

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**April 11, 2017**  
**7:30 p.m.**

**Town Council:** Present-Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald; Allen Kitselman; Erecka Gibson; David Tollett

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

**Press:** Cathy Kuehner

1. Call to Order

Mayor Dickinson called the meeting to order at 7:31 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

**On motion of Council member Tollett, seconded by Council member Kitselman, the agenda was approved unanimously with two additions.**

4. Public Hearing

A. *Proposed Tax Rates for 2017*

The public hearing speakers were:

Alton Echols, Town resident, provided a handout to the Clerk and spoke to the Council about avoiding a tax increase in the future to fund the sewer loan debt. He said the Council needs to do an analysis of water and sewer connection fees.

The public hearing was closed.

- B. *The Berryville Planning Commission has initiated the repeal of the Town of Berryville Stormwater Management Ordinance in order to comply with recent changes to the Stormwater Management Act (Code of Virginia §62.1-44.15:24 et seq.) which allows only localities that are Virginia Stormwater Management Program (VSMP) authorities to adopt stormwater ordinances that are more stringent than State requirements. The Town of Berryville has chosen to opt-out of operating a local VSMP. The proposed amendment also avoids duplicitous local regulation of stormwater management by allowing the Virginia Department of Environmental Quality (DEQ) to serve as the sole regulatory authority for stormwater management in the Town of Berryville. TA 01-17*

There were no speakers and the public hearing was closed.

5. Approval of Minutes

The minutes of the Town Council meeting of March 20, 2017, were approved unanimously on a motion by Council member Tollett and seconded by Recorder Arnold. The minutes of the Town Council work session meeting of March 20, 2017, were approved unanimously on a motion by Council member Tollett and seconded by Council member Kitselman.

6. Citizens' Forum

The speakers were as follows:

Christina Kraybill, representing Berryville Main Street, highlighted the organization's spring and summer activities.

Tia Walbridge introduced herself as a candidate for the Virginia House of Delegates in the 33<sup>rd</sup> District.

Mayor Dickinson requested that a prepared statement for the Citizens' Forum from resident Dan Garrett be entered into the record in Mr. Garrett's absence.

7. Report of Patricia Dickinson, Mayor

Mayor Dickinson said it was brought to her attention that a town resident is circulating a petition in the Darbybrook subdivision. She said she did not know what is on the petition or how it was being represented. She said she has been told that residents are under the impression that she endorses this effort, and that this is incorrect. She said information on the matter is being gathered so that appropriate action can be taken.

8. Report of Harry Lee Arnold, Jr, Recorder

Recorder Arnold had nothing to report.

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

Ms. Dunkle explained the repeal of the Stormwater Ordinance. Mayor Dickinson asked if there were any financial effects of the repeal, and Ms. Dunkle said there were not. **Recorder Arnold moved that the Council of the Town of Berryville adopt the attached ordinance repealing the Berryville Stormwater Management Ordinance in order for the Virginia Department of Environmental Quality to be the sole regulatory authority for stormwater management in the Town of Berryville. Council member Kitselman seconded the motion which carried as follows:**

<b>Aye:</b>	<b>McDonald, Kitselman, Gibson, Tollett, Arnold</b>
<b>Nay:</b>	<b>None</b>
<b>Abstain:</b>	<b>Dickinson</b>
<b>Absent:</b>	<b>None</b>

AN ORDINANCE REPEALING THE  
TOWN OF BERRYVILLE STORMWATER MANAGEMENT ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that the Town of Berryville Stormwater Management Ordinance is repealed in order to the Virginia Department of Environmental Quality to be the sole regulatory authority for stormwater management in the Town of Berryville.

SIGNED: \_\_\_\_\_  
Patricia Dickinson, Mayor

Attest: \_\_\_\_\_  
Harry Lee Arnold, Jr., Recorder

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By consensus, the Council set public hearings as requested by William Genda, owner of Historic Rosemont Manor, for the May 9, 2017 Town Council meeting.

Ms. Dunkle said Kimley-Horn and Associates is requesting approval of the bond amounts for the McDonald's site plan on the parcel located at 420 McNeil Drive. **Recorder Arnold moved that the Council of the Town of Berryville approve the request to set the following bonds for the McDonald's development located at 420 McNeil Drive and identified as Tax Map Parcel number 14-((5))-251F as follows:**

|                                      |                      |
|--------------------------------------|----------------------|
| <b>Public Improvements:</b>          | <b>\$ 138,083.13</b> |
| <b>Erosion and Sediment Control:</b> | <b>\$ 11,682.00</b>  |

**Council member Kitselman seconded the motion which carried as follows:**

|                 |   |
|-----------------|---|
| <b>Aye:</b>     | <b>McDonald, Kitselman, Gibson, Tollett, Arnold</b> |
| <b>Nay:</b>     | <b>None</b>   |
| <b>Abstain:</b> | <b>Dickinson</b>                                    |
| <b>Absent:</b>  | <b>None</b>   |

Ms. Dunkle noted that the Berryville Main Street Cruise In is planned for August 26, 2017. She said the event was well attended last year, and this year they are requesting closure of Main Street, a portion of Church Street, and the use of Hogan's Alley on West Main Street. By consensus, the Council agreed to the request.

Ms. Dunkle provided an update on the activities of the Planning Commission, the Berryville Area Development Authority, the BZA and the ARB.

10. Report of Keith Dalton, Town Manager  
Mr. Dalton had nothing to report.

11. Report of Erecka Gibson - Chair, Budget and Finance Committee  
The minutes of the March 28, 2017, meeting were approved.

**Council member Gibson moved that the Council of the Town of Berryville adopt the attached Ordinance setting the tax levies for tax year 2017 amending the Code of the Town of Berryville, Chapter 16- Taxation, Article I – In General, Section 16-1 Annual Tax Assessments; valuation of property. Council member Kitselman seconded the motion which carried as follows:**

|                 |   |
|-----------------|---|
| <b>Aye:</b>     | <b>McDonald, Kitselman, Gibson, Tollett, Arnold</b> |
| <b>Nay:</b>     | <b>None</b>   |
| <b>Abstain:</b> | <b>Dickinson</b>                                    |
| <b>Absent:</b>  | <b>None</b>   |

TOWN OF BERRYVILLE  
TOWN COUNCIL  
AN ORDINANCE SETTING TAX LEVIES FOR TAX YEAR 2017

BE IT ORDAINED, by the Council of the Town of Berryville, Virginia, that for the tax year 2017 there is hereby levied:

(1) A tax of \$.19 per \$100 assessed valuation on all real estate located within the Town of Berryville, such levy being also applicable to the real estate and tangible personal property of public service corporations;

(2) A tax rate of \$1.25 per \$100 assessed valuation on all taxable, tangible personal property, except machinery and tools, located in the Town of Berryville;

(3) A tax rate of \$1.30 per \$100 assessed valuation on tangible machinery and tools located in the Town of Berryville.

All tax levies shall be due and payable pursuant to the Code of the Town of Berryville, Chapter 16, Article I, Section 16-3.

SIGNED: \_\_\_\_\_  
Patricia Dickinson, Mayor

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

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**Council member Gibson moved that the Council of the Town of Berryville adopt the attached Resolution providing for the implementation of the 2004-2005 changes to the Personal Property Tax Relief Act of 1998 for the tax year 2017. Council member Kitselman seconded the motion which carried as follows:**

|                 |   |
|-----------------|---|
| <b>Aye:</b>     | <b>McDonald, Kitselman, Gibson, Tollett, Arnold</b> |
| <b>Nay:</b>     | <b>None</b>   |
| <b>Abstain:</b> | <b>Dickinson</b>                                    |
| <b>Absent:</b>  | <b>None</b>   |

Town of Berryville  
Resolution  
To Provide for the Implementation of the 2004-2005  
Changes to the Personal Property Tax Relief Act of 1998  
For the Tax Year 2017

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code § 58.1-3523 et seq. (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 505) and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly, being the 2005 revisions to the 2004-2006 Appropriations Act (“the 2005 Appropriations Act”); and

WHEREAS, the legislative enactments require the Town to take affirmative steps to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the Town of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to local personal property tax on such vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Berryville in accordance with the requirements set forth in Va. Code § 58.1-3524(C) (2) and § 58.1-3912(E), as amended by Chapter 1 of the 2005 Acts of Assembly (2004 Special Session 1) and as set forth in Item 503 of the 2005 Appropriations Act, that any qualifying vehicle having situs within the Town during the tax year which begins on January 1, 2017, shall receive personal property tax relief in the following manner:

1. Personal use vehicles valued at less than \$1,000 will be eligible of 100 percentage of tax relief set by the Town Council during its annual budget deliberations.
2. Personal use vehicles valued between \$1,001 and \$20,000 will be eligible for 70 percentage of tax relief set by the Town Council during its annual budget deliberations.
3. Personal use vehicles valued at \$20,001 or more will be eligible for 70 percentage of tax relief on the first \$20,000 of assessed value set by the Town Council during its annual budget deliberations.
4. All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for personal property tax relief under PPTRA.

PASSED THIS 11th DAY OF APRIL 2017.

\_\_\_\_\_  
Patricia Dickinson, Mayor

ATTEST:

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Harry L. Arnold, Jr., Recorder

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By consensus, the Council set a public hearing on the budget for the May 9, 2017, meeting.

12. Report of Donna McDonald - Chair, Community Improvements Committee  
Council member McDonald said the Committee will meet on April 24, 2017. She reiterated the Mayor’s comments that the resident circulating the petition in Darbybrook is not doing so with her approval.

13. Report of David Tollett – Police and Security Committee  
Council member Tollett said the next Committee meeting will be on April 27, 2017.

**Council member Tollett moved that the Council of the Town of Berryville adopt the attached ordinance amending Section 10 of the Code of the Town of Berryville with the addition of Se. 10-5.1. Electronic summons system fee; imposition; amount; administration. Council member Kitselman seconded the motion.**

Mr. Dalton noted that passing this motion will mean that the system must be implemented within one year, and that he and Chief White agree that it is the time to move to the e-citation system. Chief White noted that the fees are already being collected by Clarke County, and the motion will not cause any additional costs to those paying fines. **The motion carried as follows:**

**Aye:** McDonald, Kitselman, Gibson, Tollett, Arnold  
**Nay:** None  
**Abstain:** Dickinson  
**Absent:** None

Town of Berryville  
An Ordinance Amending Section 10 of the Berryville Code

BE IT ORDAINED, by the Council of the Town of Berryville, that Chapter 10 of the Berryville Code shall be amended as follows (**in bold**):

**Sec. 10-5.1. Electronic summons system fee; imposition; amount; administration.**

- (a) In addition to any other fee or cost prescribed by law, as part of the costs assessed in each criminal or traffic case in the Clarke County District or Circuit Courts, there shall be imposed an electronic summons system fee of five dollars (\$5.00) on any defendant who is convicted of a violation of any statute or ordinance within the Town of Berryville. The fee shall be collected by the clerk of the court in which the action is filed, and remitted to the Treasurer of the Town of Berryville to be held for appropriation by the Town Council in accordance with § 17.1-279.1 Code of Virginia (1950) as amended.
- (b) The electronic summons system assessment and interest derived shall be held separate outside of the general fund and shall not revert to the general fund at the end of the fiscal year.
- (c) The retained assessment and any interest shall be used solely to fund software, hardware, and associated equipment costs necessary for the implementation and maintenance of an electronic summons system in accordance with the record keeping and reporting requirements formulated by the Supreme Court of the Commonwealth of Virginia.

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Patricia Dickinson, Mayor

ATTEST:

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Harry L. Arnold, Jr., Recorder

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14. Report of Patricia Dickinson – Chair, Streets and Utilities Committee

The minutes of the Committee meeting of March 28, 2017, were approved.

Mayor Dickinson said there had been an appeal for relief of the water bill expenses following a leak at 121 Academy Street. She said the policy calls for one adjustment per year per account, and it has not been a year since this account last received an adjustment. She said the Streets and Utilities Committee recommends that the request be denied. **Council member Tollett moved that the Council of the Town of Berryville deny the request for relief on the water bill. Council member McDonald seconded the motion which carried as follows:**

**Aye:** McDonald, Kitselman, Gibson, Tollett, Arnold  
**Nay:** None  
**Abstain:** Dickinson  
**Absent:** None

Council member McDonald said with regard to the current rate of 90% of water availability fees for multifamily homes and with the information received from Mr. Sutherland, the Town's engineer at Pennoni, and there being no documentation of the current rate, she moved that the multifamily home rate be changed to 80%. Council member Tollett seconded the motion. Council member Kitselman said that in order to make this change, the Council would have to hold a public hearing. Mayor Dickinson asked Mr. Dalton whether a public hearing was necessary, and he replied that a hearing was necessary.

Council member Kitselman said he was deeply disturbed at the appearance that a developer was involved in the Council's decisions. Council member McDonald said her motion is not about the developer. Council member Kitselman said it is obvious that the intent is to help the senior housing project. He asked the Council to step back and think about the job they are supposed to be doing. He said he is deeply disappointed in the actions of the Council.

Council member Gibson said she does not think the Council took the steps in the right order to approve the senior housing project. She said other jurisdictions use the 80% figure, and the Town uses 90% but does not have an explanation of why the figure is 90%. She said if the availability fee schedule is studied, it will probably call for the figure to be 80% of both water and sewer, and the rates will probably go up.

Council member Kitselman asked why the number would be change from 90% to 80% without an analysis. He said Mr. Sutherland said most places use 80%, but not that the rate should definitely be 80%. He said making a motion out of the blue at a Council meeting to get a project by a developer through the Council is dirty pool. He urged the Council to step back and think about the precedents being set.

Council member Gibson said she is in favor of a study of the availability fees, but she cannot understand why the figure is 90%. Council member Kitselman said the developer knew the costs going into the project and now after all the dispensations the Council has given, is coming back asking for more.

Council member McDonald asked why the 90% figure is correct. She said the number should be documented. She said she is not in anyone's pocket. She said she is tired of the stalling of everything, and of the reference to new Council members.

Council member Gibson agrees that the developer should not come back after the fact to ask for the number to be changed.

Council member Kitselman said the process should be followed if the rates are to be changed.

Recorder Arnold said the Berryville Area Plan had been changed, the Council gave away the special use permit process, the Council gave in on the proffers, the Streets and Utilities Committee wanted to give away \$500,000, and then said they would study the fee schedule. He said his reason for adding the topic to the agenda was to ask the status of the study on the fee schedule. Recorder Arnold said the motion is out of order, and a public hearing should be set. He said any time fees or tax rates are changed the public should weigh in on the matter.

The Mayor asked for a motion to amend or that the motion be withdrawn. Council member McDonald said she wished to leave the motion standing. Mr. Dalton said a public hearing must be held. Council member McDonald withdrew her motion. **Council member McDonald moved that the Council of the**

**Town of Berryville hold a public hearing on reducing the availability fees on multifamily units from 90% to no less than 80%. Council member Gibson seconded the motion which carried as follows:**

**Aye: McDonald, Kitselman, Gibson, Tollett, Arnold**  
**Nay: None**  
**Abstain: Dickinson**  
**Absent: None**

Council member Gibson referenced the Frederick County public hearing notice and said that it may be a sign that the Town's costs and rates will have to go up.

Council member Tollett asked about funding for the sewer debt. Council member Gibson referred the question to Ms. Moreland. Mr. Dalton said that as the Town began the process to construct the sewer treatment plant, the recession occurred. He explained a business plan was required by the Virginia Resources Authority to describe the loan repayment, and he said this was based on worst case scenario if there were no availability fees. He said the prescribed rate became effective in 2012, and since then availability fees have been collected. Mr. Dalton said there will be money to repay the loan, either from availability fees or user fees, and that the Town is committed to that. Council member Tollett said he does not want to see the user rates increase to repay the loan, but would prefer to see new business coming in to help. Council member Gibson noted that the availability fee for the senior housing project in question would be mostly earmarked for the water fund and would not assist with the sewer loan repayment. Mr. Dalton said that the Town had no choice but to build the sewer plant and must pay for it. Council member Tollett said he did not see any new home building going on. Ms. Dunkle said there is new residential building activity in discussion.

The Mayor said the public hearing on the availability fee change is set for the May Council meeting.

15. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee  
Recorder Arnold had nothing to report.

16. Other  
Mr. Dalton explained the difference in the three versions of the policy regarding legal advice/opinions. **Council member Kitselman moved that the Council of the Town of Berryville adopt the attached version 3 of the policy regarding legal advice and opinions. Council member McDonald seconded the motion which carried as follows:**

**Aye: McDonald, Kitselman, Gibson, Tollett, Arnold**  
**Nay: None**  
**Abstain: Dickinson**  
**Absent: None**

### **Town of Berryville Policy Legal Advice/Opinion**

#### **Purpose**

The Town Council utilizes attorneys, as needed, to provide legal support to the Town. The Town Council establishes this policy to provide cost control measures and to ensure that any advice/opinion received from legal counsel is accessible to all members of the Council.

**Policy**

- I. Except as provided in Section II of this Policy, below, the Town Manager will work closely with legal counsel and will seek advice/opinion in a manner consistent with the following:
  - A. The Town Manager is authorized to seek and receive legal advice/opinion as the Town Manager deems necessary to provide timely legal advice to the Town Council and staff as they conduct their duties. The Town Manager will utilize the Town's legal counsel in a cost-effective manner and in accordance with this Policy.
  - B. Any individual member of Town Council may seek legal advice/opinion by either:
    - a. Requesting that the Town Manager seek advice/opinion. The Town Manager may either:
      - i. Seek and receive the advice/opinion and provide information on the advice/opinion to the Town Council in accordance with this policy, or
      - ii. Request that the Town Council determine whether it will direct him/her to seek and receive the advice/opinion and provide information on the advice/opinion to the Town Council in accordance with this policy.or
    - b. Requesting that the Town Council direct the Town Manager to seek and receive an opinion and that the Town Manager provide information on the advice/opinion to the Town Council in accordance with this policy.
  - C. Upon receipt of advice/opinion requested by the Town Council, or member thereof, the Town Manager will provide the Town Council with a synopsis of the advice/opinion. The synopsis will be provided in a manner the Town Manager determines to be in the best interests of the Town. The Town Manager will also make any written advice/opinion available for review by Town Council members. The Town Council member may read and review the advice/opinion with the Town Manager but the advice/opinion may not be copied and shall not leave the Town Manager's possession.
  
- II. Any Town Council member who determines that legal advice/opinion should be sought regarding the employment status or discipline of the Town Manager must request that the Mayor and Recorder seek the advice/opinion.
  - A. Upon receiving such a request, either the Mayor or Recorder may either:
    - a. Seek and receive the advice /opinion and provide information on the advice/opinion to the Town Council in accordance with this policy, or
    - b. Request that the Town Council determine whether it will direct the Mayor or Recorder to seek and receive the advice/opinion and provide information on the advice/opinion to the Town Council in accordance with this policy.or
  
  - B. Within 30 days of the receipt of advice/opinion requested by the Town Council, or member thereof, the Mayor or Recorder will share the opinion with the Town Council in a duly constituted Closed Session. The Town Council may at any time, at its own discretion, determine what legal advice/opinion may be made a public document; provided that, such a determination is not inconsistent with law. Otherwise, legal opinions will remain exempt from disclosure as allowed by law.

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Recorder Arnold moved that the Council of the Town of Berryville adopt the attached ordinance amending Chapter 2, Section 19 of the Berryville Code regarding Standing Committees. Council member Kitselman seconded the motion. The Mayor said things have been attributed to her that are not true. She said she has not been vindictive or used her office to punish anyone. She said she has been trying to appoint committee members where she thinks their talents are best used. **The motion carried as follows:**

**Aye: McDonald, Kitselman, Gibson, Arnold**  
**Nay: Tollett**  
**Abstain: Dickinson**  
**Absent: None**

AN ORDINANCE AMENDING SECTION 2-19 OF THE BERRYVILLE CODE

BE IT ORDAINED, by the Council of the Town of Berryville, that Chapter 2, Section 19 of the Berryville Code regarding Standing Committees shall be amended as follows (**in bold**):

Sec 2-19. Standing Committees

- a) There shall be such standing committees of the Council as are provided by the Council. Members of such committees shall be appointed by the mayor.
- b) The Council may amend committee appointments.**
- c) Such committees shall have such powers and duties as are prescribed by Council, not inconsistent with the Charter.

\_\_\_\_\_  
Patricia Dickinson, Mayor

ATTEST:

\_\_\_\_\_  
Harry L. Arnold, Jr., Recorder

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Recorder Arnold noted the Darbybrook HOA issue saying it is disturbing that someone is circulating a petition in the Town’s name and asked if there is any additional information. Mr. Dalton explained that a resident called the Town Office reporting that the petition was being circulated. The Council discussed the issue.

Recorder Arnold asked about the Mayor’s proposed voting procedure changes. He said the Council has always used the voice vote with aye and nays and he does not see a need to change the procedures. He said the Mayor’s sending individual emails to Council and then announcing the results is not transparent. Recorder Arnold said when this method is used, it appears to be a meeting by email. He said the Council members are unable to discuss the proposal and learn why other members are for or against a procedure.

Council member McDonald asked that the Police and Security Committee study the laying hen proposal from Mr. Bryant Condrey again. Recorder Arnold said this issue had been addressed by Council previously, and the staff is currently overloaded with projects. He suggested that the issue be brought back to the committee in three or four months to allow staff time to finish with the budget and other time sensitive projects. Council member McDonald agreed.

17. Adjourn

**There being no other business, upon motion of Council member McDonald, seconded by Council member Gibson, the meeting was adjourned at 8:55 p.m.**

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Harry Lee Arnold, Jr., Recorder

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Ann W. Phillips, Town Clerk

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**COMMUNITY IMPROVEMENTS COMMITTEE**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**April 24, 2017**

**Committee members:** Present- Donna Marie McDonald, Chair; Allen Kitselman

**Staff:** Keith Dalton, Town Manager; Christy Dunkle, Planner; Ann Phillips, Town Clerk; David Tyrrell, Director of Public Utilities

**Press:** None

**Others:** None

1. Call to Order

Chair McDonald called the meeting to order at 7:00 p.m.

2. Approval of Agenda

The agenda was approved with one addition.

3. New agenda item

Ms. McDonald read an email from Patty Maples regarding a suicide prevention program that is planned for September 2017.

4. Beautification projects

The Committee discussed the Town owned livery stable behind 23 East Main, and agreed that an evaluation of the condition as has been proposed is the next step in deciding the future of the building.

Ms. McDonald said she has spoken with her HOA about maintaining any landscaping project on Page Street, and they are willing to maintain something that is low cost and low maintenance.

Mr. Dalton introduced new topics of discussion as follows:

- a. repair of the brick walk in Rose Hill Park noting that the Town has a supply of old bricks to use
- b. improvements in Hogan's Alley which the Town Council identified as a memorial to R. John Hogan
- c. beautification of Crow St, Crow St parking lot, Rixey Moore parking lot, and the adjoining alley
- d. improvement of the amphitheater between the Government Center the Barns of Rose Hill

The Committee discussed the proposed topics. Ms. McDonald said the alley should be identified as the site of the former Mecca Restaurant.

5. Water Tank Painting

The Committee and staff discussed the planned water tank painting project and the proposal to include lettering on one or more of the tanks. Mr. Tyrrell showed the paint color choices, and noted that adding graphics will increase the cost of painting by \$9000 to \$12,000 per graphic. Mr. Kitselman noted this was a branding opportunity and said he is in favor of one graphic on the northwest tower only. Mr. Tyrrell said he will solicit firm prices on the options suggested by the Committee and will have them before the next Council meeting. Mr. Dalton noted the desire to have input from the Architectural Review Board, and Ms. Dunkle offered to gather their input individually since the ARB does not meet until after the next Town Council meeting.

6. Adjourn

There being no further business, the meeting was adjourned at 7:50 p.m.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**PERSONNEL COMMITTEE**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**April 25, 2017**

**Committee members:** Present- Harry Lee Arnold, Jr., Chair; Patricia Dickinson; Erecka Gibson

**Staff:** Keith Dalton, Town Manager; Ann Phillips, Town Clerk

**Press:** Cathy Kuehner, Winchester Star

**Others:** Marilyn Pierce

1. Call to Order

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

2. Approval of Agenda

The agenda was approved as presented.

3. Discussion – Board of Zoning Appeals Appointments

Mr. Dalton listed the Board members whose terms are nearing expiration: Margaret Barthel, Wilson Kirby, and Gwen Malone. He said that all three are available for re-appointment. Ms. Gibson moved that the three members be recommended to the Circuit Court for re-appointment. Ms. Dickinson seconded the motion which carried unanimously.

4. Discussion – Architectural Review Board Appointment

Mr. Dalton noted that Gene Williamson's term is expiring in July and he is willing to serve another term. After a brief discussion of re-appointing current members, Ms. Gibson moved that the Committee recommend Mr. Williamson be reappointed by the Town Council. Ms. Dickinson seconded the motion which carried unanimously.

5. Discussion – Barns of Rose Hill Board of Directors Appointment

Mr. Dalton said that the Barns of Rose Hill bylaws call for the Town and County each to appoint a member to the Board of Directors. Mr. Arnold said it is important for the appointed member to be a member of the Town Council. He said he had spoken with Council member McDonald and she agreed to serve, keeping the tradition of the appointed member being a current Town Council member. Ms. Dickinson moved that the Committee recommend that the Town Council appoint Donna McDonald to the Board of Directors for the Barns of Rose Hill. Ms. Gibson seconded the motion which carried unanimously.

6. Other

The Committee briefly discussed term limits for board and committee members. Ms. Dickinson said that a wider net needs to cast to get more people involved.

7. Adjourn

There being no further business, the meeting was adjourned at 9:22 a.m.

**BERRYVILLE TOWN COUNCIL**  
**Streets and Utilities Committee**  
**Tuesday, April 25, 2017**  
**Berryville-Clarke County Government Center**  
**12:00 p.m.**

**MINUTES**

**Town Council:**

Present: Patricia Dickinson, Chair; David Tollett

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

**Press:** Cathy Kuehner, Winchester Star

**Others:** Marilyn Pierce, Alton Echols

1. Call to Order

Chair Dickinson called the meeting to order at 12:10 p.m.

2. Approval of Agenda

The agenda was approved as presented.

3. Discussion – Water and Sewer Availability Fees

Mr. Dalton noted the proposed availability fee schedule with changes as requested by the Council in preparation for the public hearing on May 9. The Committee and Mr. Dalton discussed a study of the availability fee schedule which is included in the draft FY17-18 budget and capped at \$20,000. Ms. Dickinson suggested preparing the RFP for services in this fiscal year with work to begin in the next fiscal year. Mr. Dalton said that some members of Council wanted to use the current engineer, Pennoni. He said he will begin work on the framework of the RFP and present the matter to Town Council at the May meeting for a decision regarding how to proceed. Ms. Dickinson said that the Council needs to work on pricing objectives and financial policies related to pricing including a conceptual rate design. She said the Council needs to determine its philosophy and what it offers to consumers in return for both usage rates and availability fee rates.

4. Discussion - Utility Customer Portal

Mr. Dalton said he read the info provided by Ms. Dickinson and has talked with the Town's supplier, HD Supply, about the Aquahawk system. He said Aquahawk uses advanced metering infrastructure which the Town does not have. The Committee discussed the costs and savings of such a system. Mr. Dalton noted that while it is time to begin replacing meters, doing so is costly. He recommended a five year plan to replace existing touch-read meters with radio-read meters, and the Committee was in agreement. Mr. Tollett asked about the number of problems with billing, and Mr. Dalton said there have not been many issues with billing.

5. Updates- Public Utilities and Public Works

Mr. Tyrrell provided color samples for painting the Town water storage tanks that had been reviewed the previous evening by the Community Improvements Committee.

Mr. Boor outlined upcoming projects including: street cleaning; water line replacement on Treadwell Street; paving on Jack Enders Blvd, Taylor Street, and Swan Avenue; sewer rehab work

on Treadwell, Academy and Main Streets and Bel Voi Drive; and sidewalk repair on Hermitage Blvd. and Josephine Street.

Ms. Dickinson asked about the status of crosswalk installation. Mr. Dalton noted that he has found an option for solar powered crosswalk signs at a lower cost that may allow lighted signs at the three designated crossings to be completed within the existing budgeted funds. He said that without objection, he will discuss the matter with school Superintendent Chuck Bishop regarding the shared funding prior to finalizing any plans.

6. Adjourn

There being no further business, the committee adjourned at 1:07 p.m.

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**POLICE AND SECURITY COMMITTEE**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**Thursday, April 27, 2017**  
**9:00 a.m.**

**Committee members:** Present- Dave Tollett, Chair; Pat Dickinson

**Staff:** Keith Dalton, Town Manager; Neal White, Chief of Police; Ann Phillips, Town Clerk

**Press:** None

1. Call to Order

The meeting was called to order at 9:00 a.m. by Committee Chair Tollett.

2. Report of the Chief

Chief White provided an update on Police Department staffing and the Skyline Regional Criminal Justice Academy that is now officially chartered.

3. Berryville Code - Chapter 10

The Committee and staff reviewed proposed revisions to Article I of Chapter 10 of the Berryville Code.

4. Refuse Collection

Mr. Dalton noted that he will be riding along on the commercial trash collection route next week in advance of drafting the Commercial Trash Collection policy.

5. Other

Ms. Dickinson asked about the Town Council vote tally when the Council last addressed the issue of allowing chickens in Town. Mr. Dalton said that staff will send the Council members all pertinent information from the previous study of the issue.

Ms. Dickinson invited the Police Department to participate in a suicide prevention program on September 10, 2017.

Chair Tollett said the next Committee meeting will be on May 24, 2017, at 9:00 am.

6. Adjourn

There being no further business, the meeting was adjourned at 9:56 a.m.