

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Work Session
June 5, 2017
3:00 p.m.

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

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

Press: Cathy Kuehner, Winchester Star

1. Call to Order

Mayor Dickinson called the meeting to order at 3:02 p.m. Recorder Arnold requested that the meeting be kept to 90 minutes in length as previously indicated.

2. Approval of Agenda

On motion of Council member Tollett, seconded by Council member Gibson, the agenda was approved unanimously.

3. Discussion – Town Council Goals and Objectives

Mayor Dickinson referenced the listed Goals and objectives and inquired why the staff level was marked as high for Goal #4-Improve Commercial Climate / Attract a Hotel to Berryville. Mr. Dalton and Ms. Dunkle explained the process that staff would follow to attract a hotel.

The Mayor inquired what staff members would be involved in the asset inventory. Mr. Dalton said that he and all department heads would be involved.

The Mayor asked for clarification of the estimated costs of conducting the study of the availability fee schedule. Mr. Dalton said \$10,000 has been budgeted in both the water and sewer fund accounts.

Mayor Dickinson asked which staff members would be involved in updating the staff job descriptions. Mr. Dalton said that he and the Town Clerk would update the job descriptions.

The Mayor asked for input on which of the proposed goals should come off the table.

Council member McDonald arrived at 3:13pm.

Council member Kitselman said that attracting a hotel is very important to the Town and the County. He said it would be an asset to all the local businesses.

Recorder Arnold said that improving accessibility to downtown businesses would be cost prohibitive and should be addressed as the buildings are being otherwise renovated. He said that regarding the beautification project on Page Street, care needs to be taken with citizen groups handling the maintenance. He added that the Town supplying plants for this project will cause other neighborhoods to want the same service. Recorder Arnold said there are other beautification projects that have been identified that he would prefer to see completed, including Hogan's Alley and pocket parks, and noted that no money has been set aside for these projects.

Recorder Arnold said the asset inventory is not a high priority, should be an on-going project, and should not be made a high priority.

Recorder Arnold said that a part of the availability fee schedule review should include a study of the number of residents in Town that have Town water but not Town sewer. He said adding these users will help with revenues.

Recorder Arnold said studying the salary structure is a big project, and that many of the goal projects are heavy on using staff time. He said that the job descriptions are also not an important project now, and would add a lot to the Town Manager's work load.

The Council discussed the timing of updating job descriptions, the salary structure, and the asset inventory. Council member Gibson noted that part of the asset inventory will be a part of the availability fee structure study. She said it is important to do an inventory since a formal asset inventory has not been done. Mr. Dalton said that the job descriptions are being worked on as necessary when changes occur. The Mayor asked for a list of all the job descriptions and when they were last updated to assist with next year's goals.

The Mayor summarized the goals to be retained:

- E-citation
- Implement a tenure based compensation plan in the police department
- Complete an in-house compensation study for the police department
- Develop a plan to stabilize the livery stable
- Attract a hotel to Berryville
- Beautification projects including Page St. median
- Asset inventory
- Have consulting engineer study the availability fee schedule

Council member Gibson asked for Mr. Dalton's input. Mr. Dalton noted that the Council had listed eight priority goals, and noted that some of the priorities either do not have a determined cost and/or funding has not been identified. He added that the list as it exists in addition to the daily tasks together are a substantial workload for staff. Mr. Dalton added that two other items, not listed in the goals and objectives, are also currently adding to the staff workload: the upcoming water tank painting project and the implementation of the recommendations of the internal audit. He said that the staff is available to work for the Council, but if the workload keeps increasing, things may fall through the cracks. Mr. Dalton said that he has worked through some very busy periods and chose not to increase the staff size as long as the Council understood that priorities would have to be juggled. He said when the downturn came, the Town staff was lean. He said the staff continues to be lean and has not been over staffed through the years, and that good value is provided to the citizens for their taxes. He said that finding time to do special projects with staff is difficult.

Mr. Dalton said he ranked his priorities for goals as:

- 1-E-Citation because it has been funded, a resolution has been adopted, funds are being collected, and the Town has a legal requirement to do something
- 2-Develop a plan to stabilize the Livery Stable because the Town owns the building and is the steward of the building which is right next to a park where people play, and is also in the historic district

- 3-Attract a hotel to Berryville because the Town should be looking at this issue which will be a boost to economic development
- 4-Implement a tenure based compensation plan in the police department
- 5-Complete an in house compensation study for the police department (deferred to FY 19 if necessary)
- 6-Town staff compensation study and update job descriptions adding that the descriptions are currently being worked on
- 7- Have consulting engineer study the availability fee schedule and complete asset inventory noting that the study has been budgeted for FY 18
- 8-Evaluate strategies for improving accessibility in downtown businesses
- 9-Beautification (perhaps altered if the Mayor intends to use the Tree Board for such projects)

Council member Gibson said her top choices are:

- 1- Have consulting engineer study the availability fee schedule and complete asset inventory and complete the asset inventory only as it relates to the study
- 2- Develop a plan to stabilize the livery stable
- 3- Implement a tenure based compensation plan in the police department and complete an in house compensation study for the police department
- 4- Attract a hotel to Berryville

The Council discussed attracting a hotel. Mr. Dalton said that it may be a case where opportunity knocks and knowing the desires of Council will assist him. Council member Kitselman said that attracting a hotel is the most important thing to do for economic development and staff should have clear instructions to jump when the time is right. He said it is also a good opportunity to work with the County.

Council member Kitselman said his priorities are:

- 1-E-Citation
- 2- Attract a hotel to Berryville
- 3- Develop a plan to stabilize the Livery Stable

Council member Kitselman said he does not understand the necessity of studying the availability fee structure. He said there is no problem with having people build things here. He said in comparing the Town's availability fees with other areas, the rates are not out of line. Council member Kitselman said that user rates are high because the Town has done the right thing in meeting federal requirements pertaining to the Chesapeake Bay, and surrounding communities will find themselves in the crosshairs while Berryville has done its part and has a plan.

The Mayor provided a summary of the goals. She said the Town staff compensation study and job description updates are on hold. She said the following goals are still on the list:

- Have consulting engineer study the availability fee schedule and complete asset inventory and complete the asset inventory only as it relates to the study
- Beautification projects including Page St. median
- Attract a hotel to Berryville
- Develop a plan to stabilize the Livery Stable
- Implement a tenure based compensation plan in the police department and complete an in house compensation study for the police department
- E-Citation

Council member Tollett said he agreed with the list.

Council member McDonald offered her three choices:

- 1- Town staff compensation study and update job descriptions
- 2- E-Citation and Implement a tenure based compensation plan in the police department
- 3- Attract a hotel to Berryville

4. Discussion – Vision for Growth / Availability Fees

Council member Tollett said there is a need to know what Town Council wants as far as growth. He said before money is spent on a fee study, the Council needs to decide whether growth should be encouraged or not.

Council member Kitselman said he does not hear complaints about the availability fees or user rates from commercial users, and that the business park should be enlarged. Ms. Dunkle said there are no lots left in the current industrial park.

Council member Tollett asked if the annexation area would include industrial uses and allow larger water use customers. Council member Kitselman said that water use will depend on the type of business. Council member Tollett said the Town is in a catch-22 because the rates are so high that businesses are not encouraged to come onto the system. Recorder Arnold noted that recently, Handsome Brook Farm had planned to locate in Town, and the water use rates did not discourage the business from choosing Berryville.

Council member Kitselman said that in order to enlarge the business park, the Town would need to work with the County and review the annexation agreement. He noted that Berryville Glen is almost built out, and that it is an indication that the Town has been doing well in the planning area.

Mayor Dickinson said in regard to the availability fee study, there are five things that need to be decided. She listed them as making accommodations for affordability, conservation and demand, economic development or using availability fees to attract or repel certain types of housing, revenue stability, and ease of implementation so that staff will not become overwhelmed.

Council member Gibson said her reason for the study is to cover costs and having no surprises down the line. Mayor Dickinson said the fees also affect housing because the fees drive behavior. She said the Council needs to decide if the Town wants to attract multi-family housing, and that will affect the fee structure.

Council member Kitselman said the Town is in the sweet spot with manageable growth and that opening the barn doors to Purcellville size growth is not the answer, noting the many problems in that locality. He said the Town's vision is unique in the state of Virginia, and he does not want to change the character of the Town. Council member Kitselman said he is in favor of attracting growth, but in the parameters that have been developed. He added that developers are out to make money, and the Council should be out to preserve the community.

Council member Gibson said that she does not want to change the character of the Town, but she thinks the Town can do better in some instances regarding services. There was a general discussion of grocery stores in Town.

There was a general discussion of housing costs and housing types, and affordability. The Mayor expressed support for multi-family housing. Council member Kitselman said the typical model for multi-family is 8 to 10 units, or townhouses, both of which can be built here.

Mr. Dalton said that the discussion about enlarging the business park will involve a discussion with the County. He said that this option is a way of bringing in more users and availability fee revenues. He noted that the current business park on Jack Enders Blvd. has been completely built out under the current availability fee structure. Mr. Dalton said that the Town and County need to agree on increasing housing density if that is to occur. He said the discussion could start on a positive note with the review of the annexation agreement in relation to expanding the business park. Mayor Dickinson expressed her desire to see Jack Enders Blvd. extended to meet U.S. Route 340. Mr. Dalton and Ms. Dunkle agreed that expansion of the business park to the south would be best way to have Jack Enders Blvd. extended.

Council member Tollett said that when the fees are set, then the Council will need to agree on a philosophy regarding availability fees.

On motion of Council member Kitselman, seconded by Council member Gibson, the meeting was adjourned at 4:41 p.m.

Harry Lee Arnold, Jr., Recorder

Ann W. Phillips, Town Clerk

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
June 13, 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 McDonald, seconded by Council member Tollett, the agenda was approved unanimously.

4. Public Hearing

No public hearing was scheduled.

5. Citizens' Forum

The speakers were as follows:

Alton Echols, Town resident, said he was speaking for Ding Wong. He provided a handout to the Clerk for inclusion in the record (Attachment A). Mr. Echols said he still owns the land adjacent to the proposed McDonald's, but has a land contract with Mr. Wong. He said he had signed an easement to assist McDonald's. He said there was a problem with approvals on stormwater systems with the Bank of Clarke County also adjacent to the McDonald's. He said he signed the easement with the understanding that McDonald's will extend the roadway to the north end of their property, and the water and sewer also. Mr. Echols said that McDonald's will also attempt to add a right in-right out from their parcel that will help traffic flow at the stop light on Buckmarsh Street. He said he would like to speak at the next Streets & Utilities Committee to discuss the 18" v. 15" stormwater piping.

Matt Bass, Town resident, said that he had recently attended a planning class offered by Virginia Tech on land use management in conjunction with his membership on the BADA. He said he found the class very beneficial and suggested that the Town Council members are planners and would benefit from taking the class. He said one item from the class inspired him to say he would like the Town Council to adopt the policy of disclosing ex-parte contacts at the beginning of each meeting. Mr. Bass said that Loudoun County and Leesburg have the policy and have good things to say about it. He said whether it is true or not, there is talk around town that outside influence is driving some of the issues before Council. He said in the interest of transparency, at the beginning of each meeting or each topic of discussion, the members could state whether they have had any ex-parte contacts with interested parties. Mr. Bass said that the citizens would appreciate such disclosure.

Mr. Bass suggested the Council think about the agenda with regard to public hearings and the length of time between the hearing and the vote on the topic of the hearing. He said that better communication about the hearing and voting processes would be helpful to those attending the meetings.

Lonnie Grimes, Town resident, questioned the reasoning behind wanting to paint the name of the town on the water tower. He said the Town's money can be better spent, and suggested that other types of signs can be used for branding if that is the goal.

Sue Ross, Berryville Main Street, relayed a compliment to downtown business My Neighbor and Me. She said a visitor had a fall in front of the business, and has sent praise and thanks for owner Christina Kraybill and her staff who she said went above and beyond in assisting the visitor and her family. Ms. Ross said the visitor also praised the fire department members who responded to the call.

6. Consent Agenda

The consent agenda was unanimously approved on motion of Council member Tollett, seconded by Council member Kitselman.

7. Presentation

Betsy Hedrick and Melissa Brohan of PBMares, LLP, presented the report from the recently conducted Internal Audit of Cash Disbursements and Procurement. Mayor Dickinson asked if tightening up on some internal policies was in line with the responses of other Towns in similar situations. Ms. Hedrick replied affirmatively adding that these are common issues which are easily fixed. Council member Gibson thanked Ms. Hedrick and Ms. Brohan for a good product. Mr. Dalton said he is developing a work plan to address issues brought up in the audit report. He proposed that he send a draft work plan to Council members by June 30 and that the topic be placed on the July 10 work session agenda. By consensus, the Council agreed to this proposal.

8. Report of Patricia Dickinson, Mayor

Mayor Dickinson noted the upcoming historical marker ceremony honoring Lucy Diggs Slowe. **Council member McDonald moved that the Council of the Town of Berryville adopt the following resolution honoring Lucy Diggs Slowe. Council member Kitselman seconded the motion which carried unanimously.**

**TOWN COUNCIL OF THE TOWN OF BERRYVILLE
IN RECOGNITION OF LUCY DIGGS SLOWE**

WHEREAS, Ms. Slowe was born in Berryville on July 4, 1885; and

WHEREAS, after the loss of her parents at a young age, Ms. Slowe moved to Lexington, VA to live with her aunt, Martha Price, later relocating to Baltimore, MD; and

WHEREAS, proving to be an excellent student, Ms. Slowe graduated second in her class from Baltimore Colored School in 1904 and became the first female graduate of the school to enter Howard University; and

WHEREAS, being an active participant in campus life, Ms. Slowe sang in the university choir, served as president of the women's tennis team, and was a founding member of the first Greek letter sorority for black women, Alpha Kappa Alpha; and

WHEREAS, Ms. Slowe graduated class valedictorian from Howard in 1908 and began her teaching career; and

WHEREAS, Ms. Slowe continued her education at Columbia Graduate School of Arts & Science, graduating with a Master of Arts in 1915; and

WHEREAS, Ms. Slowe continued her interest in tennis and in 1917 became the first African-American woman to win a national title in any sport when she claimed the first women's title at the American Tennis Association (ATA) national tournament in Baltimore; and

WHEREAS, in 1922, Ms. Slowe returned to her alma mater, becoming the first Dean of Women at Howard University where she established a women's campus; and

WHEREAS, Ms. Slowe was on the forefront of ensuring the roles of African-American women and helped organize and served as the first president of the National Association of College Women; and

WHEREAS, Ms. Slowe continued to spearhead progress for African-Americans on college campuses until her death in 1937; now, therefore, be it

RESOLVED the Council of the Town of Berryville recognizes and celebrates the remarkable life and career of Lucy Diggs Slowe.

By Order of the Town Council of the Town of Berryville on this the thirteenth day of June, 2017.

Patricia Dickinson, Mayor

Harry Lee Arnold, Jr., Recorder

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Mayor Dickinson discussed the Habitat for Humanity Rock the Block event on July 15, and the suicide prevention program on September 10.

9. Report of Harry Lee Arnold, Jr, Recorder

Recorder Arnold had nothing to report.

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

Ms. Dunkle explained the request for a bond to be set for the Mario's Pizza parking lot site plan. She noted the motion for the erosion and sediment control bond included in the packet. **Recorder Arnold moved that the Council of the Town of Berryville approve the request to set the following Erosion and Sediment Control bond for the Mario's Pizza parking lot development located at 36 West Main Street and identified as Tax Max Parcel number 14A5-((A))-55, zoned C General Commercial, as follows: Erosion and Sediment Control: \$5,300.00. Council member Kitselman seconded the motion which carried as follows:**

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

Ms. Dunkle reviewed her staff report included in the agenda packet. She said the Safe-Routes-to-School project on Swan Avenue has begun.

11. Report of Keith Dalton, Town Manager

Mr. Dalton said he would like to commend Public Works Director Rick Boor and his department for the many recently completed projects and a job well done. He said that the last of the streets that had been rated as poor when the town streets were turned over from VDOT maintenance to Town maintenance have now been paved. Mr. Dalton noted that with the warm winter, the Public Works department has some funds remaining that will be used for other projects that have been previously identified.

12. Report of Erecka Gibson - Chair, Budget and Finance Committee

Ms. Gibson noted that a motion to add graphic text to the northwest water tank will take funds from the general fund contingency before the fiscal year even begins. She asked Mr. Dalton his opinion on the matter. Mr. Dalton said that target amounts are certainly desired, but reducing the contingency fund in that manner did not alarm him, noting there are reserve funds also available. The Council and staff discussed using the contingency fund account or water fund account for the water tank graphic text expense.

13. Report of Donna McDonald - Chair, Community Improvements Committee

Ms. McDonald said the Committee had discussed the upcoming painting of the water tanks. **Council member McDonald moved that the Council of the Town of Berryville approve the following paint color schemes: for the elevated water storage tanks, Warm Sun 01BR and for the ground reservoir tank, Constellation 43GR. Council member Kitselman seconded the motion which carried as follows:**

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

Mayor Dickinson said that if the northwest tank is scheduled for painting last, then there is no reason to decide on the graphic text option now. Recorder Arnold said he was not in favor of spending the money on the tank graphic. He said he would rather see funds spent on wayfinding signs and updating the older park and shop signs which would enhance the downtown. There was discussion of where the idea to paint the graphic text came from. There was discussion of the cost of painting the graphic. Council member Gibson said that including "Est. 1798" was not advisable since it would not be seen. She said the graphic would be nice to have, but is not necessary since it would push the project over budget. Mayor Dickinson suggested waiting until the next budget cycle to address funding the graphic text painting on the tank. Mr. Dalton cautioned that the schedule is tentative, and the northwest tank painting may be completed by the next budget cycle. The Council discussed the project and whether to pursue the graphic text option. Council member Gibson said she was not in favor of spending money before the budget year starts. Council member Tollett said he was not supportive of the graphic text option. Recorder Arnold said he was not supportive of the graphic text option. Council member Kitselman said he liked the idea of branding, but he was swayed by the idea that wayfinding signs are a better use of funds than the tank graphic text. Council member McDonald and Mayor Dickinson said they were in favor of the graphic text. Council member McDonald asked whether funds for the wayfinding signs have been budgeted, and Mr. Dalton said that funds are budgeted, but added that the work that could be done in the FY 18 fiscal year would be planning in advance and would likely not result in any signs being installed. Mayor Dickinson said the consensus of Council was not to pursue the graphic text option.

Council member McDonald said she favored wayfinding signs and also hoped to see improvements in the downtown parking lots. Mr. Dalton said that paving is planned for the Crow Street parking lot which is shared with two other owners and that the Rixey Moore Parking Lot seemed to be doing well. The Committee set the next meeting for June 26, 2017.

14. Report of David Tollett – Police and Security Committee

Council member Tollett said the Chief and the Committee discussed auto decals, and have determined that more work needs to be done on the topic. Chief White said he and Clarke County EMS Director Brain Lichty spoke at the Mary Hardesty House on current scams and evacuation policies. He said the department held a child safety seat inspection at the Heritage Day Care Center. Chief White added that National Night Out has been scheduled for August 1 from 6:00-8:00pm.

Mr. Dalton said that he and the Chief and the Treasurer will compile a list of pros and cons on the auto decal issue and send it to the Council. He said that once Council has decided whether or not to retain the auto decals, then that will determine the Chief's work on writing the ordinance. The Committee set the next meeting for August 24, 2017.

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

Mayor Dickinson noted that during the tank painting project, periods of low water pressure are to be expected. She said sidewalk repairs are proceeding as planned. The Committee set the next meeting for June 27, 2017.

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

Recorder Arnold had nothing to report.

17. Other

Council member McDonald noted her appointment as liaison to the board of the Barns of Rose Hill. She encouraged everyone to support the Barns and said volunteers were needed, especially at the Visitors Center.

Council member Gibson inquired whether there were new picnic tables in the park. Mr. Dalton said the tables are replaced as needed.

18. Adjourn

There being no other business, upon motion of Council member Tollett, seconded by Council member Kitselman, the meeting was adjourned at 8:56 p.m.

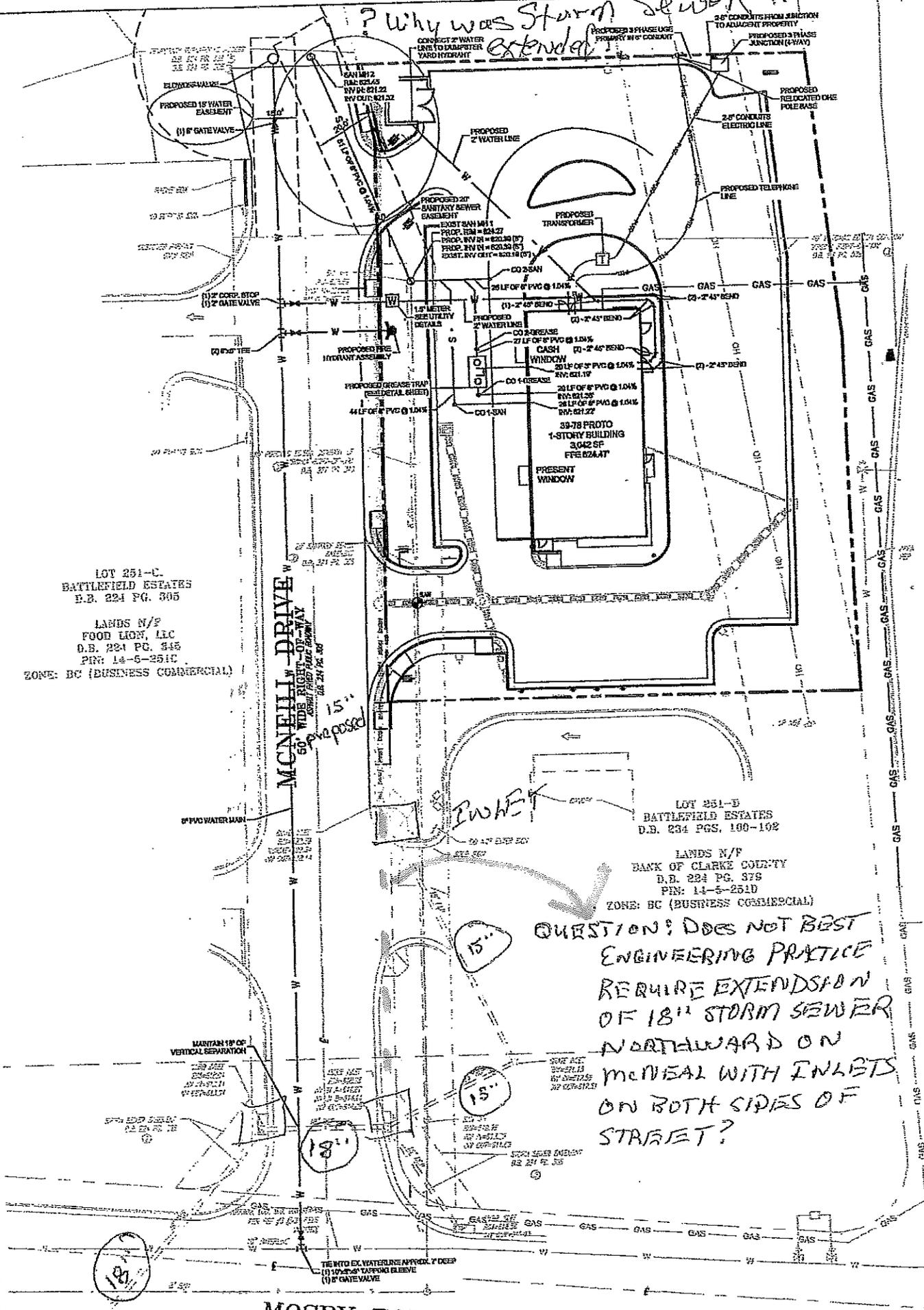
Harry Lee Arnold, Jr., Recorder

Ann W. Phillips, Town Clerk

Attachment A

? Why was Storm Sewer extended?

15. NVA-CVV11036000 McDonda - Berryville 451490000 Plan Sheets C-2.0 Utility Plan, etc. February 21, 2017 48x60-23mm. UTILITY PLAN February 21, 2017 48x60-23mm. 15. NVA-CVV11036000 McDonda - Berryville 451490000 Plan Sheets C-2.0 Utility Plan, etc. February 21, 2017 48x60-23mm. UTILITY PLAN February 21, 2017 48x60-23mm. 15. NVA-CVV11036000 McDonda - Berryville 451490000 Plan Sheets C-2.0 Utility Plan, etc. February 21, 2017 48x60-23mm. UTILITY PLAN February 21, 2017 48x60-23mm.



LOT 251-C
BATTLEFIELD ESTATES
D.B. 224 PG. 305

LANDS N/F
FOOD LION, LLC
D.B. 224 PG. 545
PKY 14-5-251C
ZONE: BC (BUSINESS COMMERCIAL)

LOT 251-B
BATTLEFIELD ESTATES
D.B. 224 PGS. 100-102

LANDS N/F
BANK OF CLARKE COUNTY
D.B. 224 PG. 378
PKY 14-5-251D
ZONE: BC (BUSINESS COMMERCIAL)

QUESTION: DOES NOT BEST ENGINEERING PRACTICE REQUIRE EXTENSION OF 18" STORM SEWER NORTHWARD ON MCNEEL WITH INLETS ON BOTH SIDES OF STREET?

MOSBY BOULEVARD

*CONCRETE D.M.P.
STORM SEWER BY
STORM SEWER BY
RED LINE
BEST PHOTO COPY
BER HOUSE OF LORDS INC.
D.B. 520 PG. 722
PIN: 14-5-251B
ZONE: BC (BUSINESS COMMERCIAL)*

LOT 251-B
BATTLEFIELD ESTATES
D.B. 224 PG. 305

LANDS N/F
HOUSE OF LORDS INC.
D.B. 520 PG. 722
PIN: 14-5-251B

S32°59'01"W 69.87'

N57°00'59"W 78.09'

N21°24'56"E 39.35'

N21°24'56"E 26.85'

S57°00'59"E 41.36'

S33°20'50"W 26.02'

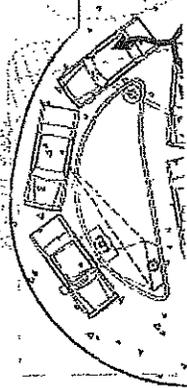
S85°38'10"E 50.00'

N33°20'50"E 31.18'



SCOPE OF WORK

- CONSTRUCTING NEW CURB, GUTTER AND SIDEWALK
- EXTENDING PAVEMENT AND INSTALLING COMPACTED STONE IN SURROUNDING AREA
- GRADING WITHIN TRUCK TURN-AROUND AREA
- EXTENDING *water and* SEWER *INSIDE NEXT* PROPERTY



LOT 251-F
BATTLEFIELD ESTATES
D.B. 234 PGS. 100-102

LANDS OF
MICHELLE FASCELLI
D.B. 338 PG. 88
PIN: 14-5-251F
ZONE: BC (BUSINESS COMMERCIAL)
AREA: 34,740 S.F. OR 0.79752 AC.

EASEMENT EXHIBIT
EXHIBIT A 1 OF 1

*EXTENDING ~~SEWER~~
SEWER TO NEXT
PROPERTY WITH
18" LINE.*

PROPOSED VARIABLE
WIDTH TEMPORARY
CONSTRUCTION EASEMENT

MINUTES
BERRYVILLE TOWN COUNCIL
COMMUNITY IMPROVEMENTS COMMITTEE
Berryville-Clarke County Government Center
Regular Meeting
June 26, 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: Cathy Kuehner, Winchester Star

Others: Erecka Gibson

1. Call to Order

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

2. Approval of Agenda

The agenda was approved.

3. Discussion – Livery Stable

The Committee and staff discussed the draft RFP for structural analysis of the livery stable. The topics of discussion were the scope of services, deliverables, and the schedule. It was agreed that Mr. Dalton will continue work on the draft and submit it to Town Council at the next meeting. Mr. Dalton stated that once the Town Council agreed to the scope, he will work with legal counsel finalize the RFP and get it issued.

4. Discussion – Water Tank Signage

Ms. McDonald said she is not disrespectful of the Town Council decision regarding signage on the northwest water tower. She said she would like a more accurate cost estimate for the work, noting that the figure of \$15,000 included in the suggested motion at the last meeting may have scared some Council members. Mr. Dalton clarified the figure saying that the intention was that the cost not exceed \$15,000. He said it was not intended to scare Council members. Mr. Tyrrell noted the last firm estimate for "Berryville Est. 1798" was \$12,800. Ms. McDonald said she remembered a figure around \$9000. She said she would like to present a firm estimate to Town Council one more time since this is the last opportunity to have the work completed. Mr. Kitselman said that he was not in favor of presenting the topic to Council again, adding that it is disrespectful of the Council process. Mr. Dalton said he would provide the Town Council members with the estimate, and any member could choose to present the idea to Town Council individually rather than from a Committee.

5. Other

Ms. McDonald noted the beautification project on Page Street saying that in her capacity HOA President of the neighborhood's Battletown Homeowners Association, she has not yet sent a letter to Town Council requesting financial assistance with plants for the Page Street median. She said she now understands that the Tree Board will take care of the project. Mr. Dalton and Ms. Dunkle noted that the Tree Board is advisory and has no budget to complete projects. Ms. McDonald said the HOA intends to complete the project if the Town does not participate, because they want to improve their neighborhood.

7. Adjourn

There being no further business, the meeting was adjourned at 7:45 p.m.

BERRYVILLE TOWN COUNCIL
Streets and Utilities Committee
Tuesday, June 27, 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; Christy Dunkle, Planner; Ann Phillips, Town Clerk; Neal White, Chief of Police

Press: None

Others: Cliff Balderson and Grant Sanders of VDOT; Ronnie Rutherford and Rick Bywaters of REC; Jim Morrison, Alton Echols, Harry Lee Arnold, Jr.

1. **Call to Order**

Chair Dickinson called the meeting to order at 12:00 p.m.

2. **Approval of Agenda**

The agenda was approved as presented.

3. **Update - VDOT**

Mr. Dalton noted the Smartscale project on East Main Street and several crosswalk projects are in progress. Mr. Dalton and Mr. Balderson discussed signage for the Main Street crosswalk at Hermitage Blvd. It was agreed that a pedestrian sign rather than a school crossing sign is preferred. Regarding the crosswalk on Buckmarsh Street at Hermitage Blvd., Mr. Balderson said that VDOT has no professional opinion, but Town staff may think there are issues with speed, lack of refuge, and the length of the crosswalk. Mr. Dalton noted the crosswalk on Buckmarsh at Swan Avenue is a revenue sharing project in progress and has participation from the public schools.

Signal timing at Church and Main Streets and Buckmarsh and Main Streets was discussed. Mr. Sanders offered to check on the options for timing adjustments and will return with suggestions. Mr. Arnold asked that a delay be added to allow pedestrians to enter the intersection before drivers get a green light.

Chair Dickinson asked about timing at the Route 7 Bypass intersection with Route 7 Business west of Town. Mr. Sanders said he would check on the timing.

Mr. Dalton noted the good working relationship the Town has with VDOT. He thanked Mr. Balderson and Mr. Sanders for their assistance.

4. **Update -- Planning**

Mr. Dalton noted the attendance of Town resident Jim Morrison who has registered a complaint about the new LED street lighting on his street. Mr. Rutherford and Mr. Bywaters explained the reason for the move to LED lights as cost and energy savings, and said the new lighting is dark sky compliant. Mr. Morrison read a statement (Attachment A). Mr. Arnold asked for

clarification on the lighting color used earlier in the pilot program. Mr. Rutherford said that REC will review the particular light at Mr. Morrison's home and respond with suggestions.

Ms. Dunkle provided an update on the Safe-Routes-to-School project on Swan Avenue.

Chair Dickinson recognized Alton Echols who had asked to address the Committee regarding the McDonald's site plan. Mr. Echols noted several issues on the site plan. He said he will sign an easement requested by McDonald's if he is assured that curb and gutter will be extended to his property. Ms. Dunkle stated that the section of curb and gutter had been bonded. Mr. Echols said there is a problem with the subdivision and site plan procedures, and there should be a petitioners' hour at the BADA meetings. Mr. Echols asked for verification of the bond for the curb and gutter. Ms. Dunkle said that the file was available for review as had been offered to Mr. Echols in response to his FOIA request. Mr. Echols said he would make an appointment to review the file.

Mr. Dalton and Mr. Boor provided an update on paving projects, water and sewer projects, and drainage improvement projects. They also provided updates on the Public Works building project and the sidewalk repair project.

Chair Dickinson asked about the snow removal plan for Ritter Place. Mr. Dalton said he and Chief White had visited the HOA, were awaiting comment from that organization, and would continue to review the issue.

5. Update – Utilities Department

Mr. Tyrrell presented a narrative and spreadsheets describing best- and worst-case scenarios for the costs and timing of the upcoming water tank painting project. The Committee and staff discussed overtime costs and costs to staff the tanker task force during the period when the ground reservoir is out of service. Also discussed was the topic of Excluded Items in the contract. Mr. Tyrrell said he would get a cost estimate for the handling of hazardous materials.

6. Adjourn

There being no further business, the committee adjourned at 2:15p.m.

Thoughts and Concerns about the New Streetlights in Berryville

I am writing to express my concerns about the new LED lights that are replacing the old High Pressure Sodium streetlights in Berryville. These new lights are very efficient and replacing the old fixtures makes economic and even ecological sense. I have read some literature on the Internet about the new LED's and have become less reactive to them. I appreciate the town's desire to save money in the cost of using them and that they last a long time. That, however, means we need to get this right since we will be living with them for many years. Some of my initial concerns are being echoed across the country as more and more of these lights are put into use.

Kelvin Rating

I do not know the Kelvin rating on the new bulbs but they are more bluish than the old lights. Many municipalities are insisting on warmer bulbs and these have been developed by most manufacturers. The color temperature matters for many reasons; the percentage of blue light in the light given off by the LED streetlight affects people's sleep habits and some hormone levels. This is significant enough for the AMA to recommend streetlights that are 3000 ° K. or less, which appears more yellow. The International Dark-Sky Association (IDA), which hopes to foster thoughtfulness about how we are changing our nighttime environment, recommends warmer bulbs for other reasons, such as decreasing light 'spillage' into the atmosphere, which is exacerbated by increased blue light content. Our new streetlights may be close to the recommended color temperature but they do seem to be colder than the old lights. The color is somewhat warm. The High Pressure Sodium lights, despite being monochromatic and orange, were lower on the Kelvin scale and were quite appropriate for residential uses. I never gave them much thought until they were replaced.

Shields

The AMA and the IDA recommend the all streetlights should be fully shielded. These new fixtures are not shielded and, even though they shine down, they are so high up on utility poles that they are lighting up houses and trees unnecessarily. They are shining into resident's bedrooms at night and they are shining into our eyes. The AMA is concerned that these lights constrict the pupils and can actually making it harder to see at night, at least where the light is not illuminating something. The AMA is concerned about the effect of 25 years of this

type of light in sleeper's eyes, which is a problem where houses abut the road and might be close to the streetlight. I know I do not sleep well when there is light in the room and these lights are shining through the blinds.

The lights would be much less problematic if shields focused the light down on the street where the light is meant to be, like the fixtures at the high school. I believe that we should not see the light but only what it is illuminating. The old fixtures had lenses that diffused the light and made them seem less harsh. These LED streetlights make sharp edged shadows that are unpleasant and the bulbs themselves are hard on the eyes.

Appropriateness

I live in an older residential neighborhood where my neighbors sometimes put out ornamental lights for Christmas and other holidays. I do all year. These new fixtures are so bright and light up houses so much that Christmas lights cannot compete. I also happen to think that some dark is appealing. The old fixtures were bright enough for people to feel safe waking their dogs, which is not a lot of people after dark. These new lights make the unlit areas seem darker and it is hard for your eyes to adjust. I dislike the shadows being thrown across my front porch and beams of light shining into my backyard. There is no reason to light up the neighborhood if we are trying to provide some light on the street and we should not discourage residents from beautifying their home with ornamental lights.

Some of the reasons for using LED lights have to do with things like color recognition, visual acuity, and traffic safety. They are also apparently better in the workplace. However, these good attributes have nothing to do with what is appropriate for a quiet residential neighborhood where people are trying to sleep or maybe are enjoying the night. They are intrusive into my interior as well and must be much more so where someone's house is close to a fixture. We hopefully will not to be expected to put up blackout curtains.

Safety

Brighter light does not equate to increased safety. Some cities, such as Chicago, actually found a correlation between brighter lights and increased vandalism and crime. I think that these new fixtures show anyone driving through our neighborhood at night what people have on their lawns or porches. As already stated they also make dark areas seem darker and some people might

start to feel a need to light up their backyards as well. I thought we had some town ordinances about barn lights and these lights have the same effect.

Stars and the Night Sky

I like sitting on the porch at night sometimes when it is nice and I like to look up at the night sky. Unfortunately the atmosphere is becoming brighter everywhere on the East Coast and stars are becoming harder to see. Now, however, the only thing you are likely to notice when you go outside in my neighborhood is the brightness of the streetlights. I have talked to some of my neighbors about the lights and they ALL feel the same way; they do not like them. The test run on Smith Street involved people who were either selling or were renting and so had no vested interest in the way the neighborhood looked. One resident who lives near Smith Street said she did not mind them at first but dislikes them now. Another resident on Rice Street says it looks like a prison, and she thought at first they must be working on the lights.

Another aspect of this is that it is summer now. During winter when the sun goes down at 5:00, these bright new fixtures will be shining in our windows and on our houses all evening. The increased light's effect on the sky will be exacerbated by such things as high humidity and snow cover. I personally do not see any benefit from this increased brightness, and a lot of downsides.

Conclusion

As I have said, I know that LED's are the future of streetlights for now. The energy savings are significant. However, these lights would be much better if they were...

- 1: properly shielded so that their light did not shine into peoples' eyes and windows and did not light up our houses.
- 2: were a warmer color temperature, decreasing the amount of blue light and more appealing generally.
- 3: were less bright, more appropriate for quiet neighborhoods and less contrary to some enjoyment of the night.

IDA also recommends lights that can dim during the night and these are being used in some towns. These dimmable lights would be particularly appropriate in residential settings.

I believe the town can balance the need to minimize energy costs while using appropriate streetlights that will also be good for safety and the environment. Properly shielded and less bright fixtures will provide enough light where it is wanted, on the street, without impacting the charm of our neighborhoods.

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