Ordinance shall become effective on July 1, 2023, upon publication one time, immediately following its passage, in some newspaper published in the Town or upon posting at three or more public places in the Town for one week, as required by Section 19 of the Town Charter.

ADJOURNMENT

7:40 p.m.

Tim Black, Mayor

Debra Anderson, Clerk of the Council