

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
February 9, 2016
7:30 p.m.

Town Council: Present-Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; Doug Shaffer; David Tollett; Bryant Condrey

Staff: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Desiree Moreland, Assistant Town Manager/Finance; Neal White, Chief of Police; Ann Phillips, Town Clerk

Press: Val Van Meter, Winchester Star

1. Call to Order

Mayor Kirby called the meeting to order at 7:30 p.m.

2. Pledge of Allegiance

3. Public Hearings

A. **Spot Blight Abatement Plan**

Proposed adoption of a Spot Blight Abatement Plan concerning the repair or other disposition of a blighted property pursuant to Section 5-5, Spot Blight Abatement, Code of the Town of Berryville for the structure(s) and property located at 203 Moore Drive (Tax Map Parcel 14A2-((10)-B-30).

The Mayor recognized Pat Dickinson of 413 Montgomery Court, Berryville, who said she cannot imagine living on Moore Drive and seeing the burned out home every day. She asked Council to pass the Spot Blight Abatement plan saying it will help, and added that Council should not stop at taking the building down, but should also rebuild the home.

Mayor Kirby recognized Donna Marie McDonald of 101 Cameron Street, Berryville, who represents the Battletown Homeowners Association. She said the FNMA contractors did not come shore up the burned property as planned. She said letting the burned property sit is setting a bad precedent for the Town.

B. **Proposed Text Amendment to Berryville Zoning Ordinance**

A.C. Echols, Agent, requests approval of a Text Amendment to Article VI, Section 610.2 of the Zoning Ordinance in order to increase the square footage of a convenience store as an accessory use to automobile service and repair establishments (including gas stations) from 2,000 square feet to 5,500 square feet, in the Business Commercial (BC) zoning district.

Mayor Kirby recognized Alton Echols of 400 Custer Court, Berryville, who is requesting an increase in the square footage of a convenience store as an accessory use to automobile service and repair establishments from 2000 to 5500 square feet in the Business Commercial zoning district. Mr. Echols listed corrections to the convenience stores sizes provided by staff in the packet. He said he disagrees

with the staff recommendation and that stores ideally need 4500 square feet. He said his proposed gas/convenience store will attract other development in the area.

- C. **Proposed Text Amendment to the Berryville Zoning Ordinance**
Proposed Text Amendments to Article V, Section 505, Provisions for Appeal, in order to conform to the Code of Virginia

No one signed up to speak on the issue.

Upon motion of Council member Shaffer, seconded by Recorder Arnold, the public hearings were closed.

4. Approval of Minutes

Upon motion of Recorder Arnold, seconded by Council Member Kitselman, the minutes of the January 12, 2016 meeting were approved as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None

5. Citizens' Forum

Mayor Kirby recognized Diana Kincannon of 294 Milton Valley Lane, Berryville, who is the Chairman of the Barns of Rose Hill. Ms. Kincannon provided a summary of recent programs and activities at the Barns and thanked the Council for supporting the Barns.

The Mayor recognized Christina Kraybill of 317 First Street, Berryville, who as a resident and business owner, thanked Public Works employees for a great job during the January snow storm. She said she represents Berryville Main Street and updated the Council on recent events and activities of the organization. She noted the upcoming Economic Vitality workshop and highlighted the work involved in preparation for the event. Ms. Kraybill said that Berryville Main Street is aware that some of the trees they planted are in distress and the organization will be working on that issue. She concluded by listing three new endeavors: small ghost tours to be held in conjunction with Music in the Park; distribution of welcome bags to new residents through the Fire House Gallery; and a Meet and Greet held monthly in a local restaurant.

Mayor Kirby recognized Bonnie Echols of 400 Custer Court, Berryville, who said she wished to second the previous comments about the good job of the Public Works employees. She delivered a copy of prepared remarks from Dan Garrett who was unable to attend the meeting. Ms. Echols said she represents Citizens for Good Government and wished to address the 2016 Berryville Area Plan draft. She listed three deficiencies as a failure to plan adequately for moderate and affordable single family attached or multi-family townhomes and senior apartments, a failure to plan for a neighborhood shopping area for convenience shopping, and a failure to plan for local jobs. She asked Council to have

several community forums and community discussions in the four wards before going to the public hearing phase.

The Mayor recognized Alton Echols of 400 Custer Court, Berryville, who said he was speaking on behalf of the Special Exception. He said the Virginia Code says a permit request may have the number of units reduced, but not increased. He said if he gets the special exception for the 60 units, he will resubmit his plan, it will save time, and he will finish the development with quad-plexes.

6. Report of Wilson Kirby, Mayor

The Mayor welcomed newly appointed Council member, J. Bryant Condrey.

Mayor Kirby said that Master Patrol Officer Joey Adams retired at the end of December. He asked the Clerk to read a resolution in recognition of Officer Adams, and presented a mounted copy of the resolution to Master Patrol Officer Adams.

The Mayor recognized Josh Roller of Robinson Farmer Cox who reviewed the audit of the fiscal year ended June 30, 2015. Mr. Roller stated that Robinson Farmer Cox had issued an unqualified opinion, the best that can be issued. Council member Condrey inquired about the reference to GASB No. 68, and Mr. Roller replied that liability was being transferred from the state to the local government level. He noted that this is a change that will occur in audits throughout the Commonwealth.

7. Report of Christy Dunkle, Asst. Town Manager for Community Development

A. Spot Blight Abatement Plan

Mr. Dalton provided a summary saying he has been in contact with FNMA and their contractor is not willing to place tools, materials, or workers on the second floor of the burned structure because it is not safe. He said the FNMA now proposes to place a special black tarp over the open areas and secure the site, while placing it on the market by the end of next week. Mr. Dalton said the Town Council has two options as he sees it: move forward with the blight abatement plan and bring the building down to the foundation, or wait and see if FNMA is able to sell the property to someone who will rebuild it. Council member Kitselman noted the implications of an exposed party wall. Mr. Dalton said the plan will address the issue of the untreated block wall. Council member Kitselman asked what the amount of a lien on the property would be if the Town had the demolition completed. Mr. Dalton replied it would be in the \$20,000 range. There was discussion of the options. Council member Shaffer suggested moving forward with the paperwork to have an engineer review the demolition option, hoping that FNMA will market the property in the meantime. Council member Kitselman asked if passing the blight abatement plan would cause FNMA to do more, and Mr. Dalton said it would not. **Council member Shaffer moved that the Council of the Town of Berryville authorize the Town Manager to move forward to start collecting prices for the demolition of 203 Moore Drive and to spend as needed on engineering to plan the demolition. Council member Kitselman seconded the motion which carried as follows:**

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None

Mr. Dalton thanked the HOA for their patience saying they have been good to work with and are in a difficult spot.

B. Proposed Text Amendment to Berryville Zoning Ordinance, Article VI, Section 610.2
The Council and Ms. Dunkle discussed the proposed amendment. Ms. Dunkle noted that this was a complicated request and has been a moving target with several changes since it began. She said parking and the scale of the project are issues that are continuing to change. Mr. Dalton suggested that Council allow staff additional time working with the Planning Commission and the applicant saying there may be a better option than approving 3000' square feet as has been recommended.

C. Proposed Text Amendment to the Berryville Zoning Ordinance, Article V, Section 505
Ms. Dunkle reviewed the recommended changes and said the BZA met with Town Attorney Robert Mitchell for an update on the text amendment. She said the changes conform to the Code of Virginia, with staff adding some language allowing the zoning administrator to make an administrative determination on variance requests that meet certain criteria. Mr. Dalton added that the BZA acts a quasi-judicial body with the new language intended to have the one making an appeal on a similar standing as the zoning administrator. He noted the reference to ex parte conversations will include those of Council members. He concluded by saying staff will also be reviewing legal representation for the BZA and Council.

Recorder Arnold moved that the Council of the Town of Berryville repeal and readopt Section 505 as follows of the Berryville Zoning Ordinance in order to implement new and amend current requirements regarding administrative procedures and standard of review for variances and appeals by the Board of Zoning Appeals in order to comply with recent amendments to the Code of Virginia and to allow for the Zoning Administrator to grant a modification from physical requirements on a lot or parcel of land as established in Section 505.7. Council member Shaffer seconded the motion which carried as follows:

Aye – Wilson Kirby
Harry Lee Arnold, Jr.
Bryant Condrey
Allen Kitselman
Douglas Shaffer
David Tollett

Nay – None
Absent – None

AN ORDINANCE AMENDING
ARTICLE V, SECTION 505
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article V, Administration and Enforcement, Section 505 Administration, Enforcement, Appeals, Variances, and Amendments, of the Town of Berryville Zoning Ordinance shall be repealed and readopted as follows:

ARTICLE V – ADMINISTRATION AND ENFORCEMENT

SECTION 505 – BOARD OF ZONING APPEALS

There shall be established a Board of Zoning Appeals (Board) that shall consider appeals, variances, and zoning map interpretations.

505.1 ORGANIZATION AND PROCEDURES

- (a) **Membership**
The Board shall consist of five residents of the Town of Berryville, appointed by the Circuit Court of Clarke County. Members of the Board shall hold no other public office in the locality except that one may be a member of the Berryville Planning Commission.
- (b) **Alternate Members**
The Town Council may request the Circuit Court of Clarke County to appoint not more than three alternates to the Board of Zoning Appeals, pursuant to the provisions of Virginia Code § 15.2-2308(A).
- (c) **Terms of Office**
The terms of office for members of the Board shall be for five years each except that original appointments shall be made for such terms that the term of one member shall expire each year. The Secretary of the Board shall notify the court at least thirty (30) days in advance of the expiration of any term of office, and shall also notify the Court promptly if any vacancy occurs. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until his/her successor is appointed and qualifies.
- (d) **Officers**
With the exception of its Secretary and the alternates, the Board shall elect from its own membership its officers who shall serve annual terms as such and may succeed themselves. The Board may elect as its Secretary either one of its members or a qualified individual who is not a member of the Board, excluding alternate members. A Secretary who is not a member of the Board shall not be entitled to vote on matters before the Board.
- (e) **Quorum**
For the conduct of any hearing, a quorum shall be not less than a majority of all the members of the Board.
- (f) **Procedures**
The Board may make, alter, and rescind rules and forms for its procedures, consistent with County ordinances and general laws of the Commonwealth.
- (g) **Records**
The Board shall keep minutes and a full record of its proceedings and other official actions, which shall be filed in the office of the Board and shall be public records.
- (h) **Report**
The Board shall submit a report of its activities to the governing body at least once each year.
- (i) **Witnesses**
The Chairman of the Board, or the acting Chairman in the Chairman's absence, may compel attendance of witnesses and administer oaths of witnesses.
- (j) **Employees**
Within the limits of funds appropriated by the Town Council, the Board may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services.
- (k) **Compensation**
Members of the Board may receive such compensation as may be authorized by the Town Council.
- (l) **Removal**
Any Board member or alternate may be removed for malfeasance, misfeasance, or nonfeasance in office, or for other just cause, by the Court that appointed the member or alternate, after a hearing held after at least fifteen (15) days notice.
- (m) **Meetings**
The Board by resolution may fix a schedule of regular meetings, and may also fix the day or days to which any meeting shall be continued if the Chairman, or Vice Chairman is unable to act, finds and declares that weather

or other conditions are such that it is hazardous for members to attend the meeting. Such findings shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised for such meeting in accordance with Virginia Code § 15.2-2312 shall be conducted at the continued meeting and no further advertisement shall be required.

(n) Hearings – Procedures

1. The non-legal staff of the Town Council may have ex parte communications with a member of the Board prior to the hearing but may not discuss the facts or law relative to the case before the Board. The applicant, landowner, or their agent or attorney may have ex parte communications with a member of the Board prior to the hearing but may not discuss the facts or law relative to the case before the Board. If any ex parte discussion of facts or law in fact occurs, the party engaging in such communication shall inform the other party as soon as practicable and advise the other party of the substance of such communication. For purposes of this section, regardless of whether all parties participate, ex parte communications shall not include (i) discussions as part of a public meeting or (ii) discussion prior to a public meeting to which staff of the governing body, the applicant, landowner, or their agent or attorney are all invited. For purposes of this section, “non-legal staff of the Town Council” shall mean any staff who is not in the office of the attorney for the Town, or for the Town Council, or who is appointed by special law or pursuant to § 15.2-1542. Nothing in this section shall preclude the Board from having ex parte communications with any attorney or staff of any attorney where such communication is protected by the attorney-client privilege or protection of confidentiality.
2. Any materials relating to the case before the Board, including a staff recommendation or report furnished to a member of the Board, shall be made available without cost to an applicant, appellant, or other person aggrieved under § 15.2-2314, as soon as practicable thereafter, but in no event less than three business days of providing such materials to a member of the Board. If the applicant, appellant, or other person aggrieved under § 15.2-2314 requests additional documents or materials to be provided by the locality other than those materials provided to the Board, such request shall be made pursuant to § 2.2-3704. Any such materials furnished to a member of the Board shall also be made available for public inspection pursuant to Subsection F of § 2.2-3707.
3. At a hearing the Board shall offer an equal amount of time to the applicant, appellant, or any other person aggrieved under § 15.2-2314, and the Town staff.

(o) Appeal of Decision of Board

Any person or persons jointly or severally aggrieved by any decision of the Board, or any aggrieved taxpayer, or any officer, department, board, or bureau of the locality, may file with the Clerk of the Clarke County Circuit Court a petition specifying the grounds on which aggrieved within 30 days after the final decision of the Board.

505.2 APPEAL OF DECISION OF BOARD

Any person or persons jointly or severally aggrieved by any decision of the Board, or any aggrieved taxpayer, or any officer, department, board, or bureau of the locality, may file with the Clerk of the Clarke County Circuit Court a petition specifying the grounds on which aggrieved within 30 days after the final decision of the Board.

505.3 APPEALS OF ADMINISTRATIVE DETERMINATIONS

- (a) The Board shall hear and decide appeals from any order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the Zoning Ordinance. The decision on such appeal shall be based on the Board’s judgment of whether the administrative officer was correct. The determination of the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for their determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. The Board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, “determination” means any order, requirement, decision, or determination made by an administrative officer. Any appeal of a determination to the Board shall be in compliance with this section, notwithstanding any other provision of law, general or special.
- (b) An appeal to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the Town affected by any decision of the Zoning Administrator, or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of the Zoning Ordinance, or any modification of zoning requirements pursuant to Virginia Code § 15.2-2286.
- (c) Any written notice of a zoning violation of any written order or administrative determination of the Zoning Administrator shall include a statement informing the recipient of the of the recipient’s right to appeal the notice

of zoning violation or the written order or administrative determination within 30 days, and that the decision shall be final and unappealable if not appealed within 30 days. The appeal period shall not commence until the statement is given. The appeal shall be taken within 30 days after the decision appealed from by filing with the Zoning Administrator, and with the Board, a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

- (d) An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board that by reason of facts stated in the certificate a stay would in his/her opinion cause imminent peril to life or property, in which case proceedings shall not be stayed other than by a restraining order granted by the Board or by a court of record, on application and on notice to the Zoning Administrator and for good cause shown.
- (e) The Board shall fix a reasonable time for hearing an appeal, and shall give public notice and hold a public hearing as provided by Virginia Code § 15.2-2204. However, when giving any required notice to the owners, their agents, or the occupants of abutting property and property immediately across the street or road from the property affected, the Board may give such notice by first-class mail rather than by registered or certified mail.
- (f) The Board shall make its decision within 90 days of the filing of the appeal, unless the appellant and the Board mutually agree upon an extended period.
- (g) In exercising its powers, the Board may reverse or affirm, wholly or partly, or may modify, an order, requirement, decision, or determination appealed from.
- (h) The concurring vote of a majority of the membership of the Board shall be necessary to reverse any order, requirement, decision, or determination of an administrative officer.

505.4 VARIANCES

- (a) The Board shall hear upon appeal or original application in specific cases requests for variances, as defined in Virginia Code § 15.2-2201, from the terms of this ordinance. A variance shall not include a change in use.
- (b) Any property owner, tenant (with the written consent of the property owner), government official, department, board or bureau may make application for a variance. Applications shall be made to the Zoning Administrator in accordance with rules adopted by the Board. The application and accompanying maps, plans, or other information shall be transmitted promptly to the Secretary of the Board, who shall place the matter on the docket to be acted upon by the Board.
- (c) The Zoning Administrator shall also transmit a copy of the application to the Planning Commission, which may send a recommendation to the Board or appear as a party at the hearing.
- (d) No variance shall be considered except after public notice and hearing as required by Virginia Code § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the Board may give such notice by first class mail rather than by registered or certified mail.
- (e) Action on Variance Application
 1. The burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that the application meets the standards for a variance as defined in Virginia Code § 15.2-2201 and the criteria set out in this section.
 2. Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and;
 - (a) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
 - (b) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
 - (c) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
 - (d) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
 - (e) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process of modification of a zoning ordinance pursuant to subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.
 - (f) The concurring vote of a majority of the membership of the Board shall be necessary to approve a variance.

- (g) In granting a variance the Board shall tailor the variance to provide the minimum variance necessary to alleviate the hardship, and the Board may impose such conditions regarding the location, character, and other features of the proposed structure or use, as it may deem necessary in the public interest. The Board may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.
- (h) The Board will not consider substantially the same application within one (1) year of previous Board action.

505.5 ZONING MAP INTERPRETATIONS

The Board shall hear and decide applications for interpretations of the zoning district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by the question, and after public hearing with notice as required by Virginia Code § 15.2-2204, the Board may interpret the map in such way as to carry out the intent and purpose of the ordinance for the particular section or district in question. However, when giving any required notice to the owners, their agents, or the occupants of abutting property and property immediately across the street or road from the property affected, the Board may give such notice by first-class mail rather than by registered or certified mail. The Board shall not have the power to change substantially the locations of district boundaries as established by ordinance. The concerning vote of a majority of the membership of the Board shall be necessary to decide in favor of the applicant.

505.6 LIMITATIONS ON POWERS OF BOARD

The Board shall not have the power to rezone property or to base Board decisions on the merits of the purpose and intent of Town ordinances duly adopted by the Town Council.

506 MODIFICATIONS

- (a) The Zoning Administrator may grant a modification from any provision contained in the Zoning Ordinance with respect to physical requirements on a lot or parcel of land, including but not limited to size, height, location or features of or related to any building, structure, or improvements if the Administrator finds in writing that:
 1. the strict application of the ordinance would produce undue hardship;
 2. such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and
 3. the authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification.
- (b) The Zoning Administrator may not grant a modification that is more than 10% of a regulation standards.
- (c) Before the granting of a modification, the Zoning Administrator shall give, or require the applicant to give, all adjoining property owners written notice of the request for modification, and an opportunity to respond to the request within 21 days of the date of the notice. Before the granting of a modification, the Zoning Administrator shall consult with the Chair and Vice Chair of the Board of Zoning Appeals.
- (d) The Zoning Administrator shall make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to this paragraph. The Zoning Administrator shall provide a copy of a written decision to the Board of Zoning Appeals within five working days from making the decision.
- (e) The decision of the Zoning Administrator may be appealed to the Board of Zoning Appeals as provided in Section 505.3 of this Ordinance.

SECTION 507 VIOLATION AND PENALTY

507.1 All departments, officials, and public employees of this jurisdiction who are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance. They shall issue permits for uses, buildings, or purposes only when they are in harmony with the provisions of this Ordinance. Any such permit, if issued in conflict with the provisions of this Ordinance, shall be null or void.

507.2 Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, violating, causing, or permitting the violation of any of the provisions of this Ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, may be fined up to one thousand dollars (\$1,000). Such person, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation

of this Ordinance is committed, continued, or permitted by such person, firm, or corporation, and shall be punishable as herein provided.

SIGNED: Wilson Kirby
Wilson Kirby, Mayor

ATTEST: Harry Lee Arnold, Jr.
Harry Lee Arnold, Jr., Recorder

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By consensus, Council set a public hearing for March 8, 2016 for a Special Use Permit under Section 614.3(c) of the Berryville Zoning Ordinance in order to construct a 120-unit multifamily apartment complex in the Older Person Residential (OPR) Zoning District on Tax Map Parcel number 14-5-251B zoned OPR in the Town of Berryville.

Ms. Dunkle said staff is requesting a work session on the Berryville Area Plan updated draft and that possible dates will be sent out.

Ms. Dunkle said the Local Government Challenge Grant is available through the Virginia Commission for the Arts. She said she contacted the Barns and the Clarke County Community Band to gauge their interest. She said Berryville Main Street is identified as the recipient in the draft application as the Barns and the Community Band are under the County's application. **Recorder Arnold moved that the Council of the Town of Berryville authorize the Town Manager to sign and submit the application for the Virginia Commission for the Arts' Local Government Challenge Grant identifying Berryville Main Street as the recipient of the grant, requiring that all marketing material include both Virginia Commission for the Arts (VCA) and National Endowment for the Arts (NEA) logos for projects funded with this grant, per the terms of the VCA. Matching grant funds shall be appropriated from the Town's annual contribution to Berryville Main Street. Council member Kitselman seconded the motion which carried as follows:**

- Aye – Wilson Kirby
- Harry Lee Arnold, Jr.
- Bryant Condrey
- Allen Kitselman
- Douglas Shaffer
- David Tollett

- Nay – None
- Absent – None

Ms. Dunkle noted the draft amendment regarding establishing a tourism zone. By consensus, the Council forwarded the matter to the Community Improvements Committee and requested they bring recommendations to Council at the March meeting.

Ms. Dunkle provided an update on the Tourist Oriented Directional and Wayfinding signs, and requested that the Community Improvements Committee discuss it at their next meeting.

8. Report of Keith Dalton, Town Manager

Mr. Dalton thanked Town employees, especially Public Works, Public Utilities, and the Police Department for the long hours and extra effort during the January snow storm. He said the level of cooperation with the County was high, and that EMS Director Frank Davis had been very helpful. Mr. Dalton also praised the efforts of Enders Fire and Rescue, VDOT, and the National Guard. He said Town staff is compiling information from the After Action Review of the storm efforts.

9. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison

Council member Kitselman said the staff had done a great job on updating the Berryville Area Plan.

10. Report of Harry Lee Arnold, Jr., - Chair, Budget and Finance Committee

Recorder Arnold said staff is working on the budget and committee meetings will begin in March.

11. Report of H. Allen Kitselman, III - Chair, Community Improvements Committee

Council member Kitselman said the letters to Senator Vogel and Delegate LaRock asking for help with funding the wayfinding and tourist oriented directional signage will be sent shortly. He noted a new downtown activity, the Thursday Lunchbox Jam, includes live music from noon-1:00 pm on Thursdays at the Fire House Gallery.

12. Report of Douglas A. Shaffer – Planning Commission Liaison

Council member Shaffer had nothing to report in addition to staff's report.

13. Report – Police and Security Committee

Council member Tollett said the committee will meet in March. Chief White thanked Council for passing the resolution recognizing Officer Adams.

14. Report of Wilson Kirby – Chair, Streets and Utilities Committee

Mayor Kirby said he had heard nothing but praise for the Public Works effort cleaning the streets in the recent storm.

15. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee

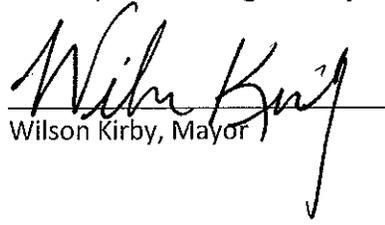
Recorder Arnold reported that all positions are currently filled.

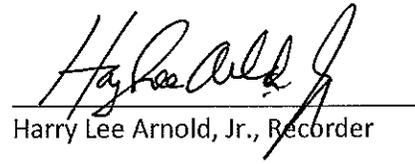
16. Other

Council member Condrey thanked the staff for updating the website saying it is an important communication tool for many in Town.

Adjourn

There being no other business, upon motion of Recorder Arnold, seconded by Council member Shaffer, the meeting was adjourned at 9:12 p.m.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder