

**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Regular Meeting**  
**June 11, 2019**  
**7:30 p.m.**

**Town Council:** Present--Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald; Diane Harrison; Erecka Gibson; Kara Rodriguez

**Staff:** Keith Dalton, Town Manager; Desiree Moreland, Assistant Town Manager/Treasurer; Christy Dunkle, Assistant Town Manager/Planner; Paul Culp, Town Clerk; Chief Neal White, Berryville Police Department

**Press:** Mickey Powell, Winchester Star

1. Call to Order

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

2. Pledge of Allegiance

3. Approval of Agenda

Mayor Dickinson inquired whether there were any amendments or revisions. Mr. Dalton said that he recommends adding a closed session for personnel purposes.

**Council member Harrison made the motion to approve the amended agenda, seconded by Council member Rodriguez.**

**Roll call vote as follows:**

**McDonald: Aye**

**Harrison: Aye**

**Gibson: Aye**

**Rodriguez: Aye**

**Arnold: Aye**

**Dickinson: Aye**

**Abstain: None**

4. Public Hearing

None scheduled

5. Citizens' Forum

No one came forward to speak.

6. Consent Agenda

Mayor Dickinson said there were three items on the agenda: the regular meeting of May 14, the Water and Sewer work session of May 10, and the Personnel meeting of May 28.

**Recorder Arnold made the motion to approve the consent agenda, seconded by Council member Harrison.**

**Roll call vote as follows:**

**McDonald: Aye**

**Harrison: Aye**

**Gibson: Aye**

**Rodriguez: Aye**

**Arnold: Aye**

**Dickinson: Aye**

**Abstain: None**

7. Presentations

No presentations were scheduled.

8. Report of Patricia Dickinson, Mayor

Mayor Dickinson discussed her FOIA request sent to Mr. Dalton on May 16, about which she said multiple members of the Council had raised concerns. She presented questions concerning whether Council members should make FOIA requests and, if so, whether the appropriate email account would be Town or private; whether the submission of her FOIA request to the town manager was appropriate; whether a FOIA request from a Council member would create a conflict of interest; the escalation path for resolution of questions regarding responses to FOIA requests; whether her own request constituted a violation of the Town Code; and whether the assignment of the FOIA officer role to the town manager was fiscally responsible. She recommended that the Town immediately appoint a FOIA officer other than the town manager, and an alternate.

Council member Harrison said multiple council members had raised questions about the matter because it appeared to them that it had become a personnel issue. She said the mayor's request for a meeting to address her concerns had not been specific regarding her objectives and that a routine request for information would have sufficed in lieu of a FOIA request. The mayor said she had wanted to be sure of obtaining all of the needed information and that she suggested the FOIA request as an example of how the process currently works. She also expressed concerns about the opportunity cost of the manager handling FOIA requests, considering the manager's fiscal compensation, and recommended that the lowest-paid qualified person carry out FOIA responsibilities.

Recorder Arnold affirmed the right of anyone, whether an official or not, to make a FOIA request, but stated that Mayor Dickinson's use of her title in the request, and her follow-up upon receiving information she deemed insufficient, had created complexities and

ambiguities. He said the mayor's objectives in asking for a meeting had been unclear. He said he had no objection to the town manager handling FOIA requests and that a conflict had arisen owing to personnel and processes being questioned.

Council member McDonald expressed bafflement with the amount of time expended on the matter and objected to the use of a FOIA request as an attempt to generate an example of the quality of administrative processes.

The mayor said the Town was losing money and that this was her concern, suggesting that Leslie Kelley in the Police Department would have been the most cost-effective person to act as FOIA officer. Ms. McDonald said the use of a FOIA request as an example was itself costly. She said that Mr. Dalton had acted correctly.

Council member Rodriguez noted the variety of the town manager's responsibilities and suggested designating a FOIA officer and an alternate and moving on.

Council member Gibson noted that the Town has had five clerks in three years, and questioned the appropriateness of a Council member making a FOIA request at a time when Mr. Dalton is preoccupied with more pressing business. She suggested that in the absence of a clerk, Mr. Dalton was possibly the best person to handle FOIA requests.

There was no further discussion. The mayor noted that the Town had recently experienced difficult times owing to the deaths of resident Paul Jones and Town employee Stephen Lilly.

**Council member Gibson made the motion to approve a resolution honoring Paul R. Jones, seconded by Council member McDonald.**

**Roll call vote as follows:**

**McDonald: Aye  
Harrison: Aye  
Gibson: Aye  
Rodriguez: Aye  
Arnold: Aye  
Dickinson: Aye  
Abstain: None**

**Council member McDonald made the motion to approve a resolution honoring Dorothy Lee Broy Grubbs, seconded by Council member Gibson.**

**Roll call vote as follows:**

**McDonald: Aye  
Harrison: Aye  
Gibson: Aye  
Rodriguez: Aye  
Arnold: Aye**

**Dickinson: Aye**  
**Abstain: None**

Mayor Dickinson then referenced a proclamation honoring Paul R. Jones's service on the Council and ordering the Town flag at the Government Center flown at half-staff and the ceremonial drape placed above the entrance from June 5 to June 13.

The mayor said she had also signed a proclamation honoring Stephen Donald Lilly for his service with the Utilities Department and ordering the Town flag at the Government Center flown at half-staff and the ceremonial drape placed above the entrance from May 29 to June 5.

The mayor also recognized Daniel Marsden with a proclamation congratulating him for attaining the rank of Eagle Scout.

Mayor Dickinson asked the Personnel Committee to establish a policy for the issuance of proclamations and present it to the Council for a vote, in order that surprises might be avoided.

The mayor concluded her report by commending everyone who worked on the park for Memorial Day.

9. Report of Harry Lee Arnold, Jr., Recorder

Recorder Arnold said he had nothing to report.

Council member Harrison inquired whether the mayor had yet drafted a letter about the plaque honoring the veterans that was discussed in the May meeting. Mayor Dickinson said she had not, as she did not yet know how the Town was proceeding in the matter. Recorder Arnold said the mayor had been present at the meeting at which the plaque and the particulars of its size and location were approved.

Mayor Dickinson said that in the last meeting at which she had asked about the status of the plaque, Mr. Dalton had told her that the building manager, Mr. Ash, was working on it. She said she had not heard of the plaque being approved by the County and that she had received no directions concerning the purchase of the plaque. Recorder Arnold said the Building Committee had approved the plaque and that the matter did not require further submission to the Council or the County for approval.

The mayor said she apparently had missed something and that she would notify the Committee that it could purchase the plaque. Recorder Arnold said that he understood from reading the minutes that the Committee had disbanded in December, so there is now no committee to handle the matter. Mayor Dickinson said she was at a loss. She said the VFW is holding the funds and has appointed someone to purchase the plaque for presentation to the Town and County, but that she had not received approval to proceed with the purchase.

Recorder Arnold stated that the mayor had previously said she would be the one to take care of the matter. Mayor Dickinson then read from Item 18, page six of seven in the meeting minutes, in which the record indicates that she had asked about the status of the plaque and that Town Manager Dalton had said he believed the Building Committee had put it in the hands of Mr. Ash as building manager and that he, Mr. Dalton, would follow up with Mr. Ash. The minutes said she wanted to send a letter of thanks to the VFW, American Legion, and Marine Corps League for donating the plaque and that she would draft a letter and send it to Council members for comment. She said that none of the meeting minutes or any emails indicate that she was told to let them know they could purchase the plaque.

Recorder Arnold reiterated that the mayor had placed herself in charge and said that it was impossible to notify a committee that had been disbanded. He said he had stated last month that the County was not purchasing the plaque. He had spoken with Mr. Weiss to see that follow-through occurred. He said the plaque has been approved.

The mayor said that her understanding was that the VFW was holding the funds and awaiting approval from Town and County, but that she had not been notified. The discussion concluded with Mayor Dickinson stating that if the County has approved the project and the funding has been established, and if all that is now necessary is for her to instruct the VFW to purchase the plaque, she will give that instruction.

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

Ms. Dunkle presented a resolution requesting the acceptance of McNeil Drive into the Public Street System. She said that with the completion of McDonald's the street now has three users, which qualifies it for inclusion.

**Council member Gibson made the motion to approve, seconded by Council member Rodriguez.**

**Roll call vote as follows:**

**McDonald: Aye**

**Harrison: Aye**

**Gibson: Aye**

**Rodriguez: Aye**

**Arnold: Aye**

**Dickinson: Aye**

**Abstain: None**

Town Manager Dalton praised McDonald's for its cooperation with the Town in bringing McNeil Drive into the secondary system, and Mayor Dickinson said McDonald's had praised the Town as well.

Ms. Dunkle also presented a motion for approval of a public improvement bond for Coloma River in the amount of \$45,000 for crossing First Street in three locations in order to access a public water main prior to paving scheduled on or after July in association with a Coloma River development

project. Mr. Dalton said the project must proceed promptly if the agreed-upon paving standard and costs are to be maintained.

Council member McDonald asked for clarification about Coloma River and what businesses would be included in the new development. Ms. Dunkle said that Coloma River had purchased the former Smalley Packaging buildings and that a cidery was likely moving into one of the buildings.

Council member Gibson asked how residents would be affected by the project and whether they would receive sufficient notice of inconveniences. Mr. Dalton said that traffic disruptions would occur and that a traffic-control plan is required by the applicant but that no serious interruptions are expected. He said that Code Red would be used for notifications as necessary.

**Council member Gibson made the motion to approve, seconded by Council member Rodriguez.**

**Roll call vote as follows:**

**McDonald: Aye**

**Harrison: Aye**

**Gibson: Aye**

**Rodriguez: Aye**

**Arnold: Aye**

**Dickinson: Aye**

**Abstain: None**

**11. Report of Keith Dalton, Town Manager**

Mr. Dalton commended the Town for its handling of the recent Lilly fatality, and praised Lilly's performance during his employ.

Mr. Dalton said that the Town and the company from which it leases copiers have been discussing a lease update and new equipment, and that some agreements require the persons executing them to certify the passage of a resolution authorizing them to do so. Mr. Dalton presented a resolution authorizing the Town Manager to execute such agreements providing for goods and/or services of a value not exceeding \$100,000 over the term of any such agreement.

**Recorder Arnold made the motion to approve, seconded by Council member McDonald.**

Mayor Dickinson asked whether an expiration date was necessary. Mr. Dalton said no, that an agreement could be revoked at any time, but that an expiration date would not be a bad idea. After brief discussion, the mayor concluded that the tracking of such a date would add unnecessary complication.

**Roll call vote as follows:**

**McDonald: Aye**  
**Harrison: Aye**  
**Gibson: Aye**  
**Rodriguez: Aye**  
**Arnold: Aye**  
**Dickinson: Aye**  
**Abstain: None**

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

**Council member Gibson moved for approval of the fiscal year 2019-2020 budget and appropriations, seconded by Council member Rodriguez.**

**Roll call vote as follows:**

**McDonald: Aye**  
**Harrison: Aye**  
**Gibson: Aye**  
**Rodriguez: Aye**  
**Arnold: Aye**  
**Dickinson: Aye**  
**Abstain: None**

Council member Rodriguez proposed that the Committee begin working toward a long-range financial sustainability plan, beginning July or later. Various summer dates were suggested. Ms. Rodriguez said the plan should deal not just with capital expenditures but also with general government expenses and with debt service. She recommended proceeding before the Town addresses next year's budget, but agreed with the mayor that the matter could wait until the new treasurer is on board. Ms. Gibson said that if such a plan probably is desirable, the Town needs a system or tool.

Council Member Rodriguez asked about the status of online bill payment. Ms. Moreland said Heather Halterman is working on it and has obtained additional information on software integration. Mr. Dalton said he would like to move forward by the end of the summer, which Ms. Moreland said is possible. Various dates were discussed, with September being most promising.

The mayor thanked Ms. Moreland for the quantity of data in her ACH transactions report.

Recorder Arnold said the Town needed to reach a decision on water and sewer rates and availability fees as soon as possible. Council member McDonald said that the water and sewer issue should be resolved before the Town addresses online payment, that the Town should give priority to major, critical issues and avoid bogging down in other matters. Council member Gibson said online payment was badly needed and that plans for a September discussion did not constitute an overly aggressive timetable.

13. Report of Kara Rodriguez – Chair, Community Development Committee

Council member Rodriguez said the Committee's next meeting was set for June 24. She said she had consulted with Town Manager Dalton regarding the economic development MOU with the County and that the Town is waiting for the County to put it on the calendar. Mr. Dalton said the County was ready and that all that was needed was to agree upon a time.

Council member Rodriguez said she might sit in on that meeting to listen. Mr. Dalton pointed out that the newly approved budget provides funds for the playground. Council member Rodriguez said the branding and marketing study was also included and requires discussion.

14. Report of Donna McDonald -- Chair, Public Safety Committee

Council member McDonald had nothing to report.

Police Chief White said the next meeting would be June 26.

Mayor Dickinson said the plastic covers on numerous parking meters had become discolored, making the meters difficult for motorists to read. She suggested checking to see whether those meters were still under warranty.

15. Report of Diane Harrison – Chair, Streets and Utilities Committee

Council member Harrison said the Committee had not met and would next convene on June 25.

Mr. Dalton discussed the preliminary engineering reports on drainage areas on Jackson Drive, Dorsey Street, and Archer and Ashby Courts, which he said are expected to be submitted by June 20. The mayor asked the reason for the tardiness, and Mr. Dalton said matters had been complicated by a death in the organization. The mayor said that this was the second consecutive contract on which Pennoni had been late. She expressed concern that the delay would prevent the Council from dealing with the matter until after the peak rainy season.

Council member McDonald reiterated the importance of avoiding delays. Council member Harrison said the Town could not act on the study immediately because it was awaiting another one also. Council member Gibson said the funds necessary for proceeding had not yet been appropriated. Council member McDonald asked whether the solution of the drainage problem would guarantee stoppage of house flooding. Mr. Dalton replied that the water table is very high and that the problem is not localized, and said the main objective is to improve surface drainage in specific areas. Council member McDonald said it was important for the public to know that there are no guarantees. Mr. Dalton said the money for the project has not yet been set aside but that the study would provide an indication of the best means and the cost.

Council member Gibson, Mr. Dalton, and Council member McDonald briefly discussed the completion of the new Public Works facility.

16. Report of Harry Lee Arnold, Jr. – Chair, Personnel, Appointments, and Policy Committee  
Recorder Arnold said that interviews for the hiring of the new treasurer are proceeding.

17. Closed Session

Recorder Arnold moved that the Council move into closed session, seconded by Council member Gibson.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

The Council departed the chamber and went into closed session at 8:57 p.m. and reconvened in open session at 9:33 p.m.

Council member Rodriguez moved that the Council reconvene in open session, certifying that the Council had moved into closed session pursuant to a recorded affirmative vote in accordance with the Virginia Code and the Freedom of Information Act and had discussed only public business lawfully excluded from open meeting requirements and that only those matters identified in the motion convening the closed meeting were heard, discussed, or considered.

Council member McDonald seconded.

Roll call vote as follows:

McDonald: Aye

Harrison: Aye

Gibson: Aye

Rodriguez: Aye

Arnold: Aye

Dickinson: Aye

Abstain: None

18. Other

Council member Harrison requested that Mr. Dalton formally introduce newly hired Town Clerk Paul Culp. Mr. Dalton complied, stating that Mr. Culp would be especially helpful with regard to correspondence and resolutions.

Mayor Dickinson said that she would step away from the Public Safety Committee until matters related to trash were again the topic.

19. Adjourn

There being no further business, **Council member Rodriguez made the motion to adjourn the meeting, seconded by Council member Harrison. The motion passed by consensus.**

The meeting adjourned at 9:38 p.m.

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Harry Lee Arnold, Jr., Recorder

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Paul Culp, Town Clerk



**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE, VIRGINIA  
HONORING DOROTHY LEE BROY GRUBBS**

**WHEREAS, Mrs. Dorothy Lee Broy Grubbs celebrated her one hundredth birthday on April 1, 2019; and**

**WHEREAS, Mrs. Grubbs has resided in Clarke County all of her life and currently lives at Godfrey House; and**

**WHEREAS, Mrs. Grubbs married Alvin Grubbs in 1936. Mr. Grubbs passed away approximately 25 years ago; and**

**WHEREAS, Mrs. Grubbs has been blessed with one child (Shelby Grubbs), four grandchildren, seven great-grandchildren, and five great-great-grandchildren; and**

**WHEREAS, Mrs. Grubbs worked most of her life at Ramsburg Grocery Store, Veteran's Cleaners, and retired from Double Day (Berryville Graphics); and**

**WHEREAS, Mrs. Grubbs enjoyed riding motorcycles with Alvin and their group of friends; and**

**WHEREAS, Mrs. Grubbs also enjoyed gardening, doing crafts with her sister, and creating homemade items including bread, coconut cake, fruit cake, and vegetable soup with noodles.**

**NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Berryville congratulates Mrs. Grubbs on her one hundredth birthday.**

**By order of the Town Council this eleventh day of June, 2019.**

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**Patricia Dickinson, Mayor**

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**Harry Lee Arnold, Jr., Recorder**



**A RESOLUTION OF THE COUNCIL OF THE TOWN OF BERRYVILLE, VIRGINIA  
HONORING PAUL R. JONES**

**WHEREAS, Mr. Paul Randolph Jones was born on July 4, 1944; and**

**WHEREAS, Mr. Jones graduated from Johnson-Williams School in Berryville; and**

**WHEREAS, Mr. Jones received his undergraduate degree from Allen University and his master's degree from the University of Virginia; and**

**WHEREAS, Mr. Jones had a 38-year career with the Clarke County Public Schools which included teaching at Boyce Elementary, principal of Berryville Primary School, and principal of D.G. Cooley Elementary School; and**

**WHEREAS, Mr. Jones was dedicated to community service, representing Berryville's Ward 1 on Town Council from July 1972 until June 1977; Clarke County Parks and Recreation Board from 1997 until 2018; and the Clarke County Industrial Development Authority from 2007 until 2019; and**

**WHEREAS, Mr. Jones volunteered with local organizations including Lord Fairfax Community College, Grafton School, and the Red Cross; and**

**WHEREAS, Mr. Jones was instrumental in the development of the Josephine Community School Museum and Clarke County African-American Cultural Center that opened in 2003.**

**NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Berryville honors the life of Paul R. Jones and his dedication to the community.**

**By order of the Town Council this eleventh day of June, 2019.**

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**Patricia Dickinson, Mayor**

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**Harry Lee Arnold, Jr., Recorder**

Honoring the Life and Service of  
Stephen Donald Lilly  
1986 - 2019

By the Mayor of the Town of Berryville

A Proclamation

As a sign of respect, admiration, and thanks for Stephen Lilly's five-year tenure with the Utilities Department of the Town of Berryville, I hereby order the flag of the Town of Berryville be flown at half-staff at the Berryville-Clarke County Government Center and the ceremonial drape be placed above the main entrance of the Berryville-Clarke County Government Center. The flag of the Town of Berryville shall be flown at half-staff and the ceremonial drape remain in place from the twenty-ninth day of May 2019 to the fifth day of June 2019.

IN WITNESS WHEREOF, I have hereunto set my hand this 28<sup>th</sup> day of May, in the year of our Lord two thousand nineteen.

  
Patricia Dickinson, Mayor

TOWN OF BERRYVILLE, VIRGINIA

# Proclamation

**WHEREAS**, the vision of the Boy Scouts of America is to prepare youth in America to become responsible, participating citizens and leaders, who are guided by the Scout Oath and Law; and

**WHEREAS**, Daniel Marsden, a student at Clarke County High School, and a member of Boy Scout Troop 34, has completed the requirements and received the rank of Eagle Scout June 2, 2019, the highest rank in the Boy Scouts of America; and

**WHEREAS**, Daniel has spent thirteen years of dedication and commitment to achieve Eagle rank, and

**WHEREAS**, Eagle Scouts act as leaders and role models in the community, and

**WHEREAS**, the Eagle Scout Award is a distinction that will follow him throughout life and will be a beacon to others of the leadership quality and commitment this young man has shown, and

**WHEREAS**, citizens of the Town of Berryville appreciate his hard work on implementing a recycling program at Grace Evangelical Lutheran Church in Winchester, Virginia.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Mayor of the Town of Berryville does hereby congratulate and recognize Daniel Marsden for his achievement of the rank of Eagle Scout. We are proud to have him as a member of our community.

Signed this 30<sup>th</sup> day of May, 2019.

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Patricia Dickinson, Mayor Town of Berryville, Virginia



**MINUTES**  
**BERRYVILLE TOWN COUNCIL**  
**Berryville-Clarke County Government Center**  
**Work Session**  
**June 25, 2019**

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A work session of the Berryville Town Council was held on Tuesday, June 25, 2019 at 3:00 p.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Town Council:** Present: Patricia Dickinson, Mayor; Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald; Diane Harrison; Erecka Gibson; Kara Rodriguez

**Staff:** Present: Keith Dalton, Town Manager; Desiree Moreland, Treasurer

**Press:** None present

**1. Call to Order:** Mayor Dickinson called the meeting to order at 3:00 p.m.

**2. Approval of Agenda**

Ms. Rodriguez made the motion to approve the agenda as presented, seconded by Ms. Harrison. The motion was approved unanimously by voice vote.

**3. Closed Session**

Ms. Gibson moved that the Council enter a closed session in accordance with § 2.2-3711-A-1 Code of Virginia, for discussion, consideration, or interviews of prospective candidates for appointment. Ms. Rodriguez seconded the motion, which was approved by a unanimous voice vote. The Council went into closed session at 3:02 p.m. and reconvened in open session at 5:10 p.m.

Ms. Rodriguez moved that the Council adopt a resolution in conformity with Section 2.2-3712.D of the Code of Virginia certifying that it had 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 that to the best of each member's knowledge had discussed only public business lawfully excluded from open meeting requirements and that only those matters identified in the motion convening the closed meeting were heard, discussed, or considered. Ms. McDonald seconded.

**Roll call vote as follows:**

**McDonald: Aye**

**Harrison: Aye**

**Gibson: Aye**

**Rodriguez: Aye**

**Arnold: Aye**  
**Dickinson: Aye**  
**Abstain: None**

**4. Other:**

The Council discussed changing the time of the July 9 work session on water and sewer rates, and rescheduled it for 1:00 p.m.

**5. Adjourn**

Ms. Rodriguez moved for adjournment, with Ms. Gibson seconding. The motion passed by a unanimous voice vote, and the Council adjourned at 5:17.

**BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**June 24, 2019**

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A meeting of the Town Council Community Development Committee was held on Monday, June 24, 2019 at 2:00 p.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:** Committee members present: Kara Rodriguez, Chair; Diane Harrison

Member absent: Donna McDonald

Additional Town Council member present: Recorder Jay Arnold

Staff present: Keith Dalton, Town Manager; Christy Dunkle, Planner/Assistant Town Manager; Paul Culp, Town Clerk

Press present: Mickey Powell, Winchester Star

**1. Call to Order**

Chair Rodriguez called the meeting to order at 2:02 p.m.

**2. Approval of Agenda**

Ms. Harrison made the motion to approve the agenda as presented, seconded by Chair Rodriguez.

**3. Discussion: Branding and Marketing**

The committee and staff discussed the process by which a request for proposal will be issued and the funding that will be available for this effort in the Fiscal Year 2020 budget. Chair Rodriguez and Ms. Harrison suggested that consultation with other localities might be useful for refining the scope before drafting a proposal for the Town Council's approval. Chair Rodriguez said that branding should include a logo, tagline, and marketing study and analysis. Ms. Harrison said that the study and analysis should have priority.

Ms. Dunkle suggested that it would be helpful for Town and County to work together. She said it would be necessary to determine the target market of a marketing campaign: Would it be intended to appeal to current residents? Potential residents? Businesses? Tourists? She said that a hotel was crucial and that the consultant updating the hotel feasibility study is sending a SurveyMonkey survey to businesses. Ms. Harrison concurred regarding the importance of a hotel.

Ms. Harrison and Ms. Dunkle discussed the importance of consulting old studies and surveys for comparative purposes; demographic information over time; the role of housing and community in branding; and promoting knowledge of phases in community development in the past. Chair Rodriguez remarked on the effect of long-distance commuting among Berryville residents, many of whom are not well acquainted with the town because of time constraints.

Town Manager Dalton clarified the request that was approved as part of the FY 2020 budget, and the committee continued its discussion with the understanding that \$15,000 had been approved for this project.

Chair Rodriguez said she would draft a scope for the Council in time for its July meeting. She also estimated that the study would take 60 to 90 days. She and Mr. Dalton determined that a request for proposal was more likely than a request for qualifications but that the breadth of the scope likely would determine this.

#### **4. Discussion: John Rixey Moore Playground**

Mr. Dalton said the plan of action previously discussed had included rehabilitation of swings, buck-a-bout, and horses, and the replacement of the larger playset, which was 20 years old as of 2018. He said the current playset is suitable for children from age five to age 12 and that it would be desirable for the new equipment to continue this, but with an expanded play area for younger children. He said that the size of the fall zone is important and that Fibar is a more desirable material than rubber chunks. Mr. Dalton said he wanted to collect more information and return to the committee with firm ideas for its consideration, and that a representative from GameTime, the playground equipment company, could be invited for a presentation.

There was a discussion of toy musical instruments or a tunnel as other equipment options. Ms. Harrison said she preferred the musical instruments, as a tunnel poses potential security problems and could harbor snakes. Mr. Dalton concurred. Ms. Dunkle asked whether the noise from musical instruments would be excessive, and Mr. Dalton and Ms. Harrison said that it would not.

Ms. Harrison said that a shade structure of some type had been discussed previously. She said that a pergola did not provide sufficient shade and asked whether a shelter with a metal roof would be possible. Mr. Dalton said that with any structure it would be necessary to consider the view from the street and whether such an edifice would block the view of the Christmas tree. A discussion of proposed locations for a shade structure occurred.

Chair Rodriguez suggested a removable shade structure, and Mr. Dalton said one could be deployed near an existing picnic table pad. She asked about whether the Town could charge for use of a shade structure, and Mr. Dalton said it would be necessary to research deed restrictions.

Chair Rodriguez and Mr. Dalton discussed the possibility of a swing that would accommodate a baby. Ms. Harrison and Mr. Dalton discussed accessibility for the handicapped. Mr. Dalton also mentioned the probability of improving drainage in the fall zone.

#### **5. Discussion: Economic Development/MOU with Clarke County**

Mr. Dalton said that Recorder Arnold has requested that the committee provide guidance regarding specific issues and goals prior to the July 1 meeting with County officials. Chair Rodriguez said input from the County was needed, and more communication about shared goals, feasibility, and accountability. Ms. Harrison said it was necessary to work on a shared vision. Chair Rodriguez said more clarity was needed about who was responsible for which goal and that there were actions suggested by the original MOU that remained untaken. She said the plan tied in with branding and marketing, and asked Recorder Arnold for his thoughts.

Recorder Arnold said that many goals had in fact been achieved but that changes in administration had interrupted the process. He said the Town had never put up funding and that the County was waiting for more direction from the Town. He said it was important to have physical spaces available that would attract business. He also said that multiple groups were working on the same tasks and not coordinating their activities.

Ms. Harrison said that current businesses were receiving insufficient support from the localities. Ms. Dunkle said that the public sector was limited in what it could accomplish on behalf of the private sector. Chair Rodriguez said businesses wanted to be asked about their concerns, and Ms. Harrison said there was currently no forum in which businesses could come together. Recorder Arnold said that roundtables tend to want measures that are too expensive to be feasible. He said that increased signage on the bypass would be desirable. Ms. Dunkle reiterated that a hotel was crucial for the vitality of downtown, and Mr. Dalton said that a hotel was imperative if possible.

#### **Closed Session**

There was no closed session.

#### **Other**

Ms. Dunkle updated the committee on the SB collector study and the grant for sidewalk installation on Mosby Boulevard.

#### **Adjourn**

There being no further business, the meeting was adjourned at 3:04 p.m.



**BERRYVILLE TOWN COUNCIL PUBLIC SAFETY COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**June 26, 2019**

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A meeting of the Berryville Town Council Public Safety Committee was held on Wednesday, June 26, 2019 at 2:00 p.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:**

Members of the Committee present: Donna McDonald, Chair; Diane Harrison

Staff present: Keith Dalton, Town Manager; Neal White, Chief of Police; Paul Culp, Town Clerk

**1. Call to Order**

Chair McDonald called the meeting to order at 2:00 p.m.

**2. Approval of Agenda**

Ms. Harrison made the motion to approve the agenda as presented, and the motion was approved by consensus.

**3. Department Update**

Chief White said that calls for service were higher than at the same time last year. He then mentioned the bike safety event to be held at the farmers' market on Saturday the 29<sup>th</sup> and National Night Out, which is scheduled for the first Wednesday in August. Chief White having mentioned a shortage of bicycle helmets to give to children, Ms. Harrison asked whether it might be possible to arrange donations. Chief White said yes, and Town Manager Dalton said the Rich Rau Fund was available and could be included in the annual budget as a line-item provision for lights, helmets, and other safety items. Chief White said the department works on bike safety across a wide age range, from teens to new riders.

Chair McDonald asked Chief White about the status of CTAC as part of the department's handling of mental health-related calls. He said that it would begin accepting clients on July 8 and that eight of the department's nine officers would be CIT-certified by the end of the current week. Mr. Dalton noted the large number of mental health calls received by the department, many of them requiring the attention of two officers, and said that the new program would provide considerable relief. Chair McDonald asked Chief White whether drug offenders were classified as mental health cases. He said that they were so classified if a call was related to mental health problems associated with drug use but not in the case of a criminal offense related to narcotics.

Chair McDonald asked Chief White about the status of the department's accreditation effort. He said the department was in the process of reformatting its policies and procedures so as to have them in the same order as the accreditation standards, and that time constraints were the main obstacle in a process he hoped to see completed within three months.

Chair McDonald noted the frequency of sirens and fire-and-rescue activity recently. Committee members and staff discussed the large number of lift-assist calls coming from senior facilities and private homes, and the added responsibility placed on the department by new housing developments. Chair McDonald said she would support efforts to add another officer to the department, and Mr. Dalton concurred. Chief White said that the addition of another officer would help meet the staffing requirements for a department that needs sufficient personnel for community events in addition to basic crime control.

#### **4. Town Code Review Update**

Committee members and staff discussed regulations for special events and demonstrations, amendments to chapter 20 and sections 10-7 and 9-34, and the application process for special-event permits. Chief White said that events approved prior to passage of the new regulations will proceed according to the old ones. Chair McDonald and Ms. Harrison agreed to forward the matter to Town Council for consideration in its July meeting.

#### **5. Closed Session**

There was no closed session.

#### **6. Other**

Ms. Harrison asked whether the police department was considering security cameras. Chief White and Mr. Dalton said that portable cameras were under consideration. They said that portable cameras were vulnerable to disablement but that permanent cameras raised concerns about how and when to monitor them.

Mention was made of a police officer returning to work after an injury, and Chair McDonald reiterated the need for additional personnel for better coverage in the event of the loss of an officer.

Mr. Dalton summarized the Fiscal Year 2021 budget items the committee had discussed: an additional patrol officer, funding the Rich Rau Fund, and surveillance camera equipment.

#### **7. Adjourn**

Ms. Harrison moved to adjourn, the motion passing by consensus at 2:55 p.m.

**BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE**  
**Berryville-Clarke County Government Center**  
**MINUTES**  
**June 25, 2019**

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A meeting of the Berryville Town Council Streets and Utilities Committee was held on Tuesday, June 25, 2019 at 10:30 a.m. in the Berryville-Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**Attendance:**

Members of the committee present: Diane Harrison, Chair; Mayor Pat Dickinson

Other Council member present: Recorder Jay Arnold

Staff present: Keith R. Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner, Paul Culp, Town Clerk

Others present: Representing Rappahannock Electric Cooperative: Chris Shipe from the Board of Directors; Jeff Hinson, Director of Member Services and Community Relations; Richard Collawn, Supervisor of Distribution Design (Bowling Green) and head of REC's lighting team

Press present: Mickey Powell, Winchester Star

**1. Call to Order**

Chair Harrison called the meeting to order at 10:30 a.m.

**2. Approval of Agenda**

The agenda was approved by consent.

**3. Discussion: Rappahannock Electric Cooperative**

Chair Harrison said the committee wished to confer with REC regarding residents' complaints about excessive light shining through their windows at night. She also said that downtown is too dark, especially on the side of the street opposite the lights and in the alley near The Tea Cart at 16 W. Main Street. She said greater uniformity in the distribution of light downtown was needed. Chair Harrison also asked who was responsible for dealing with dead trees on power lines: the property owner or REC? Mr. Hinson said this varies by location and that he would have forester Ken Rutherford contact the Town.

Mr. Collawn then gave a presentation on downtown lighting, covering the advantages of LED fixtures over high-pressure sodium fixtures, noting the lumen output of different fixture types. He explained that high-pressure sodium produces stronger light overall but that LED is more direct. Mr. Collawn

provided a typical layout for 70-watt LED fixtures for a downtown area the size of Berryville's, explaining the effects of replacing Berryville's current lights with 70-watt LED's. In response to Mayor Dickinson's concern about excessive light entering through upper-story apartment windows, Mr. Collawn explained that LED would reduce this problem by concentrating the light closer to the ground.

The presentation included typical downtown layouts for 135-watt and 209-watt fixtures; recommended foot-candle levels for roads and parking lots; and photometric results for 70-watt, 135-watt, and 209-watt foot-candle levels, with current monthly pricing for the different types of fixtures. Mr. Collawn said that there were no options that would provide a uniform level of light without creating an altogether new layout, but he said that 135-watt would provide the most uniformity in the downtown area. He also said that adding new wood poles would be aesthetically undesirable and very costly, and that a private contractor hired by the town for a new system would be prohibitively expensive.

Chair Harrison, Ms. Dunkle, and Mr. Hinson discussed the use of ten-foot arms, which Mr. Hinson said would not create problems with trees. Chair Harrison said that what was needed was for light to reach across the street, not necessarily that it be brighter, but Mr. Collawn and Mr. Hinson said that longer arms probably would not suffice, that greater brightness likely would be required.

Mayor Dickinson said that 135-watt fixtures might be the best but that unevenness across the street would likely be problematic. Mr. Collawn said this was because of pole location. Mr. Dalton asked whether tilting the lights would be helpful, but Mr. Collawn said that this could cause ocular discomfort.

Ms. Harrison and Mr. Dalton discussed choosing a place to experiment, probably near the alley, starting with 70 watts and extended arms and changing to 135 if needed. Mr. Dalton said he would confer with REC on the cost of a pilot project and present his findings to the Town Council. Mayor Dickinson and Mr. Dalton discussed what area precisely should be considered downtown.

Mayor Dickinson expressed concern that the colonial head fixtures used in some areas diffused light too widely and into homes. Mr. Collawn said that fixtures with house-side shields were available at a cost of \$25 beyond a conventional fixture. The mayor suggested having one standard for the entire town instead of installing fixtures with house-side shields on a per-complaint basis, but Mr. Hinson and Ms. Harrison noted the high cost of comprehensive replacement. The mayor suggested having one standard and allowing residents to opt out. Mr. Collawn suggested replacement when a complaint occurs and a light requires replacement in any case, but Mr. Dalton and Chair Harrison raised concerns about the level of complication and about friction arising when neighbors differ regarding what should be done.

Mayor Dickinson said that lighting affects the perception and experience of a neighborhood and that most neighborhoods do not need bright lights. Mr. Hinson introduced another type of shield, for cobra-arm fixtures, that would not require replacement of the entire fixture.

Mr. Dalton asked how the use of shields in some areas and not in others could be compatible with the goal of uniformity. Mayor Dickinson said that the Town is not carrying out a new design and does not have consistency in lighting conditions anyway. She said that multiple solutions might be necessary.

Mr. Dalton and Mr. Collawn discussed the possibility of developing a plan for adding shields as needed.

#### **4. Discussion: Stormwater Preliminary Engineering Reports**

Mr. Dalton said that schedule conflicts have prevented a full conversation with the engineers, but that the engineers said they were behind on the task. He said he is not sure what can be done about the Jackson Drive pond area.

Chair Harrison noted that prior to the Town Council taking action on recommendations from either of the preliminary engineering reports there will have to be a full understanding of how each project will affect the entire Town Run watershed. Mr. Dalton agreed and noted that the preliminary engineering reports will aid the Town Council in future budget considerations.

#### **5. Sidewalk Gap Review**

Ms. Dunkle discussed the Mosby Boulevard TAP grant for portions of sidewalk that are unbuilt. She said she anticipates submitting the pre-application this week.

#### **6. Closed Session**

There was no closed session.

#### **7. Other**

Mr. Dalton said that Crow Street will soon require sidewalk work and that he would like to confer with the committee about improvements to the streetscape. Mayor Dickinson asked if improvements to the north side of the street would also be incorporated. Mr. Dalton said that he would like to examine that area later because the improvements there will be significant and expensive and will require assistance from an engineer and legal counsel. He said that the improvements will include commercial entrances, curb and gutter, sidewalk, and storm water management structures. Mr. Dalton said that he recommends examining improvement of Crow Street, the Crow Street parking lot, a portion of South Church Street, and the John Rixey Moore parking lot at one time to develop an attractive streetscape.

Mayor Dickinson asked about the status of a proposed electric-car charging station in the Rixey Moore parking lot. Ms. Dunkle said additional electrical work, including a new pole and fixture, was needed for a charging station. Mr. Dalton said that a grant had come through but that the town had neither accepted nor rejected it at this point, as the Town still needed to determine how the provisions of the grant would affect parking.

#### **8. Adjourn**

There being no further discussion, the meeting was adjourned at 11:41 a.m.