

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
March 8, 2016
7:00 p.m.

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

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 7:00 p.m.

2. Closed Session

Recorder Arnold moved that the Council of the Town of Berryville enter Closed Session pursuant to Section 2.2-3711.A.7 of the Code of Virginia, 1950, in order to consult with legal counsel regarding probable litigation pertaining to FOIA and an administrative determination regarding a special use permit and site plan application. Council member Kitselman seconded the motion which carried on the following vote:

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

Nay – None

Absent – Douglas Shaffer

At 7:43 p.m., the members of the Town Council being assembled within the designated meeting place in the presence of members of the public and/or the media desiring to attend, the meeting was reconvened. **Council member Tollett moved that the following Resolution Concerning Certification of the Closed Session be adopted. Council member Kitselman seconded the motion which carried on the following roll call vote:**

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

Nay – None

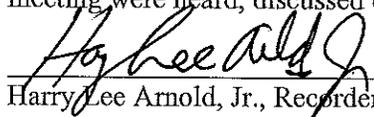
Absent – Douglas Shaffer

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Council of the Town of Berryville, Virginia, has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Committee that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.


Harry Lee Arnold, Jr., Recorder

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3. Pledge of Allegiance

4. Public Hearings

a. **Proposed Special Use Permit for a 120 multifamily apartment complex**

Jon Erickson (MRA Incorporated, Agent) requests 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 Zoning District (OPR), on Tax Map Parcel 14-5-251B, zoned OPR. SUP 01-15

The Mayor recognized Alton Echols of 400 Custer Court, Berryville. Mr. Echols said the basic question is regarding the special exception application for the 120 unit project being reduced to a 60 unit project and the authority for allowing the reduction in the Code of Virginia Section 15.2-2285 (C). He read the following: "Before approving and adopting any zoning ordinance or amendment (Special exception) thereof, the governing body shall hold at least one public hearing thereon, pursuant to public notice as required by Section 15.2-2204, after which the governing body may make appropriate changes or corrections in the ordinance or amendment (special exception). In the case of a proposed amendment to the zoning map the public notice shall state the general usage and density range of the proposed amendment and the general usage and density range if any set forth in the applicable part of the comprehensive plan. However, no land may be zoned to a more intensive use classification than was contained in the public notice without an additional public hearing." Mr. Echols then highlighted plans for the new configuration of his project and concluded by saying the project is the Cadillac model.

b. **Proposed amendment of a water tank site lease agreement**

The proposed amendment of a water tank site lease agreement between the Town of Berryville and New Cingular Wireless PCS, LLC that would permit the lessee to mount additional equipment on the existing corral mounted on the top of the Town of Berryville's northwest elevated water tank, 201 Tom Whitacre Circle, Tax Map Parcel 14-((A))-6, zoned ITL.

Mayor Kirby noted that no one signed up to speak.

Upon motion of Council member Tollett, seconded by Council member Kitselman, the public hearings were closed.

5. Approval of Minutes

Upon motion of Recorder Arnold, seconded by Council Member Kitselman, the minutes of the February 9, 2016 meeting were approved as follows with the correction of the date:

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

Nay – None
Absent – Douglas Shaffer

6. Citizens' Forum

Mayor Kirby recognized Allan McWilliams of 218 Academy Street who thanked the public works crews for a good job during the snow storms and all year round. He presented an historic 1923 Sanborn Map of Berryville to the Council.

The Mayor recognized Alton Echols of 400 Custer Court, Berryville, who referenced a convenience store near Winchester as being close to what he hopes to construct in Berryville if his requested text amendment increasing square footage is approved.

Mayor Kirby recognized Donna Marie McDonald of 101 Cameron Street, Berryville. She provided an update on the burned home at 203 Moore Drive saying the property has been sold and will go to settlement very soon. She added that the Homeowners Association still needs help making sure the property is repaired by the new owners, and asked the Council not to negate the Blight Abatement Plan just yet.

7. Report of Wilson Kirby, Mayor

The Mayor said the week of April 9-15, 2016, has been suggested as Northern Shenandoah Valley Disability Awareness Week. He asked for a motion adopting the proclamation designating the week as such. **Recorder Arnold moved that the Council of the Town of Berryville adopt the following Proclamation declaring the week of April 9-15, 2016 as Disability Awareness Week, and calling this observance to the attention of all our citizens, and urging all residents to honor this occasion. Council member Condrey seconded the motion which carried as follows:**

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

Nay – None
Absent – Douglas Shaffer

Proclamation

- WHEREAS, the United States Congress enacted the Americans with Disabilities Act in 1990, prohibiting discrimination against people with disabilities in employment, public accommodations, transportation and telecommunications; and
- WHEREAS, the Commonwealth of Virginia enacted the Virginians with Disabilities Act in 1985 to assure equal opportunity to persons with disabilities in the Commonwealth, and it is the policy of this Commonwealth to encourage and enable persons with disabilities to participate fully and equally in the social and economic life of the Commonwealth and to engage in remunerative employment; and
- WHEREAS, people with disabilities often overcome common misunderstandings about their circumstances and make valuable contributions to their families and communities; and
- WHEREAS, disability is a natural part of the human experience, and individuals with disabilities deserve the same rights as their peers to live independently, enjoy self-determination, make choices, contribute to society and participate fully in the American experience; and
- WHEREAS, the community plays a central role in enhancing the lives of people with disabilities, and people with disabilities benefit from having a network of supportive friends and family, accommodating employers and community leaders who are aware of the needs and abilities of people with disabilities; and
- WHEREAS, millions of people in the United States have disabilities and we all must make a conscious effort to discover their functional abilities and to remove the barriers met in their effort to acquire independence; and
- WHEREAS, it is the goal of Access Independence, Inc. to involve the community in all aspects of disAbility Awareness Week and establish an atmosphere that supports awareness and education of on-going initiatives to enhance public understanding of, and appreciation for, abilities possessed by those of us who experience life with disabilities.

NOW, THEREFORE I (we) _____
do hereby proclaim APRIL 9-15, 2016 as

**NORTHERN SHENANDOAH VALLEY
disABILITY AWARENESS WEEK 2016,**

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

A. Jon Erickson (MRA Inc. Agent) requesting Special Use Permit

Ms. Dunkle said public hearing notices had been published on February 23 and March 1 and adjacent property notices had been sent on February 22. She said comments had been received in the Planning Office from Larry Krasinski and Alton Echols. She further explained that in a letter dated February 19 and updated February 22, 2016, Jon Erickson, Agent for the project, requested that the original Special Use Permit/Preliminary Site Plan application be modified in order to construct a 60-unit multi-family facility with an additional 44 by-right quadraplex units on the same parcel. Ms. Dunkle said he has requested that the application be modified to reflect Mr. Echols as the Agent on the project which has been noted in the file. She said an administrative determination concerning the modification of the existing application was sent to Mr. Echols on February 29, 2016 requesting that should he wish to pursue a different course, the current application be withdrawn and a new application be submitted.

Mayor Kirby asked Town Attorney Robert Mitchell to address the issue and provide his opinion. Mr. Mitchell said the special use permit application, as advertised, is for 120 units and there has been a request to reduce the number of multi-family units to 60. He said the section of code referenced by Mr. Echols, Virginia Code Section 15.2-2204, applies to a proposed amendment of a zoning map and rezoning, but does not apply to amendments to special use permits. Mr. Mitchell said the requested change in this case cannot be done under the Town ordinance. He added that the Town is authorized to put conditions on special use permits to address specific impacts. He said a site plan is required with a special use permit application and that the two documents go forward together. Mr. Mitchell said the Planning Commission makes a recommendation after reviewing the application, and that review of the site plan is also done by the BADA. He said in this case, no site plan review occurred because the application did not conform to the zoning regulations. Mr. Mitchell said it would not be proper to undertake a 60 unit approval when a 120 unit application, as advertised, is in front of the Council. Mr. Mitchell said unless the application is withdrawn, the 120 unit application is what Council would be voting on.

Mr. Echols interjected a request to withdraw his application. **Council member Condrey moved that the Council of the Town of Berryville accept the applicant's withdrawal of the special use permit application. Recorder Arnold seconded the motion which carried as follows:**

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

Nay – None
Absent – Douglas Shaffer

Mr. Kitselman reiterated that no one on Council is against senior housing. He encouraged Mr. Echols to follow Town procedures without attempting to change those procedures as he moves forward with his next application.

B. Spot Blight Abatement

Mr. Dalton said he wished to thank Ms. McDonald and Ms. Coumes of the Battletown Homeowners Association for their cooperation dealing with the blighted property at 203 Moore Drive. He said he will follow up with the new owners as to their reconstruction progress.

C. Community Improvements

Ms. Dunkle said the Community Improvements Committee had a meeting scheduled, but since there was not a quorum, they will meet at a later date. She said the work on a Tourism Zone continues.

Mr. Dalton said he has had discussion with Rappahannock Electric Cooperative and they are considering switching to LED lighting for street lights. He said they may be planning a pilot project where they will test LED lights in some areas. Mr. Dalton added that while a cost savings is not expected initially because of the installation expense, overall power consumption will be greatly reduced.

9. Report of Keith Dalton, Town Manager

Mr. Dalton said that in 2001 the Town entered into a water tank lease agreement in order to permit a cellular service provider to locate antennas on the top of the northwest water tank. He said the Town and the provider have had an excellent working relationship for the past 16 years during which the provider has sought to make changes two times. Mr. Dalton noted the lessee currently pays \$2,812.51 per month. He recommended that Council approve the lease and authorize him to execute the lease amendment on behalf of the Town.

Council member Tollett asked if after the addition of this equipment, there would be room for public safety equipment. Mr. Dalton said he would work to find out. **Recorder Arnold moved that the Council of the Town of Berryville approve the attached Second Amendment to Water Tank Site Lease Agreement with New Cingular Wireless PCS, LLC conditioned upon the following:**

- 1) The final lease agreement is reviewed and approved by the Town Manager, and
- 2) The final lease agreement is reviewed and approved by the Town's Attorney

And he further moved that the Town Manager is authorized to execute the finalized amendment on behalf of the Town. Council member Condrey seconded the motion which carried as follows:

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

Nay – None
Absent – Douglas Shaffer

2/16/16 DRAFT

SECOND AMENDMENT TO WATER TANK SITE LEASE AGREEMENT

THIS SECOND AMENDMENT TO WATER TANK LEASE AGREEMENT ("**Second Amendment**"), dated as of the latter of the signature dates below, is by and between **Town of Berryville, VA, a Virginia municipal corporation** having a mailing address of 101 Chalmers Court, Berryville, Virginia, 22611 ("**LESSOR**") and **New Cingular Wireless PCS, LLC, a Delaware limited liability company**, successor in interest to Triton PCS Property Company, LLC, having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004 ("**LESSEE**").

WHEREAS, Lessor and Lessee entered into a Water Tank Site Lease Agreement dated June 29, 2001, whereby Lessor leased to Lessee certain Premises, therein described for the location up to three (3) antennae on the Lessor's water tank, being a portion of the Property situated off Tom Whitacre Circle adjacent to the Town of Berryville, in Clarke County, Virginia ("**Agreement**"); and

WHEREAS, in 2013 Lessor and Lessee approved an amendment ("First Amendment") to the Agreement that permitted the Lessee to locate nine (9) antenna panels and associated equipment on Lessor's Property; and

WHEREAS, The Lessee currently has located nine (9) antenna panels on the water tank, and currently pays a monthly rent of \$ 2,812.51; and Lessor and Lessee desire to amend the Agreement to allow for the installation of additional antennas , associated cables, and other communications instruments; and

WHEREAS, Lessor and Lessee desire to adjust the rent in conjunction with the modifications to the Agreement contained herein; and

WHEREAS, Lessor and Lessee, in their mutual interest, wish to amend the Agreement as set forth below accordingly.

NOW THEREFORE, in consideration of the forgoing and other good and valuable consideration, the receipt of sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. **Additional Antennas.** Lessor consents to the installation and operation of three (3) additional antennas, associated cables and equipment as more completely described on attached Exhibit B-2. Exhibit B-2 hereby replaces Exhibit B-1 to the Agreement.

Lessor agrees to the following as a final configuration:

- (12) panel antennas
- (6) TMA
- (6) Duplexers
- (12) 1-5/8" coax cables
- (12) RRH
- (2) DC6
- (6) Junction Boxes
- (2) Fiber Cables
- (4) DC Power Cables

2. **Rent.** Commencing on the first day of the month following the date that the Lessee commences construction (the "Rent Commencement Date"), Rent shall be increased by Two Hundred Dollars (\$200.00) per month, subject to adjustments as provided in the Agreement. Upon Lessee's removal of all antennae added pursuant to this Second Amendment and thirty (30) days prior written notice to Lessor, rent shall reduce by Two Hundred Dollars (\$200.00) per month.
3. **Memorandum of Lease.** Either party will, at any time upon fifteen (15) days prior written notice form the other, execute, acknowledge, and deliver to the other a recordable Memorandum of Lease substantially in the form of the Attachment 1. Either party may record this memorandum at any time, in its absolute discretion.
4. **Other Terms and Conditions Remain** In the event of any inconsistencies between the Agreement, First Amendment, and this Second Amendment, the terms of the Second Amendment shall control. Except as expressly set forth in this Second Amendment, the Agreement, including the First Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to the First Amendment and this Second Amendment.
5. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

IN WITNESS WHEREOF, the parties have caused their properly authorized representatives to execute and seal this Second Amendment on the dates set forth below.

“LESSOR”

Town of Berryville

By: _____
Name: _____
Title: _____
Date: _____

“LESSEE”

New Cingular Wireless PCS, LLC

By: _____
Name: _____
Title: _____
Date: _____

[ACKNOWLEDGEMENTS APPEAR ON NEXT PAGE]

LESSEE ACKNOWLEDGEMENT

Limited Liability Company

STATE OF _____
COUNTY OF _____

The forgoing instrument was acknowledged before me on _____ (date) by _____ (name and title of officer or agent) of _____ a _____ (state or place of incorporation) limited liability company, on behalf of the limited liability company.

Notary Public

Printed Name: _____

My Commission Expires: _____

LESSOR ACKNOWLEDGEMENT

Municipal Corporation

COMMONWEALTH OF VIRGINIA
COUNTY OF CLARKE

The forgoing instrument was acknowledged before me on _____ (date) by Keith Dalton, Town Manager of the Town of Berryville, Virginia, municipal corporation, on behalf of the corporation.

Notary Public

Printed Name: _____

My Commission Expires: _____

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Mr. Dalton thanked Allan McWilliams for his kind words about the public works crews, and also for the set of Sanborn maps he had presented the Town.

10. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison
Council member Kitselman had nothing to report.

11. Report of Harry Lee Arnold, Jr., - Chair, Budget and Finance Committee
Recorder Arnold noted the draft budget in the agenda packet and said there will be a work session on March 16, 2016. Upon motion of Mayor Kirby, seconded by Recorder Arnold, the minutes of the committee meeting of March 3, 2016 were approved. By consensus, a public hearing on tax rates as presented by the Treasurer was set for April 12, 2016.

12. Report of H. Allen Kitselman, III - Chair, Community Improvements Committee
Council member Kitselman said the committee will meet soon.

13. Report of Douglas A. Shaffer – Planning Commission Liaison
Council member Shaffer was absent.

14. Report – Police and Security Committee
Council member Tollett said the committee met and discussed many topics such as projects for the upcoming year including reviewing the code. Upon motion of Council member Condrey, seconded by Council member Tollett, the minutes of the meeting of March 3, 2016 were approved. Mr. Tollett said the next meeting will be April 28, 2016. Chief White provided an update on the inception of a training academy in Front Royal that will better serve the 15 agency region.

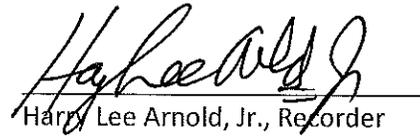
15. Report of Wilson Kirby – Chair, Streets and Utilities Committee
Mayor Kirby thanked Allan McWilliams for his remarks about public works crews.

16. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee
Recorder Arnold reported that all positions are currently filled.

Adjourn

There being no other business, upon motion of Council member Kitselman, seconded by Council member Condrey, the meeting was adjourned at 8:52 p.m.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
Budget & Finance Committee
Thursday, March 3, 2016
Berryville-Clarke County Government Center
Budget Work Session
9:30 a.m.

MINUTES

Roll:

Budget & Finance Committee:

Present: Harry Lee Arnold, Jr., Chairman; Wilson Kirby, Mayor

Staff: Keith Dalton, Town Manager; Desirée Moreland, Assistant Town Manager/Treasurer

1. Call to Order – Harry Lee Arnold, Jr., Chairman

Chairman Arnold called the meeting to order at 9:30 a.m.

2. Discussion – Budget Finance/CIP Committee

Staff gave an overview of proposed budget revenues which include a recommended increases in Real Estate (\$.186/\$100 to \$.19/\$100) tax rates because of a decrease in real estate assessments. No other increases were proposed. The Committee discussed the assessments and how they will affect the real estate tax rate as well as other revenue estimates in the draft budget.

Staff discussed proposed expenses. A 3% COLA payroll increase is proposed with select market adjustments; health care costs increased 7.44%. The Committee reviewed the expenses in each of the three funds/

Mr. Dalton discussed Capital Improvement Projects. The Committee reviewed the 5-year CIP and discussed future projects with staff.

Mr. Dalton briefed the Committee on his thoughts regarding staffing throughout the organization.

3. Other

4. Adjourn

There being no further business, on motion by Mayor Kirby, seconded by Chairman Arnold the work session was adjourned at 11:27 a.m.

BERRYVILLE TOWN COUNCIL
Berryville Area Plan Update Work Session
Tuesday, March 15, 2016
Berryville-Clarke County Government Center
5:00 p.m.

MINUTES

Town Council:

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

Staff: Keith Dalton, Town Manager; Christy Dunkle, Planner; Ann Phillips, Town Clerk

Press: Val Van Meter

Other: Brandon Stidham, Clarke County Planning Director

1. Call to Order

Mayor Kirby called the meeting to order at 5:00 p.m.

2. Work Session – 2015 Berryville Area Plan Update

Ms. Dunkle introduced Brandon Stidham, Clarke County Planner, who joined her in presenting a PowerPoint presentation. Mr. Stidham and Ms. Dunkle explained the background of the Plan and highlighted major changes in the updated Berryville Area Plan. Ms. Dunkle explained changes in land use designations between 2010 and 2015. Mr. Stidham identified potential future growth areas, and noted the next steps for action include a joint public hearing with the County Board of Supervisors on April 12.

There was general discussion of housing unit types, proffers from developers, re-allocation of dwelling unit rights, affordable housing, and future plans for Jack Enders Blvd. Ms. Dunkle said any further information or comments would need to be received by staff this week.

3. Adjourn

On motion of Council member Shaffer, seconded by Council member Tollett, the meeting was adjourned at 6:34 p.m.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
Budget and Finance Work Session
Wednesday, March 16, 2016
Berryville-Clarke County Government Center
4:00 p.m.

MINUTES

Town Council:

Present: Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; Bryant Condrey; David Tollett

Absent: Doug Shaffer

Staff: Keith Dalton, Town Manager; Desiree Moreland, Treasurer; Ann Phillips, Town Clerk

Press: Val Van Meter

1. Call to Order

Mayor Kirby called the meeting to order at 4:00 p.m.

2. Pledge of Allegiance

On motion of Recorder Arnold, seconded by Council member Kitselman, the revised agenda was approved unanimously.

3. Discussion – Proposed Fiscal Year 2017 Budget

Mrs. Moreland provided an overview of the proposed budget and cited the recommendation to raise the real estate tax from \$0.186 to \$0.19 per \$100 of assessed value to stay revenue neutral because of the reduction in real estate valuation. She said while personal property figures are still fluid, no increase is proposed, and she noted an increase in machinery and tools revenue.

Mr. Dalton provided an overview of the proposed capital improvement plan. He distributed a draft of Street Work Priorities for the coming year, noting that the Streets and Utilities Committee's work on the Street Work Priorities continues.

There was discussion of the proposed tax rate change as well as a possible reduction in tax rates.

4. Closed Session

Recorder Arnold moved that the Council of the Town of Berryville enter a closed meeting in accordance with §2.2-3711-A-7, Code of Virginia, in order to discuss a

prospective business interested in locating in within the Town. Council member Kitselman seconded the motion which carried as follows:

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

Nay – None
Absent – Douglas Shaffer

At 5:13 p.m., the members of the Town Council being assembled within the designated meeting place in the presence of members of the public and/or the media desiring to attend, the meeting was reconvened on a motion by Recorder Arnold and seconded by Council member Condrey. **Council member Condrey moved that the following resolution certifying the closed session be adopted. Recorder Arnold seconded the motion which carried on the following roll call vote:**

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

Nay – None
Absent – Douglas Shaffer

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Council of the Town of Berryville, Virginia, has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Council that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.



Harry Lee Arnold, Jr., Recorder

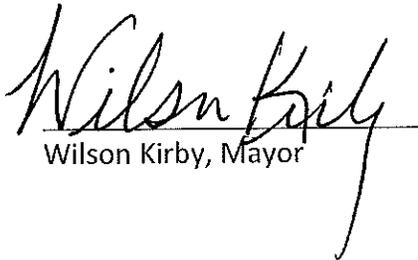
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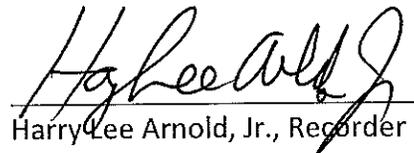
5. Other

Recorder Arnold noted that in order to reduce the tax rate to \$0.17, effectively \$70,000 in expenses would need to be cut from the budget.

6. Adjourn

On motion of Council member Condrey, seconded by Recorder Arnold, the meeting was adjourned at 5:20 p.m.


Wilson Kirby, Mayor


Harry Lee Arnold, Jr., Recorder

BERRYVILLE TOWN COUNCIL
Streets and Utilities Committee
Thursday, March 24, 2016
Berryville-Clarke County Government Center
9:00 a.m.

MINUTES

Roll:

Town Council:

Present: Wilson Kirby, Chair; Doug Shaffer

Staff: Keith Dalton, Town Manager; Rick Boor, Director of Public Works; Dave Tyrell,
Director of Public Utilities

Press: None

Chair Kirby called the meeting to order at 9:00 a.m.

Mr. Dalton reviewed the additional projects that staff recommends be completed with funds remaining in the VDOT reimbursement. These projects include paving work on Ashby Court, Lincoln Avenue, South Church Street from Swan Avenue to Taylor Street, Byrd (small portion near Church Street), and Stuart Court. After discussion, the committee agreed with staff's recommendation for expenditure of the street funds for this fiscal year.

Mr. Dalton reviewed the proposed Street Work Priorities FY 2017. After discussion, the committee agreed to forward these priorities to the Town Council.

The committee discussed water projects on Academy Street, Academy Court, and Battletown Drive with staff.

Mr. Dalton informed the committee that he would be meeting with the Battletown Homeowners Association to discuss methods of improving snow removal on Ritter Place.

The committee discussed drinking water quality and maintenance costs at the wastewater treatment plant with Mr. Tyrrell.

The committee adjourned at 10:04 a.m.

**BERRYVILLE TOWN COUNCIL
COMMUNITY IMPROVEMENTS COMMITTEE
Tuesday, March 29, 2016
Berryville-Clarke County Government Center
Called Meeting
5:00pm**

MINUTES

Roll:

Town Council:

Present: Allen Kitselman, Chair; Bryant Condrey

Absent: no one

Staff: Christy Dunkle, Assistant Town Manager/Planner

Press: Val VanMeter

1. Call to Order: Allen Kitselman
Chair Kitselman called the meeting to order at 5:00pm.

2. Discussion – Tourism Zones
Ms. Dunkle reviewed the draft amendment and recent proposed changes that were made since the last review. She said the map had been modified to include portions of the L-1 zoning district on the west side of First Street. She added that the properties within the western Entrance Corridor Tourism Zone are in Annexation Area B but are not annexed into Town at this time and have been removed. She said this area should be considered for this designation in the future once the properties are annexed into the Town. Mr. Condrey requested specific figures for the amount of BPOL taxes potential businesses could be looking at for reductions. Ms. Dunkle said she had discussed the matter with Town Clerk Phillips who said she would be able to have general numbers after the business licenses had been updated in April. Mr. Condrey asked about second story apartments identified in the Downtown Tourism Zone. Chair Kitselman said downtown apartments create synergy and more activity in downtown areas. Ms. Dunkle added that Council had made some text amendments to the C General Commercial zoning district in 2014 to facilitate second story apartments by making them a use by right while continuing to require a Special Use Permit for first story storefront and basement apartments.

There was a discussion about the map. Committee members requested the addition of the L-1 zoned property on the west side of the railroad tracks where Crawford Electronics is located.

3. Discussion – Tourist Oriented Directional Signage

Ms. Dunkle updated Committee members on the progress of the Tourist Oriented Directional (TOD) signage. She said that Mr. Ash had executed the contract for the signage on 7 Bypass, 340, and Chalmers Court. She added that the Town, County, and Barns of Rose Hill are splitting the cost.

5. Discussion – Wayfinding Signs

Ms. Dunkle said she had no update on this item. She said no responses from Delegate LaRock or Senator Vogel concerning the excessive pricing and process for wayfinding and TOD signage have been received.

6. Discussion - Proposed Changes to Streetlights

Ms. Dunkle said she had received five responses from residents and that Mr. Dalton had forwarded that information to Town Council. Mr. Condrey asked what the life expectancy of the LED streetlights would be. Chair Kitselman said he could not speak to streetlights but that LED lighting he uses in his projects have a much longer lifespan than previously seen in other lighting.

7. Discussion – Draft of L-2 Industrial Zoning District

Ms. Dunkle said that staff had discussed future trends and uses in the L-1 Industrial zoning district because of interest in potential redevelopment in these areas of Berryville. She said that after reviewing the L-1 District, she felt that very few changes need to occur to establish a new district to accommodate future adaptive reuses of the industrial area. She asked for input on additional uses that may be considered other than resort and conference center. Chair Kitselman recommended multifamily loft apartment development. Mr. Condrey recommended microbreweries. There was a discussion about modifications to Section 609.3(h) eating establishments that could include microbreweries. Chair Kitselman also recommended adding food hub facilities, markets, and community kitchens. He added that commercial agriculture uses would reflect the community's effort to retain these types of uses in the County.

8. Other

Ms. Dunkle updated the Committee on the May 7 starting date for the Farmers' Market. She said that a representative from the Executive Committee will be at the April 12 meeting to request use of the Rixey Moore Parking Lot.

9. Adjourn

There being no further business, Chair Kitselman adjourned the meeting at 5:36pm.