

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
October 10, 2017
7:30 p.m.

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

Staff: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Chief Neal White, Berryville Police Department

Press: Cathy Kuehner, Winchester Star

1. Call to Order

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

2. Closed Session

On motion of Recorder Arnold, the Berryville Town Council entered closed session in accordance with §2.2-3711-A-7, Code of Virginia, in order to consult with legal counsel concerning the Town entering into an agreement relating to a public transportation project.

Council member McDonald seconded the motion which carried as follows:

Aye: Kitselman, Gibson, McDonald, Arnold

Nay: None

Abstain: Dickinson

Absent: Tollett

Reconvene

At 7:30 p.m., the members of the Town Council being assembled within the designated meeting place in the presence of members of the public and the media desiring to attend, the meeting was reconvened.

On motion of Council Member Gibson, the Council of the Town of Berryville adopted the following resolution certifying it convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with provision of The Virginia Freedom of Information Act. Recorder Arnold seconded the motion with a roll call vote as follows:

Gibson: Aye

Arnold: Aye

Kitselman: Aye

McDonald: Aye

Dickinson: Aye

Tollett: Absent

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 Council.

Harry Lee Arnold, Jr., Recorder

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3. Pledge of Allegiance

4. Approval of Agenda

On motion of Council member Kitselman, seconded by Council member Gibson, the agenda was unanimously approved as presented.

5. Citizens' Forum

Mayor Dickinson recognized Patty Maples, Board President of Berryville Main Street. Mrs. Maples said that new Executive Director Lizzie Ryan is working on a number of items and introducing herself to downtown businesses and residents. She referenced an article in the Winchester Star that featured BMS. She thanked the Town for the ongoing Virginia Commission for the Arts Grant and discussed upcoming holiday events.

6. Consent Agenda

The Consent Agenda was approved on motion of Council member McDonald, seconded by Council member Kitselman. The items on the Consent Agenda were:

Minutes of Regular Meeting – 9/27/17

Minutes of Community Improvements Committee Meeting – 9/25/17

Minutes of Budget and Finance Committee Meeting – 9/26/17

Minutes of Police and Security Committee Meeting – 9/29/17

Minutes of Streets and Utilities Committee Meeting – 9/26/17

7. Report of Patricia Dickinson, Mayor

Mayor Dickinson read a declaration concerning water supply and asked residents to voluntarily reduce water usage. She said that the annual Veterans' Day event will be held on Saturday, November 11 at 11:00 a.m. at the Government Center. She added that a committee has been organized for the 100th anniversary of WWI celebration and that Will Watson will chair the committee.

8. Report of Harry Lee Arnold, Jr., Recorder
Recorder Arnold had nothing to report.

9. Report of Christy Dunkle, Assistant Town Manager for Community Development
Ms. Dunkle said she had two action items. She said a resolution for the acceptance of McGuire Circle into the public street system is before Council. She said the street, which is located in the Berryville Glen subdivision, was recently completed and Mr. Boor had submitted lane mileage information to complete the paperwork for the acceptance. She said staff would like to forward the request to VDOT in order to push snow in the subdivision this winter. Ms. Dunkle identified the documents in the staff report.

On motion of Council Member Gibson, the Council of the Town of Berryville approved the following resolution requesting VDOT acceptance of McGuire Circle for inclusion in the VDOT Urban Highway System and Maintenance Inventory in order for the Town to receive municipal assistance maintenance funding. Council member Kitselman seconded the motion which carried as follows:

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

RESOLUTION OF GOVERNING BODY OF THE TOWN OF BERRYVILLE

The governing body of the Town of Berryville, Virginia, consisting of six members, in a duly called meeting held on the 10th day of October, 2017 at which a quorum was present, RESOLVED as follows:
A RESOLUTION: REQUESTING ACCEPTANCE OF McGUIRE CIRCLE INTO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) URBAN HIGHWAY SYSTEM AND MAINTENANCE INVENTORY

WHEREAS, the street referenced above has been completed and is now eligible for VDOT maintenance funding; and

NOW, THEREFORE, BE IT RESOLVED the Council of the Town of Berryville, Virginia hereby requests VDOT to accept the street referenced above as identified on the attached U-1 form and accompanying documentation into the Urban Highway System and Maintenance Inventory for maintenance payments in accordance with §33.1-41.1 of the Code of Virginia, 1950, as amended.

Passed on this 10th day of October, 2017.

Signed: _____
Patricia Dickinson, Mayor

Attest: _____
Harry Lee Arnold, Jr.

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Ms. Dunkle said that the second action item is the release of an existing letter of credit for Jackson Pond located on the corner of Jackson Drive and West Main Street. She said that Mr. Echols would like the bond released from Ketocin Land Company and a new one established in his name as the trustee for the

Battlefield Center Trust. Mr. Dalton recommended specifying a three-month deadline to complete the work as part of the Construction and Bonding Agreement.

Council member Gibson moved to approve the release of the current letter of credit for Jackson Pond in the amount of \$34,877 and to approve a new Construction and Bonding Agreement and cash surety in the name of A.C. Echols, Jr., Trustee for Battlefield Center Trust in the amount of \$10,875 for Jackson Pond, and to complete the work within 90 days of executing the agreement or the bonds will be used to complete the work. Council member McDonald seconded the motion which carried as follows:

Aye: Gibson, McDonald, Kitselman, Arnold

Nay: None

Abstain: Dickinson

Absent: Tollett

10. Report of Keith Dalton, Town Manager

Mr. Dalton said that Bill Bowerman, an original member of the Architectural Review Board who served for 17 years on that board had passed away over the weekend. He said Mr. Bowerman was a true public servant who focused his best efforts for the community and represented the Town well. He said the mayor had signed a resolution for his family and the Berryville flag will be lowered to half-staff and a drape will be hung at the front of the Government Center for five days in his honor.

Mr. Dalton said that an agreement has been drafted between the Town and McDonald's Corporation allowing the latter to contribute \$13,375 to the Town in order to rehabilitate the temporary turnaround that currently exists at the terminus of McNeil Drive. There was a discussion about the \$1,000 referenced in the agreement which Mr. Dalton said was to be used for reimbursement of legal costs. He concluded by requesting Council action in order to authorize him to complete the negotiation and execute the agreement. **Council member McDonald made the motion to authorize the Town Manager to finalize the negotiation and execute the agreement referenced above. Council member Kitselman seconded the motion which carried as follows:**

Aye: Gibson, McDonald, Kitselman, Arnold

Nay: None

Abstain: Dickinson

Absent: Tollett

11. Report of Erecka Gibson – Chair, Budget and Finance Committee

Council member Gibson said that the next meeting has been scheduled for Tuesday, October 24 at 10:00 a.m.

12. Report of Donna McDonald – Chair, Community Improvements Committee

Council member McDonald said that the Community Improvements Committee met on September 25th and Council member Kitselman presented the structural evaluation received for the livery stable in her absence. She said four bids were received and Damron Engineering & Consulting was awarded the contract. Recorder Arnold asked, for the public's information, the cost of the project. Council member Gibson said that the evaluation cost \$13,000. There was a question about the source of the funding for the project. Mr. Dalton said that this was funded through a line item in the approved budget. He described the property maintenance budget items which included a new roof for the house on Smithy Lane; tree work at the same location; and a new roof on the livery which had been previously anticipated. He reiterated that the evaluation was a separate line item which had identified a budget of \$15,000.

Council member McDonald moved that the Council of the Town of Berryville authorize the Town Manager to finalize negotiations with Damron Engineering and sign any and all contract related documents in regard to the Livery Stable Evaluation. Council member Kitselman seconded the motion which carried as follows:

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

13. Report of David Tollett – Chair, Police and Security Committee

In Council member Tollett’s absence, Chief White said that the Police and Security Committee will be meeting on Thursday, October 26th at 9:00 a.m.

Council member McDonald said that the Community Improvements Committee will be meeting on October 23 at 7:00pm.

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

Mayor Dickinson said there had been some modifications to the FY2018 street work priorities. Council member Gibson confirmed that these changes are in alignment with option C identified in previous reviews.

Recorder Arnold made the motion that the Council of the Town of Berryville approve the amended Street Work Priorities for FY 18. Council member Kitselman seconded the motion which carried as follows:

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

**VDOT FUNDED SECONDARY SYSTEM MAINTENANCE/STREET WORK PRIORITIES
FY18**

<u>VDOT Reimbursement Limit</u>	\$ 521,000
 <u>Work Items and Equipment Purchase</u>	
Patch/Repair trouble areas in streets	\$ 20,000
Sidewalk repair	\$ 15,000
Engineering	\$ 5,000
Public Works Pole Barn	\$ 140,250
Equipment Purchase/Maintenance/Repair (purchase backhoe (53,040*), tractor (26,102*), signs (5,000), safety equipment (1,500). Maintenance (27,358)	\$ 113,000
Routine Street Maintenance (snow removal, tree trimming, drainage ditch cleaning, street cleaning, etc.)	\$100,000
 <u>Subtotal</u>	 \$ 393,250
<u>Funds available within Reimbursement</u>	\$ 127,750

Specific Street Repair Work Priorities

Summer and fall (2017) paving

Jackson Drive	\$ 55,592*
Ewell Court	\$ 13,044*
Treadwell Street	\$ 8,852*
 TOTAL Summer/Fall 2017	 \$ 77,488*

Spring and summer (2018) paving

Treadwell Street (from Smith Street to Crown Street)	\$ 7,500
Rosemont Circle	\$37,000
 TOTAL Spring/Summer 2018	 \$ 44,500

Remaining within Reimbursement \$ 5,762

*Actual Cost

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Mayor Dickinson said that VDOT’s Revenue Sharing program is a two year process and not wanting to wait until the next funding cycle, she would like to request funding for traffic calming at South Buckmarsh and Hermitage Boulevard to include a roundabout and for sidewalks on East Main Street from Jack Enders Boulevard to Battletown Drive. Council member Kitselman said that a roundabout would not be feasible because of the truck traffic. He said the radius of such a facility would be enormous and asked if there was rationale for this request. He said some traffic calming is necessary but the roundabout is not feasible. He referenced the trucking lobby’s attendance at a previous Council meeting concerning proposed changes on 340.

Recorder Arnold said that he has lived in this area all of his life and he is opposed to the idea of a roundabout. He said that truck traffic has increased like everywhere else and is not aware of a VDOT study justifying this effort. He said properties would likely be condemned to obtain sufficient right-of-way for a roundabout adding this is not a good fit. Recorder Arnold said that he is also opposed to speed bumps on the US highway. Mayor Dickinson asked for input on general traffic calming and there was a consensus that this should be reviewed.

Council members Kitselman and McDonald and Recorder Arnold were in favor of extending a sidewalk on East Main Street.

Council member McDonald said that there was no benefit to a roundabout on South Buckmarsh. She referenced the widening of US 340 in West Virginia. Mayor Dickinson said that the road narrows coming into Berryville which results in traffic calming.

Mr. Dalton wanted to make two points concerning revenue sharing. He said the funding is a 50/50 match between VDOT and the Town. He said VDOT is currently working on a schematic of East Main Street Improvements which is intended to be submitted with a Smart Scale application in the spring of 2018. He

confirmed that after the discussion, Council is not looking at a roundabout on South Buckmarsh but at some form of traffic calming.

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

Recorder Arnold said he had nothing to report and did not schedule a Personnel Committee meeting for October.

16. Other

Mr. Dalton confirmed that there will be no work session scheduled for November.

17. Adjourn

There being no other business, upon motion of Council member Kitselman, seconded by Council member Gibson, the meeting was adjourned at 8:04 p.m.

Harry Lee Arnold, Jr., Recorder

Christy Dunkle, Recording Secretary

BERRYVILLE TOWN COUNCIL
Budget & Finance Committee
Tuesday, October 24, 2017
Berryville-Clarke County Government Center
10:00 a.m.

MINUTES

Roll:

Town Council:

Present: Erecka Gibson, Chair; Patricia Dickinson

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

Press: None

Other: Diane Harrison, Alton Echols

1. Call to Order

Chair Gibson called the continued meeting to order at 10:03 a.m.

2. Approval of Agenda

The agenda was approved as presented.

3. Discussion – Work Plan Internal Audit of Cash Disbursements and Procurement

The Committee and staff discussed the Work Plan and possible changes in the timelines listed in the Work Plan. The Committee and staff discussed the terms ‘competitive bidding,’ ‘solicitations,’ ‘bids,’ and ‘quotes.’ There was discussion of the requirement for signatures on both the Request for Payment form and the invoice.

4. Discussion – Purchasing Policy

There was discussion of the brief on the policy provided by Ms. Dickinson. Ms. Dickinson said she provided the brief out of concerns that certain small purchase limits are too high and the purchasing policy did not require competitive bids. Chair Gibson noted a concern about micromanaging in reference to the brief. Mr. Dalton stated that it appears there are two unresolved issues remaining: the dollar thresholds identified under the small purchase procedures, and the process for notifying Town Council when a requested number of quotes is not received. Chair Gibson said she had not had the opportunity to properly review the brief and that it would be after the first of the year before she would be ready to meet and discuss the matter. Chair Gibson said she would prepare a response to Ms. Dickinson's brief by December 21, 2018.

It was agreed that the Committee will meet again on January 23, 2018, to review the brief and the draft purchasing policy.

6. Adjourn

There being no further business, the meeting was adjourned at 11:40 a.m.

BERRYVILLE TOWN COUNCIL
Streets and Utilities Committee
Tuesday, October 24, 2017
Berryville-Clarke County Government Center
12:00 p.m.

MINUTES

Town Council:

Present: Patricia Dickinson, Chair; David Tollett

Staff: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager / Planner; Dave Tyrrell, Director of Public Utilities; Ann Phillips, Town Clerk;

Press: None

Others: Grant Sanders of VDOT; Harry Lee Arnold, Jr.; Diane Harrison; Alton Echols

1. Call to Order

Chair Dickinson called the meeting to order at 12:03 p.m.

2. Approval of Agenda

The agenda was approved as presented.

3. Project Updates

Staff provided updates on various projects including the water tank painting project; the planned crosswalk signage; the water/sewer user and availability fee study; the Livery Stable analysis; the Swan Avenue walking path and demolition of sidewalk; the Public Works Pole Barn; the Treadwell Street Phase 2 project; and the Smithy Cottage.

Mr. Dalton reviewed the FY 2019 Street Work Priorities (Attachment A) noting several projects under consideration for inclusion in the Priorities.

Grant Sanders of VDOT provided information on traffic signal timing for Main and Church Streets and Main and Buckmarsh Streets. It was agreed that the Committee recommend that the Town Council request VDOT change the pedestrian traffic signal at Main and Church to allow pedestrians access to the crosswalk before the traffic light is green (leading pedestrian signal).

The Committee discussed possible application for Smart Scale funding. Mr. Dalton said VDOT has been requested to develop a schematic plan for improvements to East Main Street that can be used for creation of project cost estimates. It was noted that the Smart Scale application is due in spring 2018 with a decision expected within six months.

The Committee discussed options for traffic calming on South Buckmarsh Street. Mr. Dalton said he would request that VDOT provide schematic drawings of options for traffic calming in the area of concern.

4. Adjourn

There being no further business, the committee adjourned at 1:30 p.m.

VDOT Funded Secondary System Maintenance / Street Work Priorities**FY 2019**

<u>VDOT Reimbursement Limit</u>	\$ 521,000
<u>Work Items and Equipment Purchase</u>	
Patch/Repair trouble areas in streets	\$ 20,000
Sidewalk repair	\$ 17,000
Engineering	\$ 5,000
Equipment Purchase/Maintenance/Repair (1/2 Purchase 1 ton truck (26,000) Maintenance/Repair (25,000))	\$ 51,000
Routine Street Maintenance (snow removal, tree trimming, drainage ditch cleaning, street cleaning, etc.)	\$ 100,000
<u>Subtotal</u>	\$ 193,000
<u>Funds available within Reimbursement</u>	\$ 328,000
<u>Specific Street Repair Work Priorities</u>	
<i>Summer and fall (2018) Paving</i>	
Treadwell Street (from Smith Street to Dorsey Street and from Willow Lane to Buckmarsh Street)	\$ 50,000
South Church Street (from Taylor Street to South Buckmarsh Street)	\$ 71,000
Rosemont Circle	\$ 37,000
Swan Avenue (from South Buckmarsh Street west to terminus)	\$ 50,000 ¹
Total Summer/Fall (2018)	\$ 208,000
<i>Spring and summer (2019) Paving</i>	
Rice Street	\$ 40,000
First Street	\$ 80,000
Total Spring/Summer (2019)	\$ 120,000

¹ Estimated cost includes paving, engineering and construction of improvements to shoulder and engineering and construction a drainage improvement

* Actual Cost

Draft Submitted to Streets and Utilities 10/24/17

Future Paving Projects to consider

Hermitage Blvd. \$260,000

This is one of four collector roads in Berryville. This important street section is showing its age and needs attention in the near future. While it is desirous to complete this work, Phase 5 of the Hermitage Subdivision has not been completed. The construction of Phase 5 will put a good bit of wear on the street. It is staff's understanding that work on Phase 5 is expected to start this year. As such, at this time staff recommends review of this matter next year and giving strong consideration to completing this project in FY20.

Josephine Street \$125,000

At this point this dead end street is holding up well. The eastern portion of the street (from Berryville Graphics entrance to the eastern terminus), which was in poor condition, was paved in 2015. While the street does not get a great deal of traffic and is a present in good condition, it will be an expensive paving project and it is important for the Council to have it on its radar.

The Town utilities on the street also need to be a part of the discussion. Several years ago a water main was extended just over 400 feet into Josephine Street from Church Street. The 10-inch main was extended to improve fire protection in the area. In the future it is desirous to extend the new main, replace laterals, and abandon original 4" water main. This work should be done before any paving project is completed.

Bel Voi \$ 40,000

This low volume dead end street is deteriorating. The street that feeds this section (Battletown Drive), was paved in 2016.

The Town utilities on the street need to be a part of this project. The water main in Battletown Drive was updated in 2016. It is expected that a portion of the water main that extends from Main Street to the western terminus of Bel Voi will be replaced when the property surrounding the hardware store is developed. Before the street is paved the water main in Bel Voi should be replaced.

Town Funded Street Maintenance / Street Work Priorities
FY 2019

Repair and seal Virginia Avenue \$ 16,000

Please note that this project has been included in the current CIP. It is also important to note that staff would like to discuss expanding the project beyond that which was anticipated when the CIP was first submitted. Further, staff will discuss drainage issues that exist in the area.

Draft Submitted to Streets and Utilities 10/24/17